

## CITY OF VALLEJO PLANNING COMMISSION

Charles Legalos, Chairperson  
Kent Peterman, Vice Chair  
Gary Salvadori  
Linda Engelman  
Robert McConnell  
Norm Turley  
Gail Manning

**WEDNESDAY  
17 JANUARY 2007**

**7:00 P.M.**

City Hall  
555 Santa Clara Street  
Vallejo, California 94590

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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.

Those wishing to address the Commission on any matter not listed on the agenda but within the jurisdiction of the Planning Commission may approach the podium during the "Community Forum" portion of the agenda. The total time allowed for Community Forum is fifteen minutes with each speaker limited to three minutes.

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.

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.

**If you have any questions regarding any of the following agenda items, please call the assigned or project planner at (707) 648-4326.**

- A. ORDER OF BUSINESS CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. APPROVAL OF THE MINUTES: None.
- E. CONSENT CALENDAR AND APPROVAL OF THE AGENDA
- F. REPORT OF THE SECRETARY
  - 1. Upcoming Meeting of Monday, February 5, 2007
    - a. Code Text Amendment 06-0004 Revision of Chapter 16.70 Screening and Landscaping Regulations.  
*Continued from the meeting of 12/18/06.*
    - b. Planned Development 06-0025 Zio Fraedo's addition
    - c. Inclusionary Housing Ordinance
    - d. Planned Development 06-0018 for an new custom home in Hiddenbrooke
    - e. Planned Development 06-0024 for a new church to replace an existing church on the 700 block of Sonoma Avenue.
- G. CITY ATTORNEY REPORT
- H. COMMUNITY FORUM
- I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS
- J. LIAISON REPORTS
  - 1. Council Liaison to Planning Commission
  - 2. Planning Commission Liaison to City Council
- K. PUBLIC HEARINGS
  - 1. Planned Development 06-0025 addition to Zio Fraedo's.  
**Continued to the meeting of February 5, 2007.**
  - 2. Planned Development 02-0022 and Development Agreement 05-0008. Amendments to the Vallejo Station Project and Waterfront Project as required by the City's CEQA lawsuit settlement agreement with the Vallejo Waterfront Coalition. The Commission will be advisory to the City Council. Proposed CEQA Action: An addendum to the Waterfront Project EIR is proposed.  
  
Staff recommends a recommendation of **APPROVAL** to the City Council.
  - 3. Code Text amendment 06-0007 to amend Chapter 16 of the Vallejo Municipal Code to supplement the City's Design Review Board Ordinance. The amendment integrates the unit plan review process described in Chapter 16 of the VMC with the new language in Chapter 2.39 of the VMC, addresses the DRB unit plan appeal process, and references relevant documents and agreements. Proposed CEQA Action: Exempt.  
  
Staff recommends a recommendation of **APPROVAL** to the City Council.
  - 4. Use Permit 06-0023 for the expanded hours of operation for a new restaurant located at 324 Virginia. Proposed CEQA Action: Exempt.

Staff recommends **APPROVAL** based on the findings and conditions in the staff report.

5. Planned Development 06-0017 for a new building in the Downtown Specific Plan area located at 401 Pennsylvania Street. Proposed CEQA Action: Exempt.

Staff recommends **APPROVAL** based on the findings and conditions in the staff report.

L. OTHER ITEMS

None.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT



## STAFF REPORT

### CITY OF VALLEJO PLANNING COMMISSION

**Date of Hearing:**

January 17, 2007

**Agenda Item: K2**

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**Application Number:**

Amendments to Waterfront Projects including Vallejo Station: Planned Development Master Plan (PDMP) 00-0022 and Development Agreement (DA) 05-0008.

**Recommendation:**

Recommend that the City Council **APPROVE** an Addendum to the Final Environmental Impact Report for the Waterfront Project, and adopt resolutions recommending that the City Council approve 1) amendments to Planned Development Master Plan 00-0022, and 2) amendments to Development Agreement 05-0008 to implement the requirements of the Settlement Agreement with the Vallejo Waterfront Coalition.

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**Project Summary:**

The Waterfront project involves redevelopment of approximately 92 acres of land along the Mare Island Strait eastern waterfront to include the construction of up to 1,090 medium and high-density dwellings, up to 562,000 square feet of retail and office use (including a hotel and conference center), a multi-modal transportation facility, approximately 32 acres of public park and open space and parking to support proposed land uses and the Vallejo Ferry. The proposed project amendments are in response to the City's Settlement Agreement with the Vallejo Waterfront Coalition.

**Location:**

The project area is generally located west of the Downtown area, east of Mare Island Strait, south of Mare Island Causeway and north of the prolongation of Solano Avenue.

**Applicants:**

Callahan/DeSilva, Vallejo LLC, and Vallejo Redevelopment Agency.

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**Environmental Review:**

An addendum to the Waterfront Environmental Impact Report is attached to this staff report. (See Attachment B)

Public Notice:

A Notice of Public Hearing was mailed to owners within a 500-foot radius of project properties and neighborhood and community organization on December 21, 2006. A public notice was published in the Vallejo Times Herald on December 24, 2006.

**1. PROJECT DESCRIPTION**

The Final EIR for the project was certified by the City Council in November of 2005. The Vallejo Waterfront Coalition subsequently filed a lawsuit challenging the EIR. After almost a year of negotiation, the Coalition, Callahan De Silva Vallejo, LLC, and the City reached an agreement to settle the lawsuit contingent upon several modifications to the project. The Settlement Agreement (included as Attachment A) was adopted by the City Council on November 28, 2006.

Although the overall land use scope of the project, land use pattern, and general design of the project is not proposed to be changed, the terms of the Settlement Agreement requires several modifications to the PDMP and the DA. The actual changes are included in the attachments to this report. (See exhibits to Attachments C and D.) The most substantive of the changes are summarized below:

**Changes to PDMP:**

The primary changes are the redesign of the site plan for Parcel A to include a 4 acre wetland park, and the reduction of allowed building heights along Mare Island Way on Parcel L in the Central Waterfront. The amendments also require the elimination of Civic Drive from the central waterfront if future traffic studies document that the street is not necessary for circulation, and more specificity in allowed land uses for the commercial portion of parcel L. Other less significant changes provide clarifying language on issues of concern to the Waterfront Coalition and the Master Developer.

In addition to the changes to the PDMP required by the Settlement Agreement, staff is recommending additional specificity as to what types of commercial uses be allowed on project parcels B, C, S and T. The existing document provides for broad category uses that would require some staff interpretation. The more specific use regulations are consistent with the level of specificity found in the Zoning Ordinance the Downtown Specific Plan, and new provisions regarding commercial land use on Parcel L.

Finally, some non-substantive reorganization of the document has also been accommodated within the proposed amendments to improve the flow of the document and ease of use for future users.

**Changes to DA:**

Changes to the DA include the addition of clarifying language and definitions as well as acknowledgement of the plan implementation relative to several evolving issues. These issues include but are not limited to, DRB processing timelines, participation in future inclusionary housing requirements, participation in the proposed landscaping, lighting,

and maintenance district, the term of the agreement, and participation in public art fee program.

## 2. ENVIRONMENTAL REVIEW

The proposed changes to the Waterfront Project Planned Development Master Plan and the Development Agreement were evaluated in an Addendum to the Final EIR. The text of the addendum describes which environmental issues are affected and how the changes are appropriately addressed in an EIR addendum.

## 3. GENERAL PLAN CONSISTENCY

None of the proposed changes to the PDMP or DA are of a nature that would change previous findings that the Waterfront Project is consistent with the General Plan.

## 4. REFERENCES

- City of Vallejo General Plan
- City of Vallejo Zoning Ordinance
- CEQA Guidelines
- Vallejo Station Project and Waterfront Project Revised Draft and Final EIR and Addendum

## 5. STAFF ANALYSIS

The proposed changes to the DA are primarily procedure or process related while some of the changes to the PDMP and Design Guidelines affect the physical project that will ultimately be built. None of the physical changes (e.g., the addition of the wetland park, the changes in allowed building height along Mare Island Way in the Central Waterfront, the elimination of Civic Center Drive) significantly change the overall objectives of the Waterfront project, but they do address specific concerns of the Waterfront Coalition. Most of the changes are considered by the Coalition, the Master Developer, and staff to represent improvements to the project. Adoption of the proposed changes to the PDMP and DA will implement the policy decisions made by the City Council when they approved the Settlement Agreement and will allow the development authorized by the Waterfront Plan to proceed..

## 6. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- a. Recommends that City Council **APPROVE** the attached Addendum to the Waterfront Project FEIR.
- b. Adopt a resolution recommending that City Council **APPROVE** the proposed amendments to the Planned Development Master Plan and associated Design

Guidelines 00-0022 as required by the Settlement Agreement with the Waterfront Coalition.

- c. Adopt a resolution recommending that City Council **APPROVE** proposed amendments to Development Agreement 05-0008 as required by the Settlement Agreement with the Waterfront Coalition.

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Prepared by:

  
Brian Dolan, Development Services Director

**ATTACHMENTS**

- A. Settlement Agreement between the City of Vallejo, the Vallejo Waterfront Coalition, and the Callahan De Silva Vallejo LLC
- B. Proposed Addendum to the Waterfront Project FEIR
- C. Resolution recommending approval of proposed amendments to the PDMP including Amended Planned Development Master Plan (PDMP) and Design Guidelines
- D. Resolution recommending approval of proposed amendments to the Development Agreement including proposed Development Agreement

## SETTLEMENT AND RELEASE AGREEMENT

This Settlement And Release Agreement (the "Agreement") is entered into as of November 29, 2006, by and among the City of Vallejo, a charter city and a municipal corporation (the "City"), the Redevelopment Agency of the City of Vallejo, a public body, corporate and politic (the "Agency"), the Vallejo Waterfront Coalition, an unincorporated association, including each of its past, present and future members (the "Coalition"), and Callahan DeSilva Vallejo LLC, a California limited liability company ("CDV") (each a "Party" and, collectively, the "Parties").

### RECITALS

This Agreement is made with reference to the following facts:

1. The City is a charter city within the meaning of the California Constitution, Article XI, § 5.
2. The Agency is a redevelopment agency within the meaning of California Health & Safety Code § § 33000, *et seq.*
3. CDV is a California Limited Liability Company.
4. The Coalition is collectively an unincorporated association. The seven present members of its informal Steering Committee are listed in Attachment 3.
5. On or about February 2004, CDV revised its proposal for the development of the Vallejo Station and Vallejo Waterfront projects (collectively, the "Project"), which are located on the western edge of the City on approximately 92 acres. The revised development proposal consists of residential, office and commercial uses, a hotel, the Vallejo Station garage, a bus transfer facility, parks and open space, and various other related infrastructure improvements.
6. On or about June 11, 2005, the City released its Revised Draft Environmental Impact Report, State Clearinghouse No. 2000052073 (the "RDEIR") for the Project for public review and comment.
7. The Coalition, along with others, provided comments on the RDEIR.
8. On or about October 10, 2005, the City released its Final EIR, Responses To Comments for Project.
9. On or about October 11, 2005, the City's Planning Commission conducted a public hearing on the Project, after which the Planning Commission voted to recommend to the City Council to grant the requested approvals for the Project.
10. On or about October 25 and 27, and November 15, 2005, the City Council and the Agency conducted public hearings on the Project, and issued the following Project approvals: (i) certification of the Final EIR and adoption of a Statement of Overriding



Considerations; and (ii) adoption of General Plan Amendment #00-0001, Rezoning #030003, Planned Development Master Plan (the "PDMP") and the Vallejo Waterfront Design Guidelines (the "Design Guidelines"), Development Agreement #05-0008 (the "Development Agreement"), and certain modifications to the Disposition and Development Agreement between the Agency and CDV, set forth in the Second Amended and Restated Disposition And Development Agreement, dated as of October 27, 2005 (the "DDA").

11. On or about November 2, 2005, the City and the Agency filed and posted a Notice of Determination relating to the actions taken as described in Section 10. On or about November 16, 2006, the City filed and posted its Notice of Determination relating to the ordinances authorizing the execution of the Development Agreement, approving the PDMP and Design Guidelines and the rezoning.

12. On or about December 2, 2005, the Coalition filed a Petition for Writ of Mandate And Complaint for Injunctive Relief in the Solano County Superior Court, captioned *Vallejo Waterfront Coalition v. City of Vallejo, et al.*; Case No. FCS 027048 (the "Action"). On or about January 12, 2006, the Coalition filed a First Amended Petition, etc. in the Action.

13. Beginning on or about January 20, 2006, the Parties have engaged in settlement negotiations to resolve the Action and have reached an agreement to do so on the terms and conditions stated in this Agreement.

### AGREEMENT

NOW, THEREFORE, in exchange for the following covenants, agreements and other valuable and sufficient consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

### NORTHERN WATERFRONT/PARCEL A

#### Residential Plan

14. CDV agrees that any Unit Plan (as defined in Vallejo Municipal Code Chapter 16.116) application for the development of Parcel A (as depicted in Attachment 1A) shall include the following residential plan elements:

14.1 The residential development on Parcel A (as depicted in Attachment 1A) shall consist of a townhouse project with no more than 175 dwelling units distributed among two clustered neighborhoods. A 4.0 acre public wetland park (the "Wetland Park") shall be created in a central location between the two townhouse neighborhoods (the "Northern Residential Neighborhood" adjacent to the Mare Island Causeway and across Harbor Way from the existing restaurant known as Zio Fraedo's and the "Southern Residential Neighborhood" adjacent to Mare Island Way). The dwelling units shall be distributed among multiple buildings, comprised of traditional townhouses with stacked flats to be located at one or both ends of each building. Each building will provide grade level end units. The current site plan configuration for Parcel A provides for a total of 30 buildings consisting of 15 six-plexes, 8 seven-plexes, 4 five-plexes and 3 three-plexes. CDV and the Coalition acknowledge that the number of buildings and the mix of the types of units

(as depicted in Attachment 1A) may be reasonably modified during the Unit Plan review process.

14.2 All streets located within the residential development area (as depicted in Attachment 1A) shall be public streets with a maximum 36 foot curb-to-curb distance and allow for two-way traffic and parallel parking on each side of the street. The parking ratio for the residential development area shall not exceed 2.5 spaces per unit, and each unit shall be provided with a two car garage (including tandem garage spaces) with the remaining required parking spaces located on the interior public streets of the residential development area and Harbor Way adjacent to the Northern Residential Neighborhood.

14.3 To decrease the overall visual impact of the residential development, the taller pitched roof buildings shall be located in the Northern Residential Neighborhood with the lower pitched roof buildings located in the Southern Residential Neighborhood. Heights of the residential buildings shall not exceed 45 feet in the Northern Residential Neighborhood and 38 feet in the Southern Residential Neighborhood. Height measurements shall be calculated in accordance with Section 18.

Maximum building finish floor elevations (finish floor is the level of the surface of the concrete garage floor) shall be equal to or lower than the adjacent top of curb elevations along Mare Island Way and Mare Island Causeway. The measuring point will be taken from the street curb perpendicular to the midpoint of the building side that faces the street curb. Generally, building finish floor elevations will decrease away from Mare Island Way and Mare Island Causeway allowing the stormwater runoff from the drainage area to enter the Wetland Park.

15. Prior to submitting a Unit Plan application for the residential development, and in consultation with the City, CDV shall sponsor, advertise (in the *Vallejo Times Herald*), and provide appropriate and reasonable public notice of, two (2) public community design workshops regarding the townhouse architectural design. The Coalition shall be provided with mailed notice of these meetings in accordance with Section 82.

16. Parcel A buildings shall have an equivalent level of architectural quality and articulation as that depicted in Attachment 1B.

17. CDV shall provide in the Covenants, Conditions and Restrictions recorded in connection with the residential development, or similar purchaser notification documentation, notification to future residents that public events including, but not limited to, an annual Jazz Festival, may occur on the Promenade Park and the Wetland Park. (These parks are more fully described below in Sections 21, 22 and 23.)

18. CDV shall submit to the City any revisions necessary to the PDMP and Design Guidelines to provide that the building heights in Parcel A shall be measured from the street or alley curb perpendicular to the midpoint of the street or alley to the ridge of the roof structure. Chimneys shall not be subject to this height measurement and shall be allowed to exceed the height limit.

### **Accessibility And Circulation**

19. CDV agrees that any Unit Plan application(s) for the development of Parcel A shall include the following accessibility and circulation elements:

19.1 The site plan for the residential development area shall include public access through the new residential neighborhoods to the Wetland Park from Mare Island Way and the north end of Harbor Way. The public access points into the residential neighborhood are depicted in Attachment 1C. The design will invite pedestrians to walk through the new residential neighborhoods to the Wetland Park from the adjacent Mare Island Way and the Mare Island Causeway sidewalks.

19.2 A pedestrian pathway will be provided along the southern sidewalk of the Mare Island Causeway in approximately the same location as the existing pathway. The pathway will provide a connection from the Mare Island Causeway, through the residential neighborhood, crossing Harbor Way and marina parking in the proximity of the Parcel B1, to the waterfront promenade and will be enhanced with paving and a stop sign or other traffic control mechanism at intersection(s) with vehicle thoroughfares (as depicted in Attachment 1C).

19.3 The existing pedestrian pathway located under the Mare Island Causeway Bridge shall be improved with a new pathway surface, fencing, landscaping, and bollard lights intended to be operated in coordination with the Mare Island Causeway lights (as depicted in Attachment 1D).

19.4 A three (3)-hour parking time limit (for daytime hours, seven (7) days a week) shall be included for the on-street parking spaces located along the west side of Harbor Way and any street abutting the Wetland Park.

20. The Parties acknowledge that the City and the Agency may be required to seek lease amendments with Zio Fraedo's, the Sardine Can, and other tenants and may be required to seek an amendment of Bay Conservation and Development Commission ("BCDC") permit no. 1-86, as amended through Amendment No. 12, in order to accommodate a reconfiguration of the parking in this area. The Parties shall work cooperatively and in good faith to pursue and support any necessary amendment to the BCDC permit to reduce the parking currently required by the BCDC permit. City and Agency cannot predict whether any required lease amendments or permit no. 1-86 amendments will be obtained. Failure to obtain such amendments shall not be grounds for reducing the size of the Wetland Park or the Promenade Park as described in Sections 21 and 24.

### **The Wetland Park**

21. CDV agrees that any Unit Plan application(s) for the development of Parcel A shall include the following elements for the Wetland Park (as depicted in Attachment 1E):

21.1 The Wetland Park shall be centrally located and consist of a minimum of 4.0 contiguous acres, with approximately 1.5 to 1.7 acres comprised of vegetated swales, wetland terraces, and a tidal pond connected to the Mare Island Straight. The 4.0 acre size shall not be reduced to accommodate any non-Park use, including but not limited to the residential development described in Section 14 above, parking, public and private streets, and "paseos" or perimeters of the private development that are not contiguous to the Wetland

Park open space. Emergency vehicle-only access will be constructed of grasscrete or similar material and will be located as depicted in Attachment 1A.

21.2 The Wetland Park will create a visual amenity with interpretive features, provide for passive recreation, and re-create a naturalistic drainage system. It will connect visually and functionally with the surrounding residences and the Promenade Park. An observation area will contain interpretive features that will explain the wetland system, cleansing of stormwater, and tidal pond/brackish water ecology. The swale system will be surrounded by a series of meadows, usable for informal or passive recreation, and connected by a network of paths and bridges. The open space, while not formally programmed, will provide a variety of spaces for individuals and groups to relax and enjoy the natural surroundings. The surrounding residences will be connected to the open space by greenways or paseos. Evergreen planting and berms will screen the townhouse neighborhoods.

Planting will include trees, shrubs and grasses along the swales, informal clusters of canopy trees edging the meadows, evergreen screening, and street trees along Mare Island Way, Harbor Way, and the internal streets of the residential neighborhoods. The swales will range from ten (10) feet to forty (40) feet in width including vegetated buffer areas adjacent to the swales. At its narrowest, between the two townhouse neighborhoods, the Wetland Park will be a minimum of 120 feet wide.

In summary, the key components of the Unit Plan application relating to the Wetland Park will be: (a) a corridor of swales and a tidal pond; (b) open meadows for passive and informal use; (c) interpretive elements; (d) paths, bridges, and seating; (e) screening of surrounding development; (f) an at-grade pedestrian and visual link to the Promenade Park; and (g) tidal function highlighting the connection to the Bay system.

21.3 The Wetland Park and the Promenade Park shall be connected via landscaping and paving features to create a visual corridor from the Mare Island Causeway to the Mare Island Strait. The parking count along Harbor Way in the area between these two parks shall be reduced by twelve (12) spaces as depicted in Attachment 1A.

22. The Parties agree that:

22.1 The Wetland Park shall be dedicated in fee to the City for park purposes and maintained by the City using assessments generated by a Landscape and Lighting Maintenance District, or other similar funding mechanism, as provided for in the DDA and subject to the City's annual budgetary process.

22.2 The Wetland Park area may be used by CDV for construction staging during the initial site preparation for the development of Parcel A (estimated to occur over 18 to 24 months) and during the construction of the Northern and Southern Residential Neighborhoods (each of which is estimated to occur over an additional 12 to 18 months). CDV shall complete construction of the Wetland Park, and cease all staging activities, at the earlier of either: (a) one full construction season after the area is no longer needed for construction staging as provided in this Section 22.2; or (b) one full construction season after the issuance of the certificate of occupancy for the 140<sup>th</sup> residential unit on Parcel A.

22.3 CDV shall propose an amendment to the DDA, in consultation with Agency staff, to establish CDV's obligation to design and construct the Wetland Park. CDV

shall provide a guarantee to the City and the Agency for the completion of the Wetland Park through a performance bond or other equivalent form of security specified in the Vallejo Municipal Code as may be acceptable to the City and the Agency.

22.4 CDV shall propose, and City staff shall support, that the Wetland Park be named "Mariner's Cove Wetland Park."

### **The Promenade Park**

23. CDV shall contribute \$1.629 million to the construction of the Promenade Park, a 3.5 acre public park located west of Harbor Way (as depicted on Attachment 1F) pursuant to the provisions of the DDA. CDV shall complete construction of the Promenade Park prior to the issuance of the certificate of occupancy for the 140<sup>th</sup> residential unit on Parcel A.

24. The 3.5 acre size of the Promenade Park shall not include parking or public and/or private streets.

### **Staging Activities**

25. The Coalition agrees that CDV may seek an amendment to the DDA and other City and Agency approvals to place on Parcel A clean fill for the purpose of surcharging the parcel prior to conveyance of Parcel A by the Agency to CDV and prior to CDV's submittal of the Parcel A Unit Plan application, provided the final grades are consistent with Section 14.3. The City and Agency shall review and consider such amendment and/or approvals pursuant to its normal processes, upon application by CDV.

### **Parking Lot Landscaping**

26. The Unit Plans that encompass any of the parking lots in the Northern Waterfront shall include landscaping for the parking lot, as required by the PDMP and Design Guidelines.

## **CENTRAL WATERFRONT/PARCELS J AND L COMMON ISSUES**

### **Articulation And Terracing**

27. In accordance with Section 51, CDV shall submit to the City the following proposed additional provisions and/or revisions to the PDMP and the Design Guidelines for the Parcels J and L:

27.1 "The architecture in the Central Waterfront must be sensitive to the pedestrian scale and the nature of the waterfront experience. People arriving on the ferry, walking, or driving in from the surrounding areas should see highly articulated and well-defined architecture spanning the Mare Island Way street frontage from Capitol Street to Maine Street. Georgia Street is the retail commercial spine of the downtown and special care should be taken in defining the architectural treatment of this gateway to give it the emphasis it needs while maintaining an inviting and attractive appeal to the pedestrian."

27.2 "Articulation and terracing of building massing shall be the primary ways to achieve the necessary architectural variation in massing. Emphasis shall be placed on designing highly articulated (both horizontally and vertically) and well-detailed buildings fronting all streets in the Central Waterfront area. The primary goal of terracing and articulation is to avoid blank, minimally articulated building walls fronting Mare Island Way, Georgia Street, Santa Clara Street, and Maine Street and to avoid building facades on Mare Island Way that have only one continuous minimum setback without terracing of the building massing. This articulation shall apply to all levels fronting on all streets in the Central Waterfront area, regardless of building height. The articulation and terracing in the building massing should be large enough to allow the residential or office uses on the upper floors to use this space as an outdoor terrace when appropriate for the associated use, in order to increase activity along these important building facades. Curvilinear buildings are not appropriate in the Central Waterfront area, although curvilinear design features such as turrets and window details are acceptable."

To illustrate the required level of architectural quality, CDV shall include examples of developments that reflect this type of articulation and terracing (as depicted in Attachment 2A) in the PDMP and Design Guidelines proposed amendments. All references and images to curvilinear buildings in the Design Guidelines for Parcels J and L shall be replaced with images of rectilinear buildings.

27.3 "Building heights generally shall step down in a westerly direction from Santa Clara Street to Mare Island Way" (as depicted in Attachments 2B, 2C, and 2D and described in Section 37).

#### **Building Height Measurement**

28. In accordance with Section 51, CDV shall submit to the City any revisions necessary to the PDMP and the Design Guidelines to provide that: (a) Parcel J building height shall be measured from the street curb perpendicular to the midpoint of the building to the building top plate; (b) Parcel L building height shall be measured from the street curb perpendicular to the midpoint parcel zone to the building top plate, as depicted in Attachments 2B, 2C, 2D and 2F.

On Parcels J and L: (a) Decorative features, including, but not limited to, parapets, spires, bell towers, domes, cupolas, obelisks, and monuments, and pitched roofs or pitched roof elements, including, but not limited to, dormers, shall be limited to a maximum height of six (6) feet above the building top plate; (b) If any pitched roof element such as a dormer or vaulted ceiling increases the interior ceiling height of the top unit, it shall be limited to a maximum of three (3) feet above the top plate; and (c) Elevator or stair towers, chimneys, ventilators, plumbing vent stacks, water tanks, cooling towers, machinery rooms and other mechanical equipment and appurtenances shall not be subject to these height limits, and shall be appropriately screened in accordance with the PDMP and Design Guidelines.

### **Sidewalks And Building Setbacks**

29. In accordance with Section 51, CDV shall submit to the City the following proposed revision to the PDMP and the Design Guidelines for the Parcels J and L: the building setback requirements shall not be reduced from the range of 18.5 to 23 feet from the face of curb along Mare Island Way as set forth in the current PDMP and Design Guidelines.

### **Open Space**

30. CDV agrees that the Unit Plan applications submitted for Parcel J and Parcel L shall each provide that no less than 20 percent of such parcel's surface area shall be public or private open space. Public and private open space shall include sidewalks, public plazas, public and private landscaped areas, private courtyards, pedestrian alleys, or such other equivalent spaces.

### **Community Design Workshops**

31. Prior to the submittal by CDV of any Unit Plan application(s) for Parcels J and L, and in consultation with the City, CDV shall sponsor, advertise (in the *Vallejo Times Herald*), and provide reasonable and appropriate public notice of a minimum of two (2) public community design workshops regarding architecture, including the Vallejo Station garage entrances. The Coalition shall be provided with mailed notice of these meetings in accordance with Section 82.

### **Downtown Property Based Improvement District (PBID)**

32. The City shall use best efforts to include Parcels J and L in the proposed PBID. In conjunction with the formation of the LLMD for the Project and Downtown Specific Plan, the City shall work cooperatively with the developers for the Waterfront and Downtown Projects and use its best efforts to provide that both Districts function effectively, do not overlap in responsibilities, and are not overly burdensome to present and future property owners. This section is not intended to create a separate, new or expanded obligation or right.

## **PARCEL J**

### **Retail Uses And Height Limits**

33. In accordance with Section 51, CDV shall submit to the City revisions to the PDMP and the Design Guidelines:

33.1 To require retail uses on the ground floor of the building on Parcel J1 as defined and allowed in Category 1 for the Georgia Street Corridor specified in the Downtown Specific Plan as of the date of this Agreement.

33.2 To limit the height of the building on Parcel J1 to 45 feet along Mare Island Way and the Festival Green for a depth of one (1) dwelling unit (a minimum of 30 feet) with the remainder of the building to be limited to a height of 55 feet.

33.3 To limit the height of the building on Parcel J2 to 45 feet along Mare Island Way to Capitol Street for a depth of one (1) dwelling unit (i.e., a minimum of 30 feet), with the remainder of such building to be limited to a height of 55 feet.

#### **Civic Center Drive**

34. Prior to CDV's submittal of any Unit Plan application for Parcel J, CDV and the City shall study the possibility of removing the intersection of Civic Center Drive and Georgia Street. The City shall obtain an independent opinion from a qualified traffic engineer regarding whether the intersection's level of service (the "LOS") anticipated in the Final EIR, for the Project can be maintained without the extension of Civic Center Drive through Festival Green to Georgia Street. The City shall provide notice to the Coalition of the process for the selection of the traffic engineer and provide for pre-selection comments from the Coalition on the traffic engineer proposed for selection. The City shall conduct a pre-study meeting to solicit comments from interested parties, including the Coalition, regarding the scope of the study. CDV shall fund the cost of this study. In the event it is determined that such LOS cannot be maintained, and Civic Center Drive is to be extended through Festival Green to Georgia Street, the traffic engineering study also shall include an analysis of possible measures (such as removable bollards) to prevent bisecting the Festival Green and the adjacent pedestrian area during non-peak traffic times. Nothing in this Agreement shall preclude the Coalition from commenting on the traffic engineering study.

#### **Construction Of The Festival Green**

35. Construction of the Festival Green by the City shall be completed within twelve (12) months of completion of the Vallejo Station parking garage, unless construction is delayed due to *force majeure*, i.e., to those causes identified in Section 604 of the DDA (as may be amended from time to time), including, but not limited to, any act of God, riot, war, civil unrest, flood, earthquake, or other cause beyond the City's reasonable control, in which case the time for performance of this provision shall be extended in the same manner and method identified in Section 604 of the DDA (as may be amended from time to time). If the Vallejo Station Project and/or parking garage are not constructed, the City shall complete construction of the Festival Green by no later than the issuance of the certificates of occupancy for eighty percent (80%) of the residential units on Parcel J.

### **PARCEL L**

#### **Descriptions of Sub-Parcels**

36. For purposes of this Agreement, the sub-parcels comprising Parcel L are described as follows:

36.1 Parcel L1 is an approximately 1.9 acre private development residential parcel including a retail element fronting on Mare Island Way, bounded by Mare Island Way on the west, Maine Street on the south, Santa Clara Street on the east and the paseo (Parcel L5) on the north;

36.2 Parcel L2 is an approximately 1.9 acre private development, mixed use, retail/commercial parcel including retail occupancies on the first floor and commercial



office occupancies on the second and third floors, bounded by Mare Island Way on the west, Georgia Street on the north, and Parcel L3 (Vallejo Station) on the east and south;

36.3 Parcel L3 is an approximately 4.6 acre public ownership parcel including two levels for the Vallejo Station ferry parking structure, bounded by Georgia Street on the north, Santa Clara Street on the east, Parcel L1 on the south, and Parcel L2 and Mare Island Way on the west;

36.4 Parcel L4 is an approximately 2.8 acre private development, vertical subdivision parcel on a portion of the top deck of the Vallejo Station garage, bounded by Georgia Street on the north, Santa Clara Street on the east, the paseo (Parcel L5) on the south, and Parcel L2 on the west including a one-level parking structure and approximately 200,000 square feet of mixed retail/commercial uses providing up to 200 hotel rooms, approximately 20,000 square feet of retail fronting on Georgia Street, and an approximately 30,000 square foot bar/restaurant and meeting center facility;

36.5 Parcel L5 is an approximately 1.8 acre public ownership vertical subdivision parcel on a portion of the top deck of the Vallejo Station garage, bounded by Parcel L4 on the north, Santa Clara Street on the east, and Parcel L1 on the south and west to be utilized as a paseo providing pedestrian access between the Vallejo Station Bus Transfer facility and the Bay Link ferry system, public open space, short term parking to serve the Parcel L retail uses, and emergency vehicle access to serve Parcels L1, L2, and L4.

#### **Building Height Limits**

37. In accordance with Section 51, CDV shall submit to the City revisions to the PDMP and the Design Guidelines in accordance with the following:

37.1 Building heights shall be established in relation to specific zones of Parcel L, including the street frontages of Mare Island Way, Maine Street, Georgia Street, and Santa Clara Street. Elevation drawings for each block (e.g., along Mare Island Way from Georgia Street to Maine Street) showing the location from which the height of each building will be measured as depicted in Attachments 2B, 2C, and 2D.

37.2 Parcel L1:

(a) Along Mare Island Way, Parcel L1 shall be divided into two zones:

(i) L1 Zone One is located along Mare Island Way, originating at Maine Street, includes the corner of Maine and Mare Island Way, and has a building frontage along Mare Island Way of approximately 265 feet and shall be limited to a maximum height of 45 feet for a depth of one dwelling unit (i.e., a minimum of 30 feet).

(ii) L1 Zone Two is located north of Zone One and south of the Vallejo Station parking garage entrance, and shall be limited to a maximum height of 35 feet.

(b) Along Maine Street, Parcel L1 shall be divided into three zones:

(i) L1 Zone Three originates on the west segment of Maine Street, approximately 50 feet from the curb of Mare Island Way, and shall be limited to a maximum height of 55 feet.

(ii) L1 Zone Four is located east of Zone One for approximately 150 feet, and shall be limited to a maximum height of 65 feet.

(iii) L1 Zone Five is located east of Zone Two up to the corner of Maine Street and Santa Clara Street, and shall be limited to a maximum height of 70 feet.

(c) Along the Vallejo Station Paseo, Parcel L1 shall be limited to a maximum height of 65 feet,

(d) The building at the corner of the Vallejo Station Paseo (Parcel L5) and Santa Clara Street shall not exceed 60 feet as depicted in Attachment 2C.

37.3 Parcel L2 shall be limited to a maximum height of 45 feet.

37.4 Parcel L4 shall be limited to a maximum height of 55 feet.

37.5 At the corner of Mare Island Way and Georgia Street, a set back of the building shall be provided to create a public open space area of no less than 1,900 square feet (as depicted in Attachment 2E), which may include outdoor seating.

#### Retail Uses

38. In accordance with Section 51, CDV shall submit to the City revisions to the PDMP and Design Guidelines to incorporate the allowable uses from Categories 1 and 2 specified in the Downtown Specific Plan as of the date of this agreement, as follows:

38.1 On Parcel L2 on the ground floor of the building, retail uses as defined and allowed in Category 1 for the Georgia Street Corridor in the Downtown Specific Plan ("Category 1").

38.2 On Parcel L1 on the ground floor of the building fronting on Mare Island Way, retail uses as defined and allowed in Category 2 for the Central Downtown District in the Downtown Specific Plan ("Category 2").

38.3 With respect to the retail uses on Parcel L4 located in the arcade area fronting Georgia Street, CDV shall, for a period ending no earlier than twelve (12) months from the date of completion of the retail building shell, use good faith and commercially reasonable efforts to lease this space to tenants consistent with the definition of Category 1 in the Downtown Specific Plan. If at the expiration of this twelve (12) month period, CDV has been unable to fully lease the available retail space to Category 1 tenants, CDV shall be free to pursue tenants and lease any remaining unleased retail space consistent with the Category 2 in the Downtown Specific Plan.

### **Parking Adjacent To The Paseo**

39. The City shall delay installation of the planned northern row of parking along the pedestrian Paseo until, in the City's determination, the conference center or other uses in Zone Two (the same Zone as the conference center) require such additional parking spaces. The City shall be responsible for the costs of installing such future parking spaces.

Notwithstanding the above, in the event a phased approach is adopted for the construction of parking garage(s) for the Vallejo Station Project, the City may reconfigure the parking adjacent to the Paseo, maintaining a minimum eighteen foot (18') pedestrian Paseo, until the second phase of the parking garage construction is completed.

### **Hotel/Conference Center**

40. Prior to the submission of a Unit Plan application for the proposed hotel, CDV shall submit to the City a description of the features of the hotel/conference center facility and a market and feasibility study, prepared by an expert consultant, to identify the feasible hotel/conference center market for the site and the amenities necessary to attract a high quality hotel operator. CDV shall provide notice to the Coalition of the process for the selection of the consultant and provide an opportunity for pre-selection comments from the Coalition on the consultant. The consultant selected shall have experience in hotel/conference center marketing and feasibility studies. The study shall be presented to the City Council at a regularly noticed public hearing. A copy of the final study shall be provided to the Coalition at least 7 days in advance of the hearing, and nothing in this Agreement shall preclude the Coalition from commenting on the final study.

### **Bus Transfer Facility**

41. The City and the Agency shall issue a request for proposals for design services for the Bus Transfer Facility no later than ninety (90) days following the effective date of this Agreement. The City and the Agency shall diligently pursue the completion of the Bus Transfer Facility as part of the first phase of the Vallejo Station project.

### **THE DESIGN REVIEW BOARD**

42. CDV shall submit to the City revisions to the PDMP and the Design Guidelines to provide that the architectural elements of all Unit Plan applications on all parcels shall be subject to review by a Design Review Board (the "DRB").

43. The City staff agrees that its recommendations to the City Council regarding the DRB, which it shall review with the Coalition prior to finalizing the staff report, shall include the following:

43.1 The DRB shall consist of either five or seven members to be appointed by the City Council for staggered four year terms. If it is a five member DRB, then there shall be two alternates. A quorum will consist of four members regardless of whether a five-member or seven-member DRB is established. A tie vote shall have the same effect as a denial.

43.2 All regular and alternate DRB members shall have a demonstrated competence and interest in architecture, landscape architecture or urban design through education, training or experience. This includes, but is not limited to, an understanding of design principles and the ability to read, analyze and interpret architecture and site plans. It is the intent that a majority of the regular and alternate DRB members have experience as professional architects, landscape architects, or urban planners with a substantial background in urban design.

43.3 DRB recommendations shall be forwarded directly to City Council without modification by any other City board or commission. Appeals of final decisions of the DRB shall be heard by the City Council, unless the City Council subsequently amends this process by ordinance, after public notice. The appeal provisions for DRB decisions will contain a footnote stating that "Pursuant to the Disposition and Development Agreement ("DDA") between the Redevelopment Agency of the City of Vallejo and Callahan/DeSilva, LLC, the Redevelopment Agency and Callahan/DeSilva, LLC are obligated to timely appeal decisions of the DRB regarding unit plans for major projects to the City Council. Under the DDA, the development services director is authorized to determine what constitutes a major project."

43.4 The Design Guidelines shall be a primary guiding document in reviewing the Project, as revised pursuant to this Agreement, together with the mandates of the PDMP, and other applicable City codes and ordinances.

43.5 A design program for commercial signs in the Waterfront Project shall be reviewed and approved by the DRB.

43.6 The DRB shall review and make recommendations to the City Council on any amendments to the Design Guidelines.

43.7 In addition to attaching the relevant meeting minutes, the staff report shall state that at the May 1, 2006 Planning Commission public meeting to review the draft DRB ordinance, a majority of the public in attendance who addressed the issue and the two Planning Commissioners commenting on this issue, Commissioner Turley and Commissioner McConnell, expressed support for a seven-member board.

#### UNIT PLAN REVIEW

44. Prior to submitting Unit Plan applications for development, CDV shall review these applications with the Coalition for compliance with the terms of this Agreement. A City staff person familiar with the Unit Plan process and the Project shall attend the reviews to provide technical comments and input regarding the Unit Plan applications. This Unit Plan review process shall only apply to a Unit Plan application for development that meets each of the following criteria: (a) the application is related to the terms of this Agreement; (b) the application requires discretionary approval of the DRB, the Planning Commission, the Redevelopment Agency Commission, or the City Council; and (c) the application requires public notice and a hearing. The Coalition, through its representatives, shall provide any comments to CDV in writing regarding compliance with Agreement within fifteen (15) calendar days of the receiving such materials from CDV. The Coalition agrees that it shall not raise any issues concerning compliance of the Unit Plan application(s) with the terms of

this Agreement other than those contained in written comments provided to CDV pursuant to this Section and subject to Section 53.

### **WATER CONSERVATION MEASURES**

45. In connection with the initial construction of the Project, water conservation measures shall be incorporated into residential and commercial structures by the City and CDV in accordance with the following:

#### **Residential Indoor Water Conservation Measures**

45.1 All minimum Building Code and Water Division requirements for indoor water conservation in effect at the time of the effective date of this Agreement shall be exceeded by no less than twenty percent (20%).

#### **Commercial Indoor Water Conservation Measures**

45.2 Any and all indoor fixtures shall at a minimum be installed as motion sensory devices with technology equivalent to or better than those devices available on the commercial market as of the effective date of this Agreement.

#### **Commercial Outdoor Water Conservation Measures**

45.3 All landscaping initially installed on private development shall use climate sensitive irrigation controls which aim to minimize or eliminate irrigation during cloudy and/or rainy days.

45.4 All landscaping initially installed on private development shall be planted in hydrozones. Hydrozones create an irrigation pattern that groups drought tolerant plants on separate irrigation loops from high water users; such as turf.

#### **Public Rights-of-Way Water Conservation Measures**

45.5 All landscaping initially installed by the City in the Project's public-rights-of-way, including thoroughfare medians and public sidewalks, shall maximize the use of drought tolerant and California Native Plants and shall use climate sensitive irrigation controls that aim to minimize or eliminate irrigation during cloudy and/or rainy days. The City shall continue to use good faith, best efforts to implement these same (or improved) water conservation measures in connection with its ongoing and future maintenance of such landscaping.

### **GREEN BUILDING DESIGN MEASURES**

46. CDV will actively pursue the integration of green building materials, green construction methods and green site preparation in all Unit Plan applications, where application of such methods and materials integrate with or seamlessly replace more traditional methods as described in the Design Guidelines under Chapter III, Waterfront District Guidelines, Section A, 2.1 "Green Site and Building Design." CDV will discuss the

use of green building design measures and methods pursuant to the Design Guidelines at the community design workshops called for in Sections 15 and 31. CDV's architect will prepare written materials describing the extent to which a Unit Plan application employs the techniques and methods set forth in the Design Guidelines (Chapter III, Section A, 2.1, "Green Site and Building Design").

Where such activities would compromise the feasibility of a Unit Plan application or reduce the marketability of the ultimate land use, CDV will not be required to accommodate such methods. In this event, CDV's architect or engineer shall furnish the Coalition with written documentation showing the infeasibility. Since green building design is a voluntary practice and not a requirement of the Vallejo Building or other Codes, CDV will not be considered in breach of this or any other clause of this Agreement if incorporation of these concepts, techniques, and methods cannot be attained.

### **RETAIL POST OFFICE**

47. The City, the Agency, and CDV shall make good faith and commercially reasonable efforts to negotiate a relocation agreement with the U.S. Postal Service (USPS) that includes a long-term continued retail presence for the Post Office in the Downtown or the Central Waterfront as close as possible to the existing location. The Parties acknowledge that the USPS has exclusive authority to determine the location of postal facilities.

### **PDMP AND DESIGN GUIDELINES AMENDMENTS**

48. CDV shall submit to the City proposed revisions to the PDMP and Design Guidelines so that all references in the PDMP and Design Guidelines to "when feasible" or "where feasible" or "when/where practical" shall be immediately followed with the phrase "as determined and approved by the Design Review Board." CDV shall also submit to the City proposed revisions to delete references in the PDMP and Design Guidelines to Type V buildings.

49. CDV shall submit to the City Attachments 1A through 2F to be incorporated into the PDMP and Design Guidelines ordinance.

### **ADDITIONAL PROVISIONS**

50. The Parties each acknowledge that many of the obligations under this Agreement are going to occur in the future, and over time, and involve public processes, notice and hearings. The Parties further acknowledge that they are not and cannot by this Agreement commit the City or the Agency to take any specific actions prior to such public processes, notice and hearings. Consequently, this Agreement is not intended to, nor does it serve to, amend or modify the DDA and the Development Agreement for the Project, or other Project approvals.

CDV and the Coalition agree and acknowledge that the City (and, where appropriate, the Agency) cannot commit in advance to the outcome of the development applications described herein and that the applications are subject to the legally required public hearing process as any other application for land use entitlements in the City. Nothing herein shall constitute or be construed as a pre-commitment by the City or the Agency to approve development applications and no cause of action of any kind or nature shall inure to CDV or

the Coalition by reason of the approval, conditional approval or failure to approve any development application.

51. The Parties agree that the proposed amendments to the PDMP and the Design Guidelines may be submitted for approval by the City Council in the form of an errata.

52. Within ten (10) calendar days from the date of the City Council's first reading introducing the PDMP and Design Guidelines ordinance and the ordinance amending the Development Agreement, the Coalition shall provide written notice to the City if the Coalition believes that any portion(s) of the ordinances is inconsistent with this Agreement. If the Coalition sends such notice, the Parties shall meet and make a good faith effort to resolve these inconsistencies. The City and/or CDV shall provide the Coalition with advance notice of the first readings of these ordinances in accordance with Section 82.

If the Coalition does not provide a timely notice of inconsistencies, or if such inconsistencies have been resolved, then within ten (10) days of the Council's second reading approving the ordinances the Coalition shall execute and deliver an original of the Request for Dismissal of the action with prejudice, signed by the Coalition's attorneys of record, to John A. Nagel, Assistant City Attorney, City of Vallejo, 555 Santa Clara Street, P. O. Box 3068, Vallejo, California 94950. The City shall cause the Request for Dismissal with prejudice to be filed thirty-one (31) days after the second reading of the ordinances, and shall serve endorsed file copies thereof upon all other counsel of record in the Action.

If the Coalition has given timely notice of inconsistencies, the issues are unresolved, and the City Council does not introduce and adopt ordinances consistent with this Agreement, the Coalition may elect to terminate this Agreement. In the event that the Coalition so elects, it shall provide written notice to the other Parties within ten (10) days of the City Council's final adoption of the subject ordinances. If the Coalition elects not to terminate the Agreement and no such notice is provided, the Coalition shall be deemed to have accepted the ordinances as adopted and shall be estopped from objecting to any Unit Plans or other application submitted consistent with the ordinances. The Parties shall execute an amendment to the Agreement that memorializes any necessary revisions to the provisions of this Agreement based on the adopted ordinances.

53. The Coalition agrees, on behalf of itself and its principals, officers, directors, members, employees, agents and representatives, that except for seeking compliance with the terms and conditions of this Agreement, they shall support and not object to, oppose, delay, or frustrate in any manner, directly or indirectly (and shall not assist third parties in doing so) the approvals of the Project, or as it may be amended in conformity with this Agreement, or any of its elements including, but not limited to, the proposed amendments to the PDMP and Design Guidelines, the Development Agreement and the DDA, as well as any environmental documentation pursuant to the California Environmental Quality Act that the City determines is appropriate to support such amendments, or any future amendments to such Project approvals, and any approvals by other public agencies including, but not limited to, BCDC and the State Lands Commission, provided that they are not inconsistent with this Agreement. The Coalition further agrees that in the event that it believes that any proposed action by CDV, the City or the Agency is inconsistent with the terms of this Agreement, it shall promptly provide written notice of same to CDV, the City and the Agency as described

in Section 44, and its failure to promptly do so shall constitute a waiver of such specific objection thereto.

54. CDV agrees to pay the Coalition for its reasonable attorneys' fees and costs in an amount not to exceed \$66,485.68. CDV shall provide such payment within twenty-one (21) days following the Dismissal of the Action as described in Section 52.

55. Except as to such rights or obligations as may be created by this Agreement, and except as provided in this Section 55, the Parties and each of their successors, predecessors, affiliates, joint venturers, principals, assigns, partners, employees, agents, representatives, attorneys, administrators, executors, sureties and insurers hereby mutually release and forever discharge the other Parties, and each of their respective present and former successors, predecessors, affiliates, joint venturers, principals, assigns, shareholders, partners, employees, agents, representatives, owners, shareholders, officers, directors, attorneys, sureties, and insurers (the "Released Parties") from any and all claims, demands, liabilities and causes of action, of whatever kind or nature, known and unknown, which are or could have been alleged in the Action.

56. The Releasing Parties specifically waive the benefit of the protections of Section 1542 of the California Civil Code, which states as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

The Releasing Parties represent and warrant that they have been advised by their respective attorneys of the meaning of Section 1542 of the California Civil Code, and of the implications of waiving the protections thereof.

57. Each Party acknowledges and agrees that it has received legal advice from counsel of its own free choice with respect to the advisability of entering into the settlement provided for in this Agreement, and to the advisability of executing this Agreement. Each Party further acknowledges that it has voluntarily and knowingly executed this Agreement based on such advice.

58. Each Party has cooperated in the preparation and drafting of this Agreement. Accordingly, in connection with any construction or interpretation of this Agreement, the same shall not be construed against any Party.

59. The Parties acknowledge that this Agreement (including Attachments 1A through 3, which are incorporated by reference herein) is the only, sole, entire, and complete agreement between the Parties relating in any way to the subject matter hereof, which supersedes all prior and contemporaneous oral and written understandings, discussions, negotiations and agreements. This Agreement shall not be modified, supplemented, amended, terminated or superseded except by an agreement in writing signed by the Party or Parties to be charged.

60. The Parties further acknowledge that no Party (nor any officer, agent, employee, representative, or attorney of or for any party) has made any statement or



representation to any other Party regarding any fact relied upon in entering into this Agreement, and each Party does not rely upon any statement, representation or promise of any other Party (or of any officer, agent, employee, representative, or attorney for the other Party), in executing this Agreement, or in entering into the settlement provided for herein, except as expressly stated in this Agreement and that no consideration has been offered, promised, expected or held out other than as is expressly provided herein.

61. Each Party to this Agreement has made such investigation of the facts pertaining to this settlement and this Agreement and of all the matters pertaining thereto as it deems necessary.

62. Each Party has read this Agreement and understands the contents hereof.

63. Each Party represents and warrants that it is the owner of, and has the authority to settle and release the claims and/or rights covered by this Agreement. Each Party further represents and warrants that it has not assigned or in any way conveyed, transferred or encumbered all or any portion of the claims or rights covered by this Agreement. Each Party expressly agrees that this Agreement, or any of the rights or obligations hereunder, may not be assigned, transferred or conveyed to any other person or entity, except that CDV and its permitted successors and assigns may assign, transfer or convey its rights and obligations hereunder as allowed in accordance with the DDA and the Development Agreement (as such agreements may be amended from time to time) and Section 65 of this Agreement. The Parties acknowledge that the membership of the Coalition may increase, decrease, or otherwise change from time to time, and this shall not affect the rights and obligations of any Party under this Agreement.

64. Each Party represents and warrants that it has the authority to enter into the settlement of this Action, on the terms and conditions stated in this Agreement, and to execute this Agreement, and further agrees to indemnify and hold harmless each other Party with respect to any claim that such authority did not exist. The persons executing this Agreement on behalf of the Coalition represent and warrant to each other Party that she has the authority to bind the Coalition, including the individuals listed on Attachment 3.

65. This Agreement, and all the terms and provisions hereof, shall be binding on and inure to the benefit of the Parties and each of their present and future heirs, successors, predecessors, affiliates, parents, subsidiaries, joint venturers, principals, assigns, shareholders, partners, employees, agents, representatives, officers, directors, attorneys, sureties, and insurers. CDV shall provide notice and a copy of this Agreement to any transferee as defined by and allowed in accordance with the DDA and the Development Agreement (as such agreements may be amended from time to time).

66. This Agreement represents the settlement of challenges to the approvals of the Project, which are denied and contested and nothing contained herein shall be construed as an admission by the City, the Agency or CDV of any liability of any kind with respect thereto.

67. Except as otherwise provided by this Agreement, failure to insist on compliance with any term, covenant, or condition contained in this Agreement shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment

of any right or power contained in this Agreement at any one time or more times be deemed a waiver or relinquishment of any right or power at any other time or times.

68. Each Party agrees that if any provision of this Agreement is breached, the breaching party shall indemnify and hold the other Parties harmless from any and all costs, damages and liabilities, including reasonable attorneys' fees and expenses, arising out of or resulting from said breach.

69. The Parties understand and agree that City and Agency obligations set forth in this Agreement to fund development and capital projects, and to provide for, or fund, ongoing maintenance and operation of parks or other facilities (Sections 22.1, 23, 32, 35, and 41) are subject to the City's and the Agency's annual budgeting process and to the availability of funds.

70. The Parties shall fully cooperate to ensure that the steps necessary to implement this Agreement are carried out. The Parties retain the full range of remedies to enforce the terms of the Agreement, including injunctive relief and specific performance; provided, however, that in no event shall the Parties be entitled to monetary damages, other than attorney's fees and costs as set forth herein.

71. CDV shall not be in breach of this Agreement, and the Coalition shall have no right to enforce this Agreement against CDV, provided that: (a) CDV submits to the City proposed changes to the PDMP and Design Guidelines and the DDA in conformity with this Agreement; (b) CDV submits to the City Unit Plan Application(s) for Parcel A in conformity with this Agreement; (c) CDV submits to the City Unit Plan Application(s) for Parcels J and L in conformity with this Agreement, or, in the event that the City enacts any ordinance or regulation which has the effect of revising the requirements for the Project inconsistent with the terms of this Agreement, with the then existing PDMP and Design Guidelines or other applicable land use regulations, as may be amended from time to time; (d) CDV's applications for any approvals from regulatory agencies, other than the City or the Agency, with discretionary authority over the Project are in conformity with this Agreement; (e) CDV satisfies all other obligations specifically imposed upon it pursuant to this Agreement; and (f) CDV has acted in good faith to seek only approvals consistent with this Agreement from all agencies with discretionary authority over the project; provided, however that in the event that any regulatory agency (including the City and the Agency) with discretionary authority over the Project adopts ordinances or regulations applicable to, or grants approvals inconsistent with the provisions of this Agreement, CDV, City and Agency shall not be in breach.

In this event, the Coalition may object to the adoption of such ordinances and regulations or approvals to the extent these actions are inconsistent with the provisions of the Agreement, and in so objecting shall not be in breach of the Agreement and, if the Coalition has objected to such ordinance or regulation or approval, the Coalition may elect to terminate this Agreement. In the event that the Coalition so elects, it shall provide written notice to the other Parties within ten (10) days of the final adoption of the ordinance or regulation or the final agency approval. If the Coalition elects not to terminate the Agreement and no such notice is provided, the Coalition shall be deemed to have accepted the ordinance, regulation, or approval and shall be estopped from objecting to any Unit Plan or other application submitted consistent with such ordinance, regulation or approval. The Parties shall execute

an amendment to the Agreement that memorializes any necessary revisions to the provisions of this Agreement based on the adopted ordinances or regulations or approvals.

72. In the event that a Party believes that another Party has breached its obligations under this Agreement, the right to enforce this Agreement shall be subject to the following additional limitations: (a) prior to delivering a Notice Of Claimed Breach Of Agreement, as provided for in Section 73, the Party alleging a breach must request that the Parties, through their representatives, informally meet in order to attempt to mutually resolve the alleged breach and all Parties shall participate in this meeting; (b) the Party alleging a breach must deliver a Notice Of Claimed Breach Of Agreement, as provided in Section 74; and (c) the Party alleging a breach must bring any action based on the Notice Of Claimed Breach Of Agreement within forty (40) days of delivery of same.

73. Prior to the initiation of any action for relief because of an alleged breach of this Agreement, the Party claiming breach shall deliver to the other Party a written notice of claimed breach of the Agreement ("Notice Of Claimed Breach Of Agreement"). The Notice Of Claimed Breach Of Agreement shall specify the reasons for the allegation of breach with reasonable particularity. The party receiving such Notice shall have thirty days (30) days to either: (a) use good faith efforts to cure the breach, or if such cure is of the nature to take longer than thirty (30) days, to take reasonable actions to commence curing the breach during such thirty (30) day period; or (b) if the Party receiving such Notice determines that such event does not constitute a breach of this Agreement, that Party, within thirty (30) days of receipt of the Notice Of Claimed Breach Of Agreement, shall deliver to the Party claiming the breach a "Notice of Non-Breach" which sets forth with reasonable particularity the reasons that a breach has not occurred. Failure to respond within the thirty (30) days shall not be deemed an admission of the breach, but the party alleging the breach may proceed to pursue its remedies hereunder.

74. The Parties to this Agreement do not intend to create any third party beneficiaries to this Agreement. No person or entity other than the parties is intended or shall be bound by or benefit from any of the provisions of this agreement.

75. In the event that any provision of this Agreement shall be held to be void, voidable or unenforceable, the remaining portions thereof shall remain in full force and effect.

76. This Agreement may be executed and delivered in two or more counterparts, each of which when so executed and delivered shall be the original, but such counterparts together shall constitute but one and the same instrument.

77. This Agreement shall be deemed executed in the State of California and shall be construed, interpreted, and enforced under the procedural and substantive laws of the State of California. Any litigation relating to this Agreement or the alleged breach thereof must be brought in Solano County Superior Court.

78. Captions are included herein for ease of reference only. The captions are not intended to affect the meaning of the contents or scope of this Agreement.

79. Time is of the essence in this Agreement.

80. From time to time, at the request of any Party, without further consideration, at its expense and within a reasonable period of time after request hereunder is made, the Parties hereby agree to execute and deliver any and all further documents and instruments, and shall do all acts, as any party may reasonably request which may be necessary or appropriate to fully implement the provisions of this Agreement.

81. With respect to any obligation that CDV has under this Agreement to review its plans and applications with the Coalition, if CDV has contacted the Coalition at the last known address provided in Section 82 and has received no response within thirty (30) days, then the Coalition shall be deemed to have found the contents of the plan or application in compliance with this Agreement and shall be estopped from objecting to such plan or application or claiming any breach of this Agreement.

82. All formal notices to a Party shall be in writing and given by delivering the same to such Party in person or by sending the same by registered or certified mail, or Express Mail, return receipt requested, with postage prepaid, or overnight delivery, to such Party's mailing address, with a copy via email where practicable. The respective mailing addresses of the Parties are, until changed as hereinafter provided, the following:

**CITY:**

City Manager  
City of Vallejo  
555 Santa Clara Street  
Vallejo, California 94950

**AGENCY:**

Executive Director  
Redevelopment Agency, City of Vallejo  
555 Santa Clara Street  
Vallejo, California 94950

**CDV:**

Joseph Callahan  
Callahan Property Company  
Suite 211  
5674 Stoneridge Drive  
Pleasanton, CA 94588

Jim Summers  
The DeSilva Group  
11555 Dublin Boulevard  
P. O. Box 2922  
Dublin, California 94568

**COALITION:**

Vallejo Waterfront Coalition  
P.O. Box 3221  
Vallejo, CA 94590  
info@waterfrontcoalition.org

Marti Brown  
213 Mayo Ave.  
Vallejo, CA 94590  
marti\_brown@sbcglobal.net

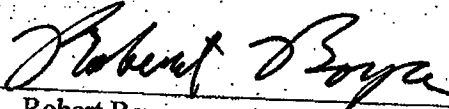
Katy Miessner  
135 Scenic Way  
Vallejo, CA 94590-3071  
katym@mindspring.com

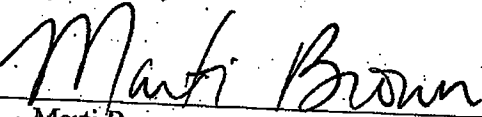
A party may change its mailing address at any time by giving formal written notice of such change to the other Parties.

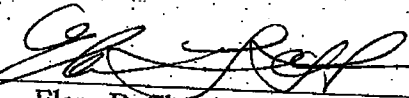
IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed as of the date written above.

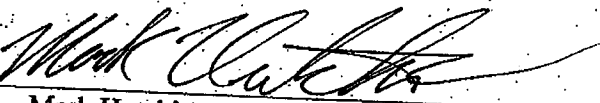
**THE VALLEJO WATERFRONT COALITION,  
an unincorporated association**

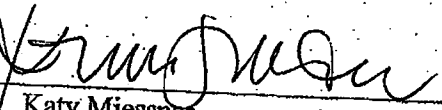
By its Steering Committee:

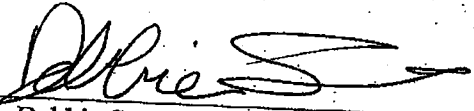
By:   
Robert Boyce

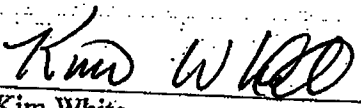
By:   
Marti Brown

By:   
Elena DuCharme


By:   
Mark Hutchins

By:   
Katy Miessner


By:   
Debbie Surani

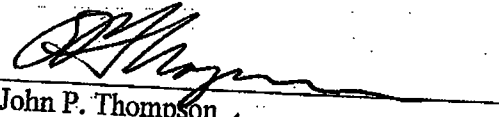
By:   
Kim White

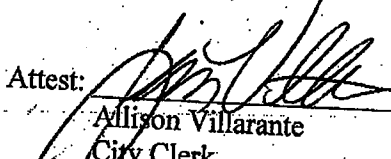
Approved as to Form:  
M. R. WOLFE AND ASSOCIATES, P.C.

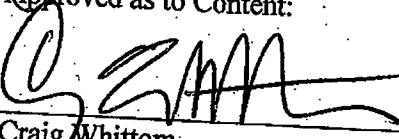
  
Mark R. Wolfe  
Attorneys for Petitioner/Plaintiff  
VALLEJO WATERFRONT COALITION

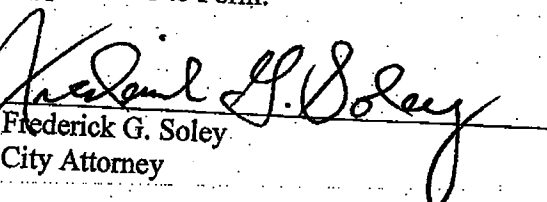
**CITY OF VALLEJO,**  
a California municipal corporation

By:   
Anthony Infantoli  
Mayor

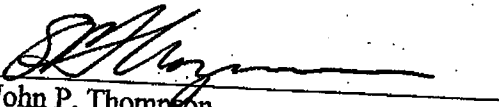
By:   
John P. Thompson  
City Manager

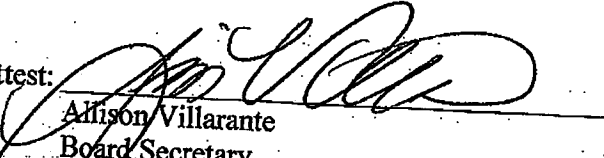
Attest:   
Allison Villarante  
City Clerk

Approved as to Content:  
  
Craig Whittom  
Assistant City Manager/Community Development

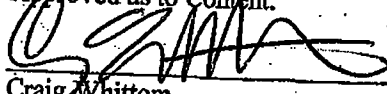
Approved as to Form:  
  
Frederick G. Soley  
City Attorney

**REDEVELOPMENT AGENCY OF THE  
CITY OF VALLEJO,**  
a public body, corporate and politic

By:   
John P. Thompson  
Executive Director

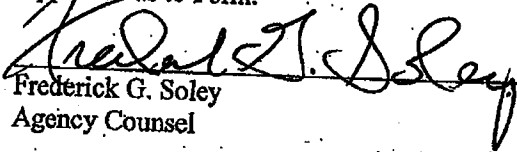
Attest:   
Allison Villarante  
Board Secretary

Approved as to Content:



Craig Whitton  
Assistant City Manager/Community Development


Approved as to Form:



Frederick G. Soley  
Agency Counsel

**CALLAHAN DESILVA VALLEJO, LLC,**  
a California limited liability company

By: The DeSilva Group, Inc.,  
a California corporation, Member

By:   
Ernest D. Lampkin  
Vice President

By: Joseph W. Callahan, Jr.  
an individual, Member

By: \_\_\_\_\_  
Joseph W. Callahan, Jr.  
Member

Approved as to Form:  
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

\_\_\_\_\_  
Philip F. Atkins-Pattenson  
Attorneys for Real Party In Interest  
CALLAHAN DESILVA VALLEJO LLC



Approved as to Content:

\_\_\_\_\_  
Craig Whittom  
Assistant City Manager/Community Development

Approved as to Form:

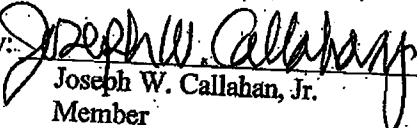
\_\_\_\_\_  
Frederick G. Soley  
Agency Counsel

**CALLAHAN DESILVA VALLEJO, LLC,**  
a California limited liability company

By: The DeSilva Group, Inc.,  
a California corporation, Member

By: \_\_\_\_\_  
Ernest D. Lampkin  
Vice President

By: Joseph W. Callahan, Jr.  
an individual, Member

By:   
Joseph W. Callahan, Jr.  
Member

Approved as to Form:  
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

\_\_\_\_\_  
Philip F. Atkins-Pattenson  
Attorneys for Real Party In Interest  
CALLAHAN DESILVA VALLEJO LLC

Approved as to Content:

\_\_\_\_\_  
Craig Whittom  
Assistant City Manager/Community Development

Approved as to Form:

\_\_\_\_\_  
Frederick G. Soley  
Agency Counsel

**CALLAHAN DESILVA VALLEJO, LLC,**  
a California limited liability company

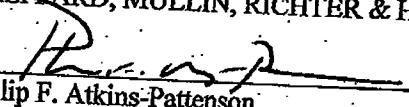
By: The DeSilva Group, Inc.,  
a California corporation, Member

By: \_\_\_\_\_  
Ernest D. Lampkin  
Vice President

By: Joseph W. Callahan, Jr.  
an individual, Member

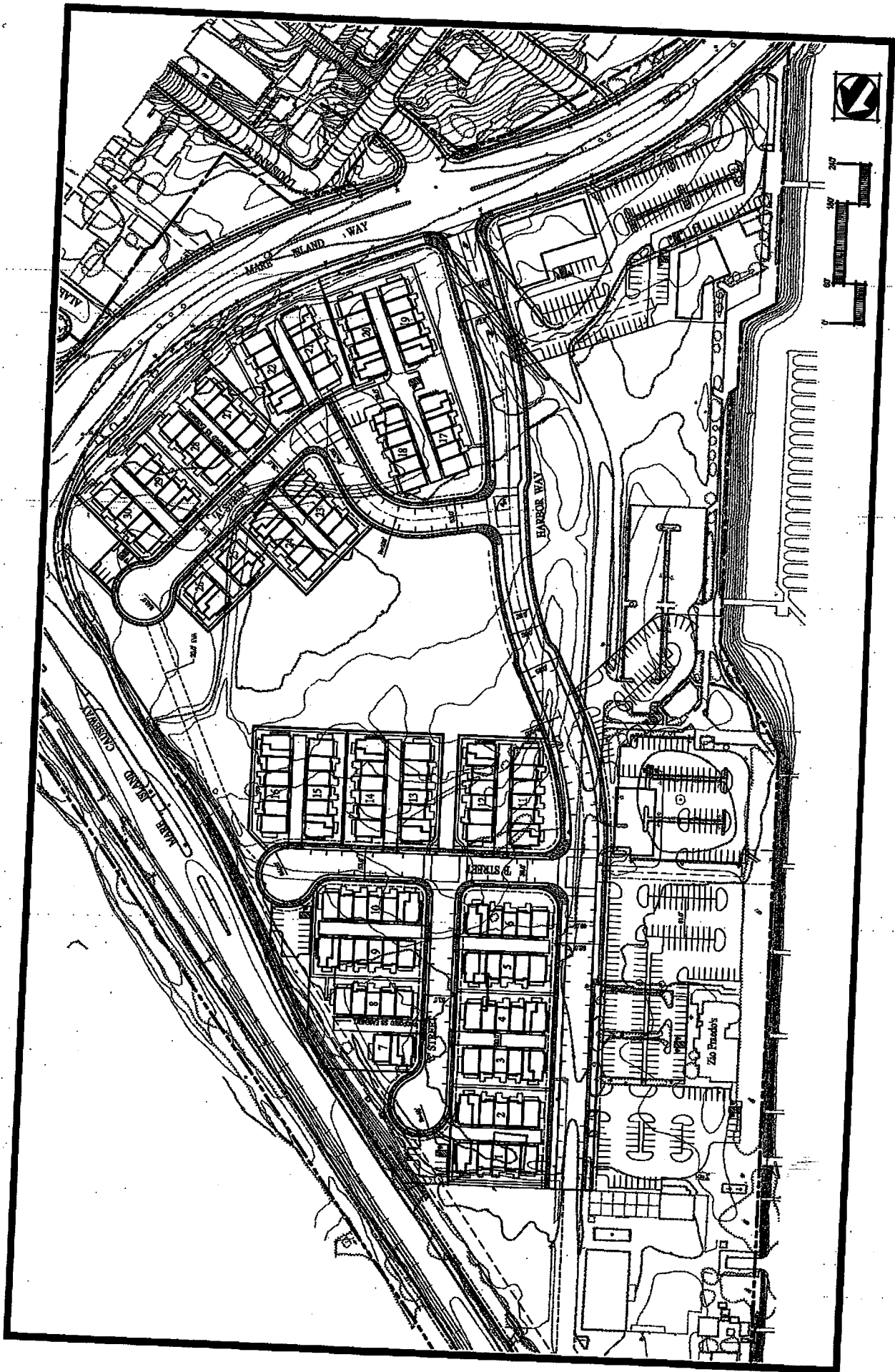
By: \_\_\_\_\_  
Joseph W. Callahan, Jr.  
Member

Approved as to Form:  
SHERPARD, MULLIN, RICHTER & HAMPTON LLP

  
\_\_\_\_\_  
Philip F. Atkins-Pattenson  
Attorneys for Real Party In Interest  
CALLAHAN DESILVA VALLEJO LLC

**Settlement Agreement List of Attachments**

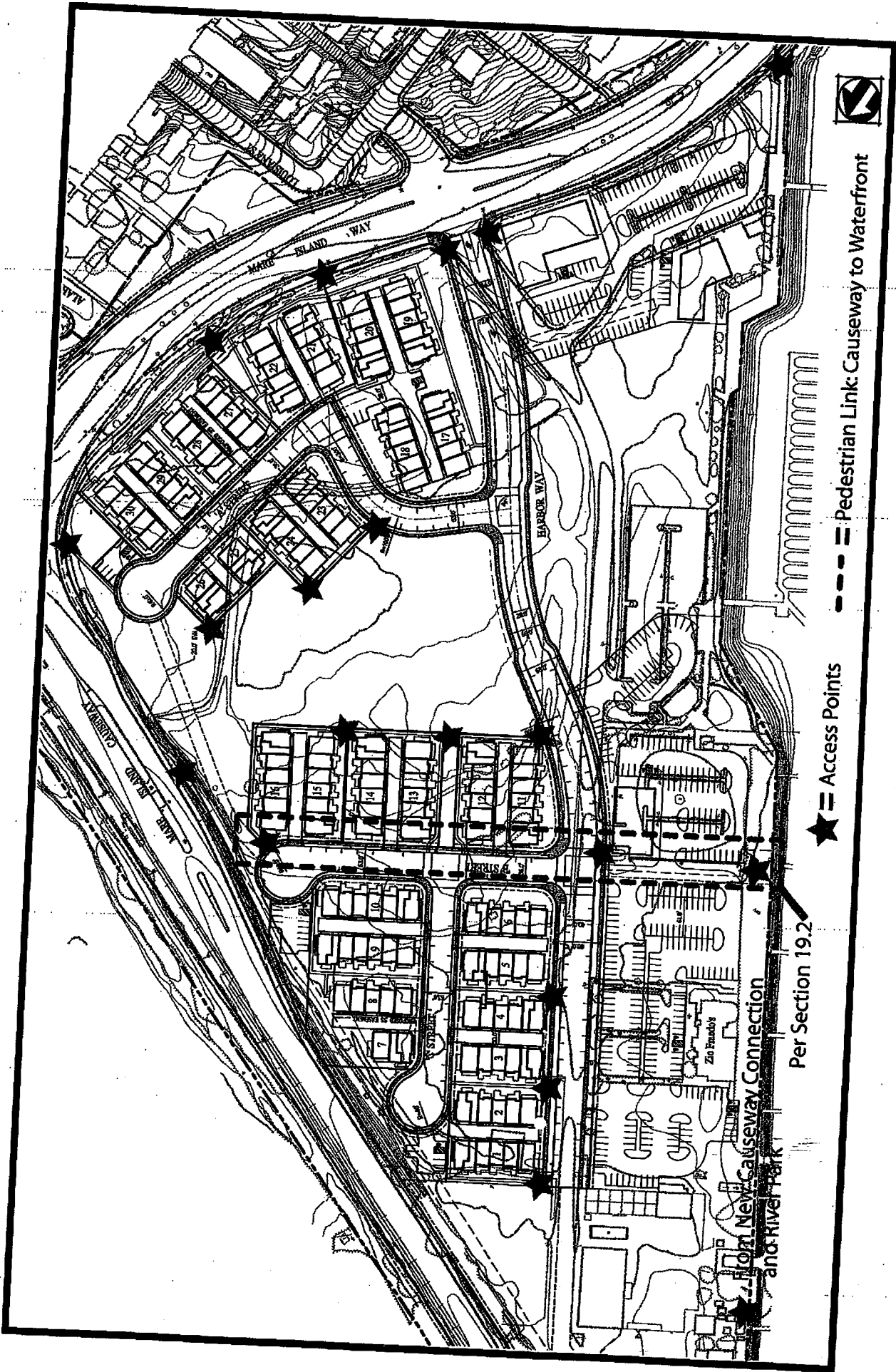
- Attachment 1A: Mariner's Cove Preliminary Site Plan
- Attachment 1B: Mariner's Cove Prototypical Architectural Level of Detail and Articulation
- Attachment 1C: Mariner's Cove Open Space Access Points
- Attachment 1D: Mariner's Cove Promenade Improvements Under Mare Island Causeway Bridge
- Attachment 1E: Mariner's Cove Conceptual Wetland Park Plan
- Attachment 1F: Mariner's Cove Conceptual Promenade Park Plan
- Attachment 2A: Central Waterfront Prototypical Architectural Level of Detail and Articulation
- Attachment 2B: Parcel L-Vallejo Station, Height Zone Diagram, Mare Island Way and Maine Street View
- Attachment 2C: Parcel L-Vallejo station, Height Zone Diagram, Santa Clara and Georgia Street View
- Attachment 2D: Parcel L-Vallejo Station, Height Zone Diagram, Plan View
- Attachment 2E: Corner Plaza Diagram, Mare Island Way and Georgia Street
- Attachment 2F: Prototypical Top Plate Location
- Attachment 3: Vallejo Waterfront Coalition Steering Committee Members As Of October 24, 2006



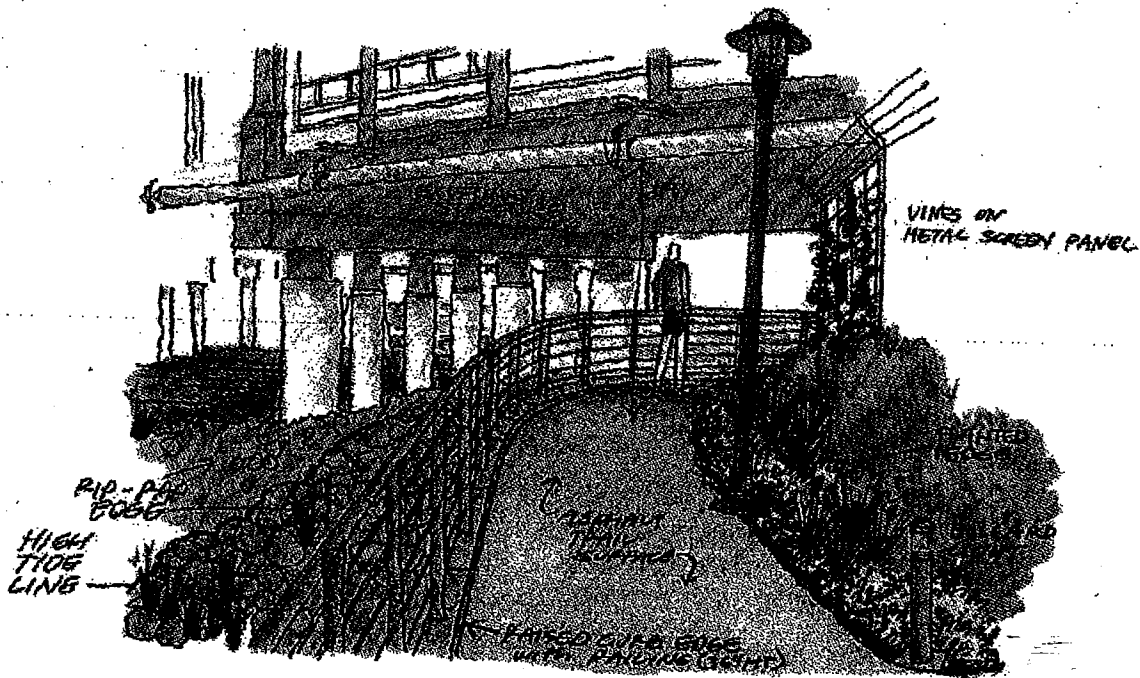
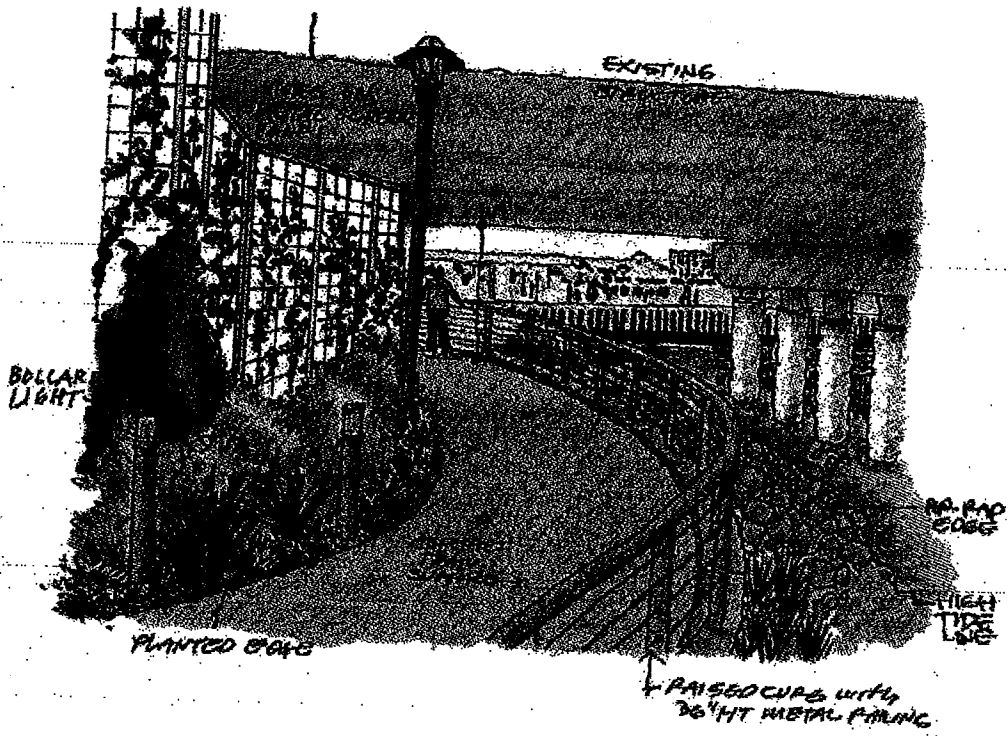
**Attachment 1A**  
Mariner's Cove Preliminary Site Plan



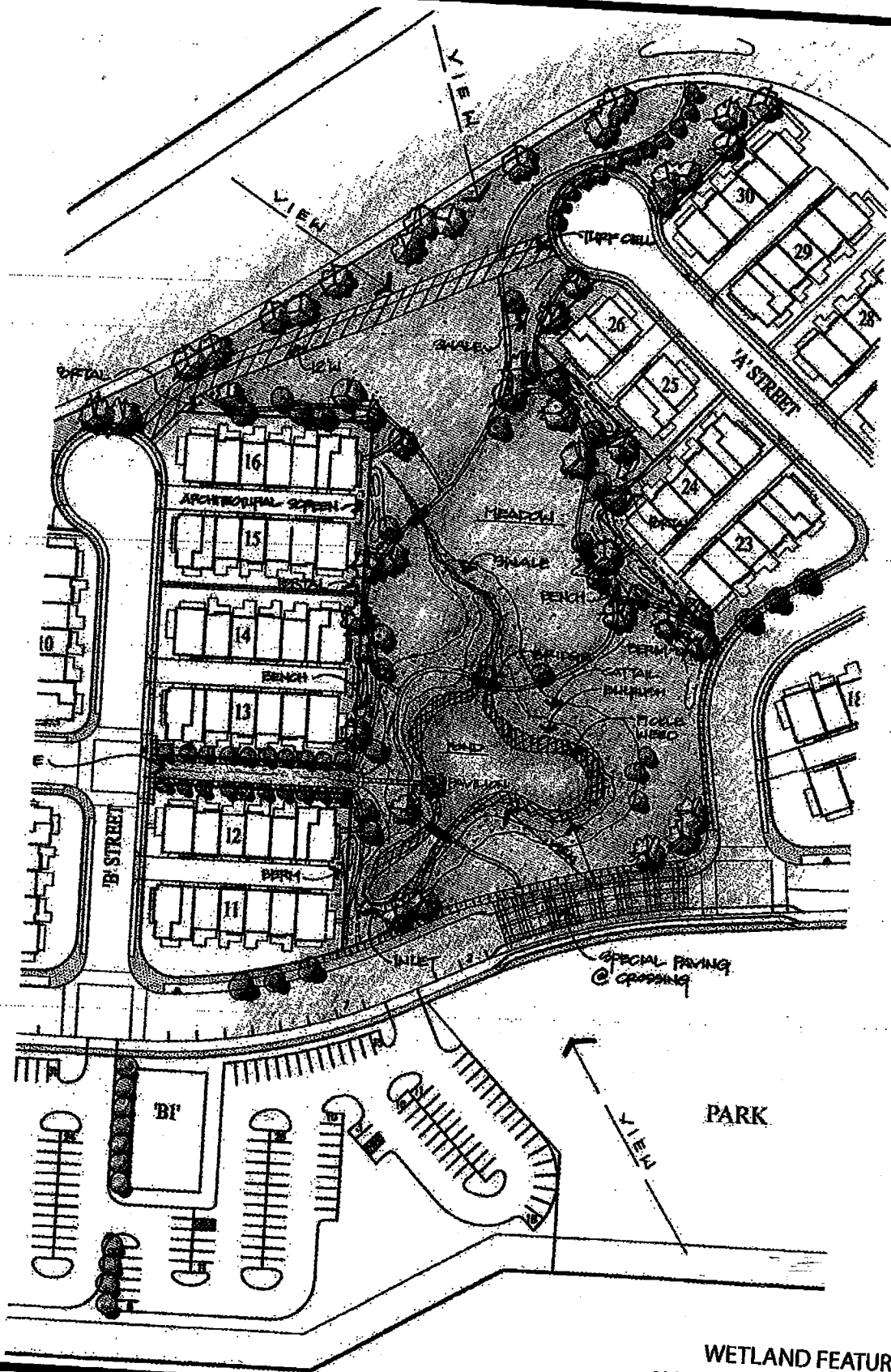
**Attachment 1B**  
**Mariner's Cove Prototypical Architectural**  
**Level Of Detail And Articulation**



**Attachment 1C**  
**Mariner's Cove Open Space Access Points**



**Attachment 1D**  
 Mariner's Cove Promenade Improvements  
 Under Mare Island Causeway Bridge

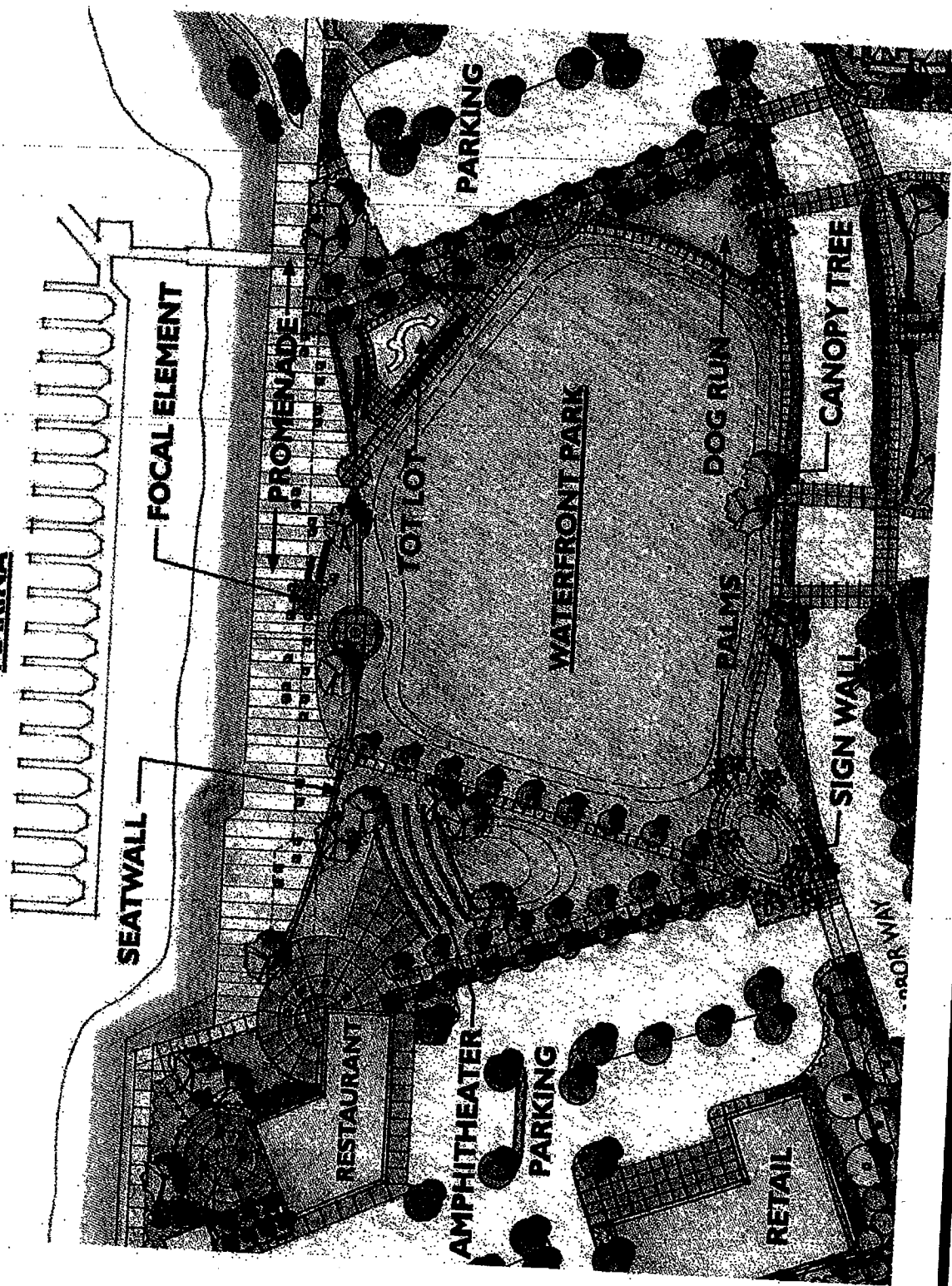


WETLAND FEATURES  
NOT TO SCALE PER SECTION 21

**Attachment 1E**  
Mariner's Cove Conceptual  
Wetland Park Plan

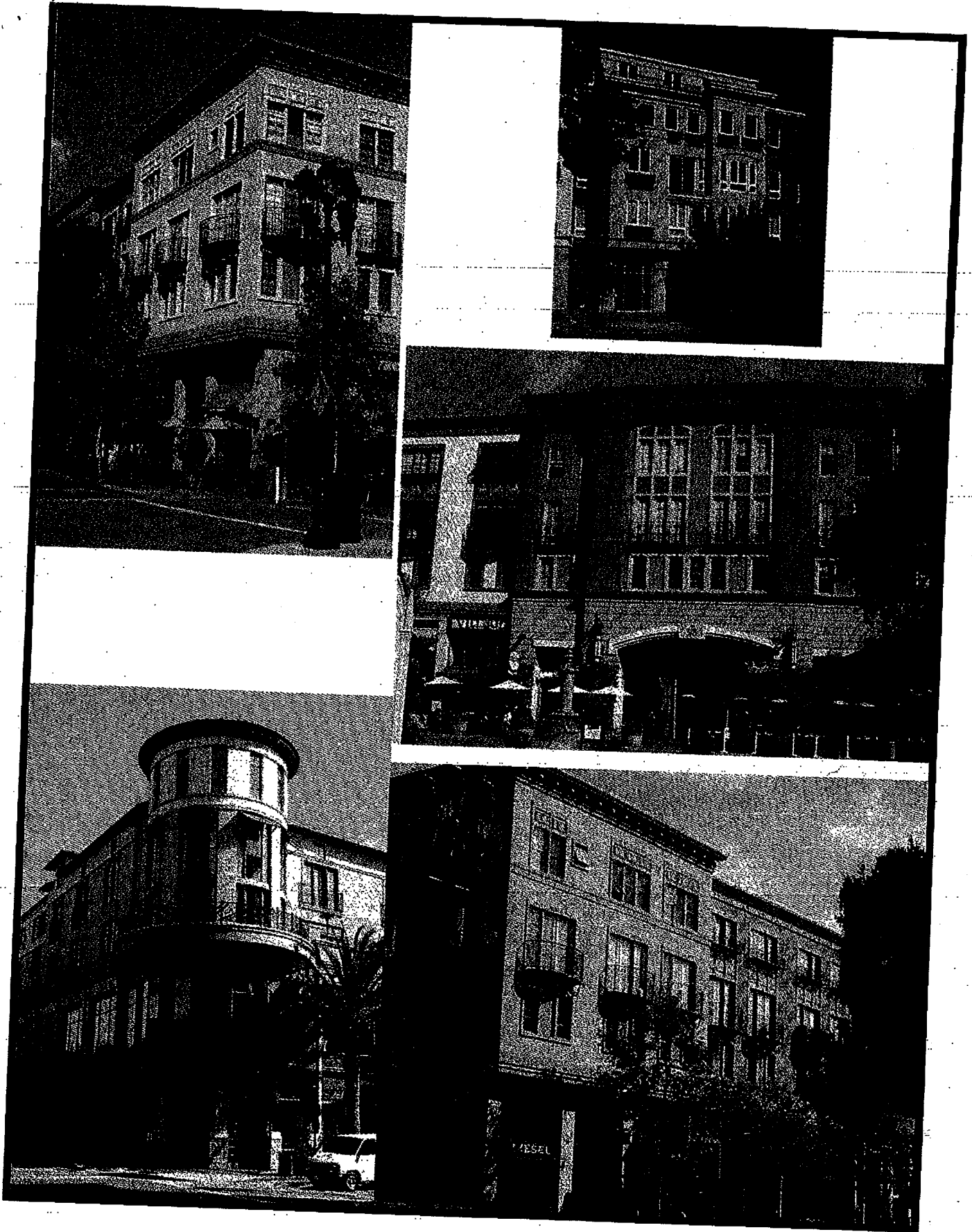


**MARINA**



NOT TO SCALE

**Attachment 1F**  
Mariner's Cove Conceptual Promenade Park Plan



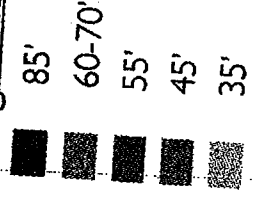
**Attachment 2A**  
Central Waterfront Prototypical Architectural  
Level Of Detail And Articulation

Height set by the Downtown Specific Plan

70' at Midpoint

Maximum height 72'

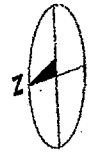
### Height Zones



Maine Street

L1-zones

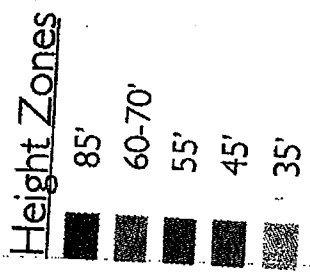
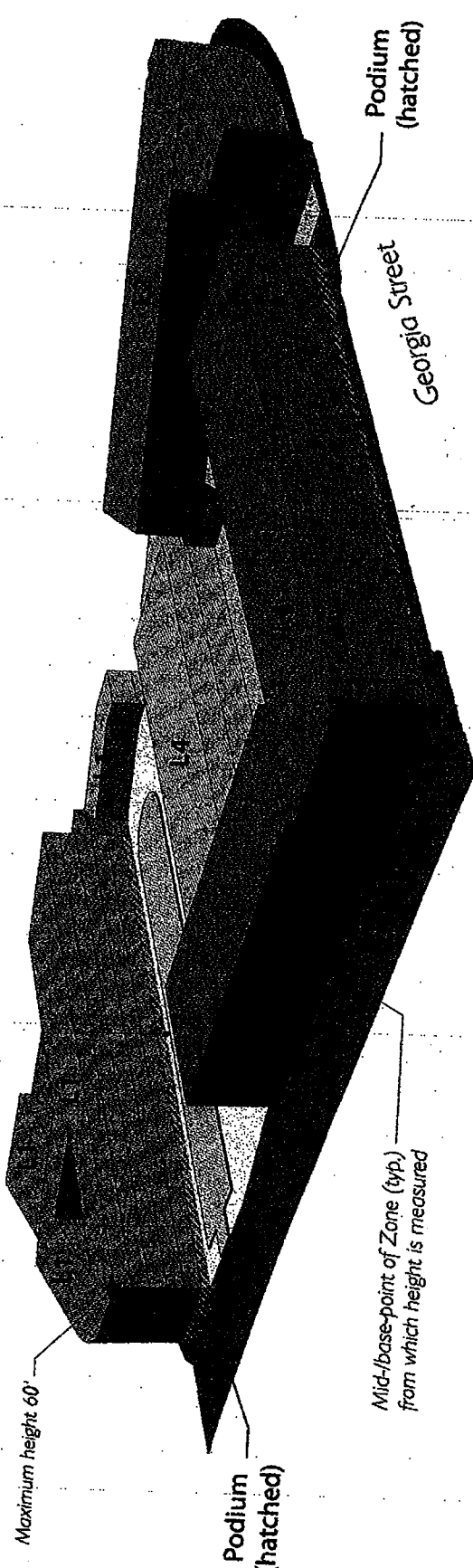
Podium (hatched)



Mid-/base-point of Zone (typ.) from which height is measured

Mare Island Way

**Attachment 2B**  
Parcel L - Vallejo Station, Height Zone Diagram  
Mare Island Way & Maine Street View



**Attachment 2C**  
 Parcel L - Vallejo Station, Height Zone Diagram  
 Santa Clara & Georgia Street View

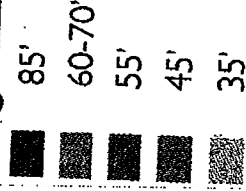
Downtown Specific  
Plan Area

Central Waterfront

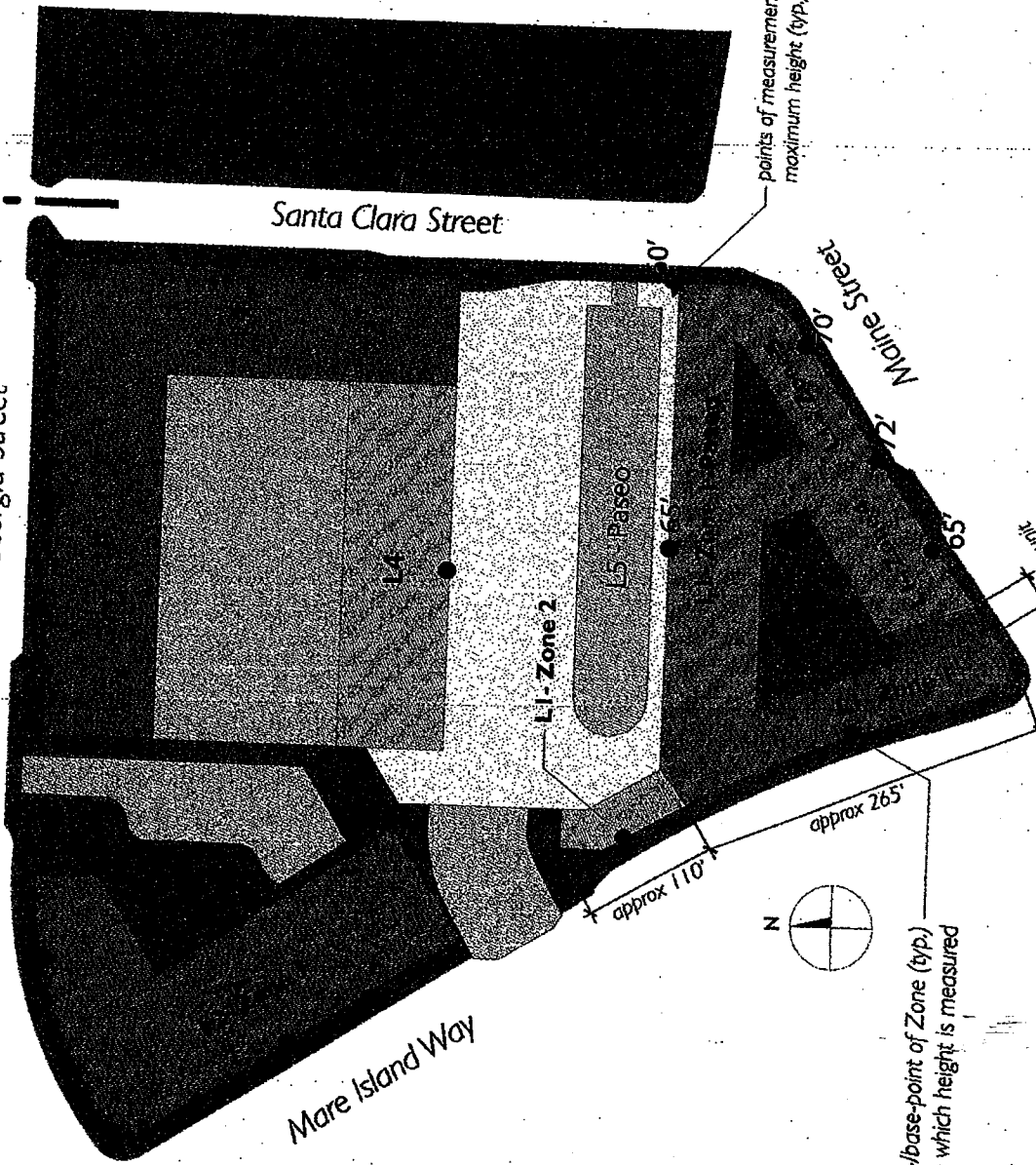
Georgia Street

Santa Clara Street

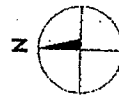
Height Zones



points of measurement for  
maximum height (typ.)



Mid-base-point of Zone (typ.)  
from which height is measured

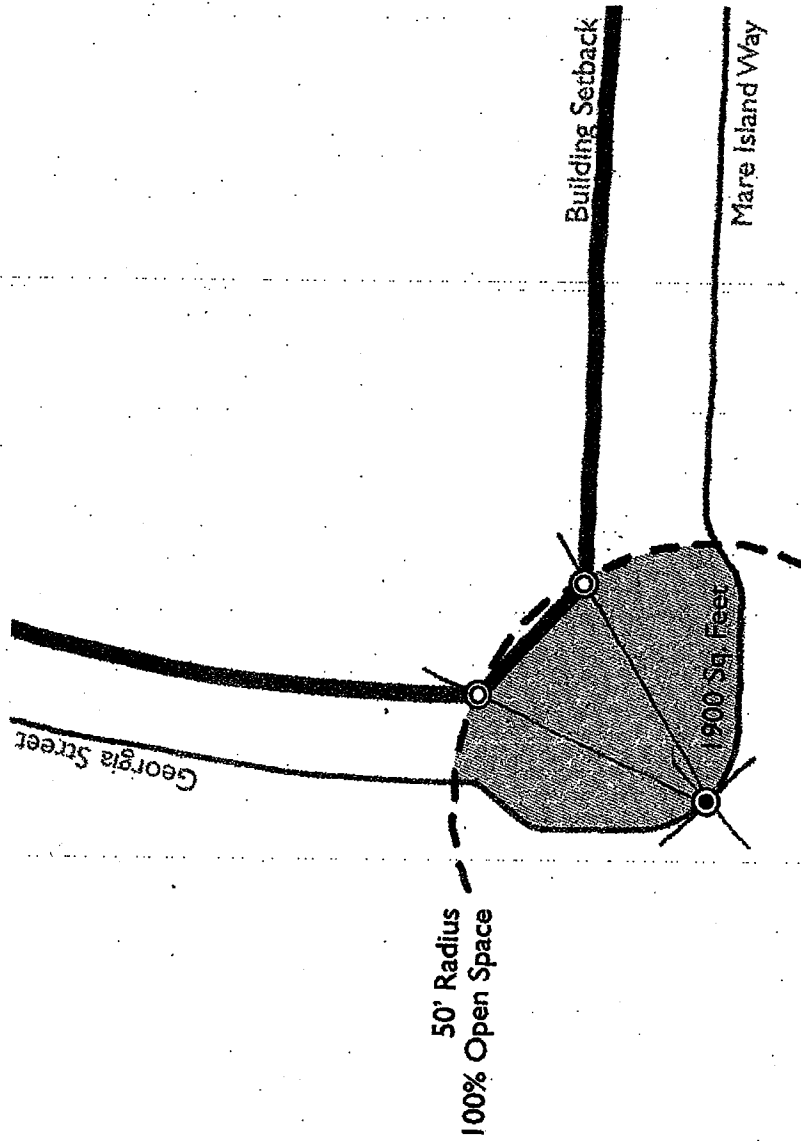


approx 110'

approx 265'

width of 1 unit

**Attachment 2D**  
Parcel L - Vallejo Station, Height Zone Diagram  
Plan View

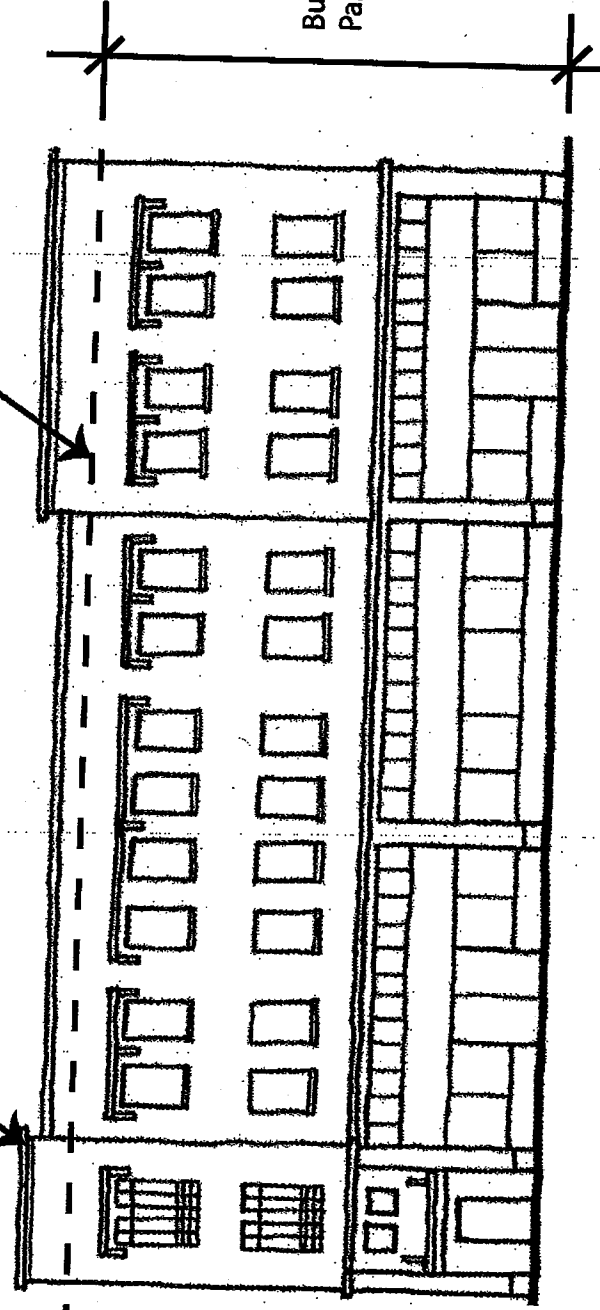


NOT TO SCALE  
PER SECTION 37.5

**Attachment 2E**  
Corner Plaza Diagram  
Mare Island Way & Georgia Street

Typical Building Parpet  
With Cornice - Varies to allow  
Architectural Articulation

Typical Building Top Plate



Building Height Defined For  
Parcel J and Parcel L Per Section 28

**Attachment 2F**  
Prototypical Top Plate Location

**The Vallejo Station Project and the Waterfront Project****Addendum No. 1 to the certified Final Environmental Impact Report****State Clearinghouse No. 2000052073****December 5, 2006****I. Introduction**

On October 25, 2005, the Vallejo City Council and Vallejo Redevelopment Agency certified the Final Environmental Impact Report (EIR) for the Vallejo Station Project and the Waterfront Project (collectively, the Projects) by Resolution No. 05-534. On October 27, 2005 and November 15, 2005, the Vallejo City Council and Redevelopment Agency took the following actions with respect to the Projects: (1) approved Resolution No. \_\_\_ for the General Plan Amendment #00-0001; (2) approved Resolution No. \_\_\_ adopting the rezoning ordinance #03-0003; (3) approved Resolution No. \_\_\_ adopting the Planned Development Master Plan and Design Guidelines (PDMP/Design Guidelines); (4) approved Resolution No. \_\_\_ adopting the Development Agreement and (5) approved the amended and second revised Development and Disposition Agreement (DDA).

Following the City Council and Redevelopment Agency certification of the EIR and approval of the Projects, the Vallejo Waterfront Coalition (the Coalition) filed a Petition for a Writ of Mandate challenging the City's and the Agency's actions. Thereafter, the private project sponsor, Callahan DeSilva Vallejo LLC (CDV), the Vallejo Redevelopment Agency, and the City of Vallejo engaged in settlement negotiations with the Coalition. These negotiations resulted in the Settlement Agreement approved by the City Council on November 28, 2006. (Settlement Agreement, Appendix A) Based on the Settlement Agreement, CDV agreed to seek certain modifications of the approvals for Projects including modifications to the PDMP/Design Guidelines and the DDA, with conforming changes to the Development Agreement.

The Addendum reviews these modifications, but it does not change any of the environmental conclusions contained in the EIR. The analysis presented in this Addendum has been prepared consistent with the requirements of Sections 15162 and 15164 of the Guidelines to the California Environmental Quality Act (CEQA) discussed below. The City and Agency will use this Addendum, together with the EIR, in making its decisions with respect to the modifications to the Projects as discussed herein and future actions related to the implementation of the Projects.

**II. CEQA Requirements**

Pursuant to CEQA Guidelines Sections 15164 and 15162, an addendum to a previously certified EIR may be prepared if some changes or additions are necessary to the EIR but none of the conditions listed below for preparation of a subsequent EIR have occurred:



(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted show any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on a review of the modifications proposed for the Projects in the context of the analyses and conclusions contained in the EIR, this Addendum concludes that these modifications are within the scope of the EIR and would not result in new or more severe significant impacts.

### **III. Proposed Modifications to the Projects**

As described below, the following modifications to the Projects are proposed in accordance with the terms of the Settlement Agreement. Each section below briefly reviews the existing approvals and then describes the proposed modifications to those approvals.

1. Northern Waterfront: Parcel A

A. Existing Approvals

The existing approvals for Parcel A allowed for the development of a 175 unit single family attached housing development on the 14.8 acre parcel. A conceptual site plan was included as Figure 2-7 in the EIR. Each unit was to have a two-car garage, with visitor parking on the public streets within the development. A .06 acre private recreational area was planned adjacent to Harbor Way. The existing marina parking lots were planned to be reconfigured to create a 3.4-acre park, which was to be located west of Harbor Way adjacent to the Waterfront Promenade and the Jazz Festival Green, which was to be located between Parcel B and the existing restaurant, Zio Freddo's. Building heights on Parcel A were limited to 40 feet.

B. Proposed Modifications

The revised plan for Parcel A would include 175 units distributed between two clustered neighborhoods located east of a realigned Harbor Way, the southern residential neighborhood located adjacent to Mare Island Way and the northern residential neighborhood located adjacent to the Mare Island Causeway, with a 4.0-acre wetland park (discussed in detail below) located between the two neighborhoods. The development site coverage on Parcel A would be reduced from 14.8 acres to 10.8 acres. Figure 1A depicts the preliminary site plan for Parcel A. The units would be distributed among approximately 30 buildings comprised of traditional townhouses with stacked flats located at one or both ends of each building. The buildings would range from three-plexes to seven-plexes. Building heights in the southern residential neighborhood would be limited to 38 feet and in the northern residential neighborhood would be limited to 45 feet.

Each unit would contain a two-car garage. The parking ratio provided for the residential development would be 2.5 spaces per unit including two garage spaces per unit and on-street parking on the in-tract streets of the residential development area and on Harbor Way adjacent to the northern residential neighborhood. Streets within the residential neighborhoods would have a maximum 36 foot curb-to-curb width and would allow for two-way traffic with parallel parking on each side of the street.

The architectural quality and detail of the residential development would be comparable to the prototypes depicted in Figure 1B. Additionally, the project sponsor would conduct two public community design workshops regarding the residential architectural design.

The modified site plan for Parcel A would also contain certain accessibility and circulation components. Public access points from Mare Island Way, the Mare Island Causeway, and Harbor Way into the residential neighborhoods would be provided as depicted on Figure 1C. A pedestrian pathway would be provided along the southern sidewalk of the Mare Island Causeway and would provide a connection through the residential neighborhood to the waterfront promenade. The existing pedestrian pathway under the Mare Island Causeway Bridge would be improved with a new surface, fencing, landscaping and bollard lights as depicted on Figure 1D. Additionally, in order to provide public access to the proposed wetland and promenade parks, the on-street parking spaces along the west side of Harbor Way and the

southern Parcel A interior street abutting the wetland park would be subject to a 3-hour time limit.

The wetland park would be located centrally between the two residential neighborhoods and would consist of a minimum of 4 contiguous acres, with approximately 1.5 to 1.7 acres comprised of vegetated swales, wetland terraces, and a tidal pond connected to the Mare Island Strait by the existing stormdrain outfall pipe as depicted on Figure 1E. The wetland park would be a visual amenity with interpretive features, would provide for passive recreation, and would create a naturalistic drainage system. It would connect visually and functionally with the surrounding residences and the promenade park. An observation area would contain interpretive features explaining the wetlands system, the cleansing of stormwater, and tidal pond/brackish water ecology. The swale system would be surrounded by a series of meadows, usable for informal or passive recreation, and connected by a network of paths and bridges. The open space would provide a variety of spaces for passive recreation. The surrounding residences would be connected to the open space by greenways or paseos. Evergreen planting and berms would screen the residential neighborhoods.

Planting would include trees, shrubs, and grasses along the swales, informal clusters of canopy trees edging the meadows, evergreen screening and street trees along Mare Island Way, Harbor Way and the internal streets of the residential neighborhoods. The swales would range from 10 to 40 feet in width, including vegetated buffer areas adjacent to the swales. At its narrowest between the two neighborhoods, the wetland park would be a minimum of 120 feet wide. Emergency vehicle-only access to serve the northern and southern neighborhoods would be constructed of grasscrete or similar material and would be located as depicted in Figure 1A.

The key components of the wetland park plan would be (a) a corridor of swales and a tidal pond; (b) open meadows for passive and informal use; (c) interpretive elements; (d) paths, bridges, and seating; (e) screening of surrounding development; (f) an at-grade pedestrian and visual link to the promenade park; and (f) tidal function highlighting the connection to the Bay system.

Instead of the two open space areas west of Harbor Way (the promenade park and the jazz festival green) included in the existing approvals, a 3.5 acre public promenade park would be constructed west of Harbor Way across from the wetland park as depicted in Figure 1F. The wetland park would be visually connected to the promenade park with landscaping and paving features. Additionally, the parking along Harbor Way in the area between these two parks would be reduced by 12 spaces to enhance the visual connection. This connection would create a visual corridor from the Mare Island Causeway to the Mare Island Strait. The promenade park also would require reconfiguration of the existing marina parking lots in this area as depicted in Figure 1A. The parking lots in the Northern Waterfront would include landscaping per the Vallejo Waterfront Design Guidelines. Implementation of the proposed changes to the parking in this area may require approval from the Bay Conservation and Development Commission (BCDC).

## 2. Central Waterfront

A. Existing Approvals for Parcels J and L

Under the existing approvals, Parcel J included 286 residential units, ground floor retail uses, and associated parking.<sup>1</sup> The maximum height limit on Parcel J was 50 feet. Parcel L included the following: (a) on Parcel L1, a 140 unit condominium development with 241 parking spaces and 12,000 gross square feet of retail commercial space; (b) on Parcel L2, a 63,000 gross square foot office/commercial space with 215 parking spaces; (c) on Parcel L3, the Vallejo Station garage with 1,190 parking spaces; (d) on Parcel L4 the 200-room hotel, conference center, restaurant, associated parking and 14,000 square feet of retail frontage on Georgia Street; and (e) on Parcel L5, 50 short-term parking spaces, a 0.5 acre paseo park, and pedestrian access between the Bus Transfer Station and the Baylink Ferry service. Height limits on Parcel L were 65 feet on Mare Island Way, 55 feet on Santa Clara Street, and 45 feet on Parcel L2. The existing approvals anticipated that the Vallejo Station garage would be constructed in one phase.

B. Proposed Modifications for Parcels J and L

Modifications to the approvals for the Central Waterfront include proposed amendments to the PDMP/Design Guidelines regarding architectural articulation and terracing and other design features. In essence, these modifications would require buildings to reflect a pedestrian scale on Mare Island Way, would require highly articulated and terraced buildings as depicted in Figure 2A, would avoid curvilinear buildings, although the use of curvilinear design features would be acceptable, and would require building heights to generally step down in a westerly direction from Santa Clara Street to Mare Island way in accordance with Figures 2B, 2C, and 2D. Other modifications to the PDMP/Design Guidelines would include building height measurement definitions and setback requirements. Additionally, the project sponsors would propose that at least 20% of the surface area of Parcel J and Parcel L (individually) would be public or private open space and, in connection with Unit Plan applications for Parcels J and L, to sponsor at least two public community design workshops regarding architecture.

Specific Parcel J modifications would include: (a) limiting the ground floor retail uses on Parcel J1 to those allowed in Category 1 for the Georgia Street Corridor as specified in the Downtown Specific Plan; (b) limiting the building height on Parcel J1 to 45 feet along Mare Island Way and the Festival Green for a depth of one dwelling unit (a minimum of 30 feet) with the remainder of the building height limited to 55 feet; and (c) limiting the building height on Parcel J2 to 45 feet along Mare Island Way to Capital Street for a depth of one dwelling unit (a minimum of 30 feet) with the remainder of the building height limited to 55 feet. These modifications would result in a minimum building setback of 30 feet along Mare Island Way.

Specific Parcel L modifications would include: (a) limiting the building height on Parcel L1 in accordance with the Zones depicted in figures 2B, 2C and 2D with heights ranging from 35 feet to 70 feet depending on street frontage and requiring a minimum 30 foot

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<sup>1</sup> The parking garage originally planned for Parcel J and analyzed in the EIR was moved to the City Hall parking lot prior to approval of the Projects in November 2005.

building setback in Zone One; (b) limiting the building height on L2 to 45 feet as depicted in figures 2B, 2C, and 2D 2; (c) limiting the building height on L4 to 55 feet as depicted in Figures 2B, 2C, and 2D; (d) requiring a Public Plaza of no less than 1,900 square feet at the corner of Mare Island Way and Georgia Street as depicted in Figure 2E; (e) limiting the ground floor retail uses on Parcel L2 to those allowed in Category 1 for the Georgia Street Corridor in the Downtown Specific Plan; (f) limiting the ground floor retail uses on Parcel L1 to those allowed in Category 2 for the Central Downtown District in the Downtown Specific Plan; (g) limiting the retail uses on Parcel L4 in the arcade area facing Georgia Street for an initial 12 month period to Category 1 uses in the Downtown Specific Plan and thereafter, if the retail space is not fully leased, allowing uses in Category 2 in the Downtown Plan. Additionally, the installation of the northern row of parking along the pedestrian paseo would be delayed until the City determined that the uses required such parking.

The Settlement Agreement acknowledges that the Vallejo Station garage may be constructed in two or more phases. This option is under consideration, but no final decision has been reached and the Settlement Agreement does not contain any commitment or representation with respect to the garage phasing.

C. Existing Approval for Civic Center Drive

The existing approvals would allow for the extension of Civic Center Drive from the extension of Capitol Street to Georgia Street. This extension would provide local circulation and emergency access service around City Hall, the library and new development on Parcel J.

D. Proposed Modification for Civic Center Drive

Under the Settlement Agreement, the City would study the possibility of removing the intersection of Civic Center Drive and Georgia Street. A qualified traffic engineer would be retained to determine whether the level of service as forecast in the EIR can be maintained without the extension of Civic Center Drive. If it is determined that the extension is required to maintain the EIR level of service forecasts, and emergency service access, the extension would be constructed and the traffic study would analyze possible measures to prevent bisecting the Festival Green and the adjacent pedestrian area during non-peak traffic hours.

4. Additional Environmental Measures

The Settlement Agreement requires additional water conservation and green building design measures. Residential indoor water conservation measures would include exceeding existing Building Code and Vallejo Water Division requirements for indoor water conservation by at least 20%. Commercial indoor water conservation measures would include motion sensory devices for all water fixtures. Commercial outdoor measures would include climate sensitive irrigation controls and hydrozone planting. Landscaping installed in the public rights-of-way would use drought tolerant native plants and climate sensitive irrigation and the City would use good faith, best efforts to implement water conservation measures in connection with its ongoing and future maintenance of this landscaping.

The project sponsor would pursue the integration of green building materials, green construction methods, and green site preparation to be included in all Unit Plan applications for the Projects to the extent that these materials and methods integrate with or seamlessly replace more traditional methods and materials.

5. Additional Settlement Agreement Provisions

The Settlement Agreement contains a variety of other provisions related to height definitions, notifications, review processes, the Design Review Board, timing of construction and staging activities, financial obligations, a naming proposal for the wetland park, surcharging Parcel A prior to conveyance of the parcel to the project sponsor, inclusion of Parcels J and L in a proposed property based improvement district, a hotel/conference center marketing and feasibility study, timing of the construction of the bus transfer station, unit plan review procedures, efforts to keep a retail Post Office in the Downtown or Central Waterfront, and certain technical revisions to the PDMP/Design Guidelines. Additionally, the Settlement Agreement contains numerous provisions related to various legal rights, obligations, representations, consequences of various actions, and other such provisions common to and necessary for the implementation of this type of Agreement. These provisions do not implicate any environmental consequences and are not further reviewed in this Addendum.

6. DDA Modifications

The DDA modifications, in addition to implementing certain provisions of the Settlement Agreement, would require that the project sponsor provide affordable housing units on Parcel T-1 consisting of 9% of the total units to be constructed on the parcel.

**IV. Environmental Analysis**

Following is a brief discussion of each major topic in the EIR in relation to the proposed modifications described above (the proposed modifications). These discussions provide support for preparing an addendum to the EIR. For the text of the mitigation measures referred to below, see the Vallejo Station Project and Waterfront Project Mitigation Monitoring and Reporting Program previously adopted by the City Council and attached as Appendix B.

1. Land Use

The EIR found that the uses proposed by the Projects, transit-related facilities, commercial uses, residential uses, open space improvements, infrastructure improvements would be compatible with the waterfront, downtown, and surrounding areas. No significant impacts or mitigation measures were identified. The proposed modifications would not change any of the types of uses included in the Projects. Consequently, the EIR analysis and conclusions would remain valid for the proposed modifications.

A wetland park would be incorporated into the Parcel A residential development. This use would be compatible with the planned residential development (particularly in light of the design criteria provided in the Settlement Agreement), the adjacent promenade park, the adjacent water-oriented uses, and its location near the Mare Island Strait. The wetland park would be a public amenity. The proposed modifications would specifically

define the types of retail uses permitted in certain locations in the Central Waterfront area. These refinements are intended to ensure that the retail space in the Central Waterfront area would be occupied by active, pedestrian-oriented uses. Consequently, this modification would be consistent with City goals for the waterfront. Neither of these changes would affect the analysis and conclusions contained in the EIR or cause the Projects to result in new significant impacts or substantially more severe environmental impacts than those identified in the EIR.

## 2. Traffic and Circulation

The EIR contained a comprehensive traffic and circulation analysis documenting existing conditions and services, planned roadway improvements, and the phased accommodation of parking for the Vallejo ferries. Potentially significant impacts identified for the direct and cumulative impacts included impacts to intersection operations (mitigation measures 3.3-1B, 3.3-3A1, 3.3-3A2, 3.3-3A3, 3.3-3A4, 3.3-3A5, 3.3-3B1, 3.3-3B2, 3.3-3B3, 3.3-3B4, 3.3-3B5, 3.3-4A3, 3.3-4B) and construction traffic (mitigation measure 3.3-2A, 3.3-2B). All of the potential traffic and circulation impacts were determined to be reduced to a less than significant level through the imposition of the mitigation measures. The proposed modifications would not change the amount of traffic projected to be generated by the Projects, because there would be no change in the number of allowable units or other development square footage. Consequently, the proposed modifications would not result in any new significant traffic impacts or substantially more severe traffic impacts than those identified in the EIR.

The proposal to study eliminating the extension of Civic Center Drive would not result in any new traffic impacts, because this improvement would be abandoned only if the intersection LOS relied on in the EIR analysis can be maintained without the extension. Given the available intersection capacity during non-peak hours, a proposal to close the extension during non-peak hours would have no significant impacts on the operation of surrounding intersections.

The Settlement Agreement acknowledged the potential for revising the phasing schedule for the Vallejo Station garage. It is possible that the garage would be built in two phases, with the first phase built on the 2.6 acre southerly portion of the 4.6 acre Parcel L-3 site and containing approximately 840 parking spaces. This modification would not adversely impact the provision of parking for the Vallejo ferries, because the top deck of the first phase structure would be used to accommodate additional vehicles until phase two of the garage is complete. Other short-term parking arrangements are available to ensure a minimum of 1200 spaces are provided to support the Baylink Ferry service in the interim

## 3. Population, Employment and Housing

The EIR evaluated the population, employment and housing changes resulting from implementation of the Projects. No significant impacts or mitigation measures were identified. The proposed modifications would not change the number of units or square footage of other development expected with the Projects. Consequently, the proposed modifications would not change the information or analysis contained in this section of the EIR and no new significant impacts would result.

The residential development on Parcel T-1 would provide the above-described level of affordable housing units. This would increase the City's supply of affordable housing, but would not result in change any to the environmental analysis and conclusions contained in the EIR.

#### 4. Public Services

The EIR evaluated the impact of the Projects on public services, including police, fire, schools, and parks and recreation. No significant impacts or mitigation measures were identified. The proposed modifications would not change the number of units or square footage of other development expected with the Projects. Consequently, the proposed modifications would not change the information or analysis contained in this section of the EIR and no new significant impacts would result. The improvements proposed for the trail along the Causeway and under the Causeway Bridge and the wetland park in Parcel A are significant new public recreational amenities that would result from implementation of the proposed modifications.

#### 5. Utilities

The EIR evaluated the impact of the Projects on water, wastewater, solid waste, and energy supply and services. No project-specific significant impacts were identified for these topics. The EIR identified a significant unavoidable impact associated with cumulative water demand during multiple drought years based on the uncertainty of whether the City will increase its water supply by adding conveyance from Lake Curry. Since certification of the EIR, the City adopted an updated Water Management Plan, which calls for construction of the conveyance facilities for Lake Curry. The proposed modifications would not change the number of units or square footage of other development expected with the Projects. Consequently, the proposed modifications would not change the information or analysis contained in this section of the EIR and no new significant impacts would result.

#### 6 Visual Quality

The EIR determined that the Projects would not have any significant impacts on public scenic vistas and scenic resources, would not substantially degrade the existing visual character or quality of the areas, and would not create significant new sources of light or glare.

The proposed modifications for Parcel A would change the visual character of the development as analyzed in the EIR. Instead of a development that covers the 14.8 acre site with housing, the residential development would be clustered into two neighborhoods and cover 10.8 acres. A 4 acre wetland park would be built between the neighborhoods and would provide a significant visual amenity for the new residents and for visitors to this area.

The view of Parcel A from certain vantage points in the Vallejo Heights neighborhood would continue to include the residential structures, primarily seen as a group of peaked-roof buildings, as described in the EIR. The increase in the height from 40 feet to 45 feet in the northern neighborhood adjacent to the Mare Island Causeway would incrementally



increase the height of the buildings and potentially obstruct portions of the view of the water from some Vallejo Heights vantage points. Heights in the southern neighborhood adjacent to Mare Island Way would decrease from 40 feet to 38 feet, thereby lowering heights closer to the existing neighborhoods. Neither of these minor height changes would result in new significant visual impacts. The EIR acknowledged that views of Parcel A from the Vallejo Heights neighborhood would change from an undeveloped field to an urban housing development and would block some views of waterfront features. Nonetheless, the EIR found the development would be similar in scale and character to surrounding areas and would be consistent with the General Plan and redevelopment plans. Given that the increase in height would be incremental (only 5 feet) and that the visual impacts from nearby areas were acknowledged in the EIR and determined to be less than significant, the change in height would not be considered a new significant impact.

In the Central Waterfront area, the proposed modifications would change the building heights for Parcel J from 50 feet to 45 feet for a setback area along Mare Island Way and the Festival Green. Building height on the remainder of the parcel would be 55 feet. This urban design change, intended to lower the height along certain frontages to emphasize the pedestrian scale of the building, would be a visual amenity along these streets. The five foot increase in height for the remaining portions of the site is an incremental change and would be appropriate in the urban setting. Consequently, this height change would not result in any new significant visual impacts.

On Parcel L, height zones would be created to vary the heights on this parcel from 35 feet to 70 feet. (At one point, the building height would be 72 feet due to the adjacent street grade.) Lower building heights would be along Mare Island Way with greater building heights along Maine Street, Santa Clara Street, and the Vallejo Station Paseo. Although some of the height zones would be greater than the heights for Parcel L anticipated in the EIR, these heights would be appropriate in the urban setting and would create visual interest. The 70 foot height zone would be located away from Mare Island Way and adjacent to an 85 foot height zone established in the Downtown Specific Plan. Thus, the 70 foot height would be an integral part of a height transition from the Downtown to the waterfront. Thus, no new significant impacts would result from the building height changes proposed for Parcel L.

## 7. Cultural Resources

The EIR examined the Projects' potential to result in impacts to historic and cultural resources. Given the ground disturbing activities associated with implementation of the Projects, the EIR identified a potentially significant impact associated with disturbance or destruction of subsurface archeological resources. Mitigation measures 3.8-A1 and 3.8-A2 would reduce this impact to a less than significant level. The proposed modifications to the Projects would not change any of the information or analysis related to this environmental topic. The mitigation measures listed above would continue to apply to the modified Projects. Consequently, no new significant or substantially more severe impacts than identified in the EIR would result from the proposed modifications.

## 8. Hazardous Materials

The EIR provides extensive information on the results of hazardous materials investigations for the parcels included in the Projects, the regulatory requirements that would be applicable to the Projects' activities, and comprehensive mitigation measures for potentially significant impacts related to structure demolition and removal (mitigation measures 3.9-1A and 3.9.B) and soil and groundwater contamination (mitigation measures 3.9-2, 3.9-3, 3.9-4, 3.9-5, 3.9-6, 3.9-7, 3.9-8, 3.9-9, 3.9-10). The EIR concluded that the implementation of these mitigation measures would reduce any potentially significant hazardous materials impacts to a less than significant level.

Although the site plan for Parcel A and the public and Marina parking and open space configuration west of Harbor Way have been revised, the EIR anticipated that these areas would be disturbed for construction. Thus, proposed modifications to the Projects would not change the building removal and ground disturbance required for implementation of the Projects. The mitigation measures listed above would continue to apply to the modified Projects. Consequently, no new significant or substantially more severe impacts than identified in the EIR would result from the proposed modifications.

#### 9. Soils, Geology, and Seismicity

The EIR analyzed the soils, geologic, and seismic characteristics of the Projects' sites. Several site specific geologic and geotechnical investigations were performed and the results and recommendations of those investigations were included in the EIR. The EIR found potentially significant impacts and included mitigation measures to reduce those impacts to a level of insignificance for potentially adverse impacts from ground shaking (mitigation measures 3.10-1A, 3.10-1B), ground failure (mitigation measures 3.10-2A, 3.10-2B), and unstable geologic and soil conditions (mitigation measures 3.10-3A, 3.10-3B). The proposed modifications would not change any of the analysis or conclusions in the EIR as the same conditions would be present and the same mitigations required with the proposed modifications.

#### 10. Hydrology and Water Quality

The EIR discussed the hydrologic and water quality characteristics influencing the waterfront area, local surface and groundwater resources, the potential effects of the Projects on hydrology and water quality, and the applicable regulatory requirements. Potential significant impacts and mitigation measures to reduce those impacts to less than significant levels covered water quality during construction (mitigation measures 3.11-1A, 3.11-1B), water quality during project operation (mitigation measures 3.11-2A, 3.11-2B), surface runoff during construction (mitigation measures 3.11-3A, 3.11-3B), surface runoff during project operation (mitigation measure 3.11-4B), and flooding, erosion, or siltation (mitigation measure 3.11-5B).

The proposed modifications for Parcel A would substantially reduce the developed area of this parcel thereby reducing impervious surface areas and runoff from the site. Additionally, Parcel A would be graded to direct the drainage through the wetland park (first through the grassy swales and then into the wetland pond) rather than only through stormceptors or other means contemplated in the EIR thereby further enhancing stormwater runoff pretreatment. Additionally, the wetland park would serve to contain the potential 100-year flood

event, with overflow during peak 100-year flood occurrence combined with high tide directed to the promenade park.

#### 11. Biological Resources

The EIR described the biological resources that occur within the area of the Projects, reviewed the applicable regulatory requirements, evaluated potential impacts on these resources and provided mitigation measures. The EIR identified the potential for vegetation and ground clearing activities to affect nesting birds and provided mitigation (mitigation measure 3.12-1) to reduce the impact to a level of insignificance.

The proposed modifications would not change any of the analysis or conclusions in the EIR with respect to biological resources. The proposed wetland park in Parcel A would provide a biological benefit by providing habitat to support wetland vegetation and wildlife species.

#### 12. Air Quality

The EIR evaluated the construction emissions and long-term, operational emissions associated with implementation of the Projects. Construction impacts were determined to be reduced to a level of insignificance through implementation of the BAAQMD dust control measures (mitigation measures 3.13-1A(1) and 3.13-1A(2)). Operational impacts were determined to be reduced to a less than significant level with the imposition of various stationary and area source emission reduction techniques. Additionally, the EIR found that the combined Vallejo Station and Waterfront Project contributions to criteria pollutants would be significant and unavoidable even with the imposition of mitigation measures (mitigation measure 3.13-3B).

The proposed modifications would not change the projected traffic or other operational emissions associated with the Projects. Thus, the analysis and conclusions associated with these potential impacts would not be affected by the proposed modifications. Additionally, generally the same level of construction would be required. There would be a possibility that Civic Center Drive may not be extended, which would reduce construction emissions. There would be a possibility that the construction of the Vallejo Station garage could occur in two phases, which could reduce emissions during the first phase of construction but may add to emissions in the area later during the construction of the second phase. Although the EIR contained an estimated general schedule for buildout of the Projects (approximately 7 years) and estimated potential construction-related emissions, the EIR relied on the BAAQMD CEQA Guidelines for evaluating construction emission impacts and for mitigating those impacts. In particular, these Guidelines do not require calculation of construction emissions, because these emissions are included in the emission inventories of state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone ambient air quality standards. These assumptions would remain valid for the construction impacts even with the potential change in schedule.

In Response to Comments on the Revised Draft EIR, the EIR also included, for informational purposes, a conceptual project construction schedule with the

maximum credible daily emissions for representative days over the course of construction (Table CR-3 in the Final EIR, Response to Comments). This table conservatively overestimated daily construction emissions, because it assumed no sharing of construction equipment or crews for activity taking place on several parcels simultaneously. This table confirmed the EIR's conclusion that construction emission impacts would be less than significant. It is important to note that construction on Parcel L (the Vallejo Station site) was projected to occur throughout the time that construction on Parcels A, B, C, J, S and T would also occur. Thus, a significant overlap of construction activity was assumed. Consequently, even if a later decision is made to change the construction schedule for the Vallejo Station garage, the assumptions in Table CR-3 would remain conservative and valid. Moreover, Table CR-3 was not used to establish the construction impacts and required mitigation for the Projects, but was prepared in order to fully respond to material provided in the comments submitted on the RDEIR

### 13. Noise

The EIR evaluated the Projects' potential noise impacts with respect to construction activities, operational noise, and noise exposure of new uses. Mitigation measures were provided to reduce potential construction noise to a less than significant impact (mitigation measures 3.14-1A, 3.14-1B). Potential impacts associated with indoor noise levels would be mitigated through the implementation of various design and construction related measures (mitigation measures 3.14-2A, 3.14-2B). The EIR identified potential cumulative noise impacts related to future increased traffic and determined that these impacts would be significant and unavoidable due to the uncertainty in successfully implementing the proposed mitigation (mitigation measure 3.14-3A). The proposed modifications would not change any of these findings or mitigation measures.

With respect to Parcel A, the EIR found that the open space located on both sides of Harbor Way would be shielded from the traffic noise from Mare Island Way and the Causeway. In the proposed modifications to the site plan for Parcel A, the wetland park would be located in the interior of Parcel A and the waterfront park would be in approximately same location as previously analyzed. Both open space areas would be shielded from traffic noise from Mare Island Way. The wetland park would extend to the Mare Island Causeway. Although future cumulative noise levels at peak traffic hours may exceed 70 dBA in the open space closest to the Causeway and parallel to the emergency vehicle access, landscaping would be included along this edge (Figure 1E) and it would not be a primary area for resident or visitor use. The main wetland pond and public uses areas would be located at a substantial distance from the Causeway. Moreover, it is not expected that peak hour traffic times would coincide with the heaviest use of the park. Consequently, no significant noise impacts would occur with the revised site plan for Parcel A.

**RESOLUTION NO. PC-07-02**

**RESOLUTION OF THE VALLEJO PLANNING COMMISSION RECOMMENDING  
THAT THE CITY COUNCIL APPROVE THE AMENDED WATERFRONT PLANNED  
DEVELOPMENT MASTER PLAN AND WATERFRONT DESIGN GUIDELINES  
(APPLICATION # 00-0022)**

BE IT RESOLVED by the Planning Commission of the City of Vallejo as follows:

WHEREAS, on November 15, 2005, the City Council of the City of Vallejo adopted Ordinance No. 1558 N.C. (2d) approving the Waterfront Planned Development Master Plan and Waterfront Design Guidelines (PDMP/DG); and

WHEREAS, in Resolution No. PC-05-03, which is incorporated herein by reference as though fully set forth, the Planning Commission found that the PDMP/DG was consistent with the Vallejo General Plan, furthered the stated purpose of the planned development district, conformed with the public convenience, the general welfare and good land use practice, promoted the health, safety, and general welfare, promoted the orderly development of the waterfront properties and preserved property values in the waterfront area; and

WHEREAS, following the City Council's approval of the PDMP/DG and other approvals related to the Vallejo Station Project and the Waterfront Project (collectively, the Projects), which included certification of the Final Environmental Impact Report (EIR) by Resolution No. 05-534, approval of a General Plan Amendment by Resolution No. 05-357, amendment of the Zoning Ordinance by Ordinance No. 1557 N.C.(2d), adoption of the Development Agreement by Ordinance No. 1559 N.C. (2d), and the Redevelopment Agency's (the Agency) approval of the Second Amended and Revised Development And Disposition Agreement (DDA) by Resolution No. \_\_, the Vallejo Waterfront Coalition (Coalition) filed a Petition for a Writ of Mandate challenging these approvals; and

WHEREAS, Callahan/DeSilva Vallejo, LLC (the Project Sponsor), the City, and the Agency engaged in settlement negotiations with the Coalition, which resulted in a Settlement Agreement approved by the City Council on November 28, 2006; and

WHEREAS, consistent with the Settlement Agreement, the Project Sponsor submitted an application requesting the approval of certain amendments to the PDMP/DG. A draft errata listing the proposed amendments to the PDMP/DG was prepared and submitted to the City for review and the application was processed consistent with the provisions of Article 16 of the Vallejo Municipal Code ; and

WHEREAS, following City, Agency and Coalition review of the draft errata for the PDMP/DG, the draft errata was revised. The amendments to the PDMP/DG propose, among others, the following:

1. The amendments propose revisions to the Parcel A site plan, including, among others, a requirement for a 4-acre wetland park.

2. The amendments propose revisions to certain building height limits and definitions for height measurements in the northern and central waterfront areas.
3. The amendments propose adding provisions related to architectural articulation and terracing.
4. The amendments propose adding certain sidewalk and building setback requirements.
5. The amendments propose adding certain limitations for retail uses on Parcels J and L.
6. The amendments propose adding a requirement for review of the architectural elements of all Unit Plans by the Design Review Board.
7. The amendments propose revisions related to Design Review Board determinations of feasibility and practicality with respect to certain requirements and propose to incorporate certain exhibits from the Settlement Agreement into the PDMP/DG.

WHEREAS, the potential environmental effects of the proposed amendments to the PDMP/DG have been assessed in the EIR and Addendum No. 1 prepared for the EIR. The Planning Commission has received and read Addendum No. 1 to the EIR and adopts the findings and conclusions contained therein and, in accordance with Public Resources Code section 21166, determines that there are no substantial changes proposed in the Projects, no substantial changes in the circumstances under which the Projects would be undertaken, and no other new information that would require major revisions to the EIR; and

WHEREAS, after hearing all qualified and interested persons and receiving and considering all relevant evidence, the Planning Commission finds and determines as follows:

1. The notice of the public hearing was given for the time and in the manner as prescribed by law.
2. The findings contained in Planning Commission Resolution No. PC-07-02 with respect to the PDMP/DG are incorporated herein by reference as though fully set forth.
3. The proposed amendments to the PDMP/DG are consistent with the objectives, policies, general land uses, and programs specified in the Vallejo General Plan, because the amendments will promote high quality design, including height and setback requirements, in the waterfront area and will promote appropriate retail uses in central waterfront area, both of which will contribute to the City's goals for revitalizing the waterfront with high quality, pedestrian-oriented development.
4. The proposed PDMP/DG amendments conform with the public convenience, the general welfare, and good land use practice, in that these amendments preserve the public benefits of the Vallejo Station and Waterfront Projects and add requirements that further define the provisions of the PDMP/DG related to design, open space, height limits, and retail uses in the

waterfront area, all of which will contribute to the quality of the Projects and the compatibility of the Projects with the surrounding area and the City's goals.

5. The proposed PDMP/DG amendments will not be detrimental to the health, safety and general welfare, nor will the amendments adversely affect the orderly development of the Waterfront Properties or the preservation of property values in the waterfront area, in that the amendments will preserve the public benefits of the Vallejo Station Project and Waterfront Project as set forth in Planning Commission Resolution No. PC-07-02 and will promote the high quality of the design of, and retail uses occupying, the Projects.

6. NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby recommends to the City Council the approval of the proposed amendments to the PDMP/DG #00-0022, as presented in Exhibit A.

ADOPTED by the Planning Commission of the City of Vallejo at a regular meeting held on Wednesday, January 17, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

\_\_\_\_\_/s/\_\_\_\_\_  
Charles Legalos, Chair

ATTEST: \_\_\_\_\_/s/\_\_\_\_\_  
Don Hazen, Secretary



*Vallejo Waterfront  
Planned Development Master Plan  
and Design Guidelines  
(Revised)*



Vallejo, California



January 11, 2007

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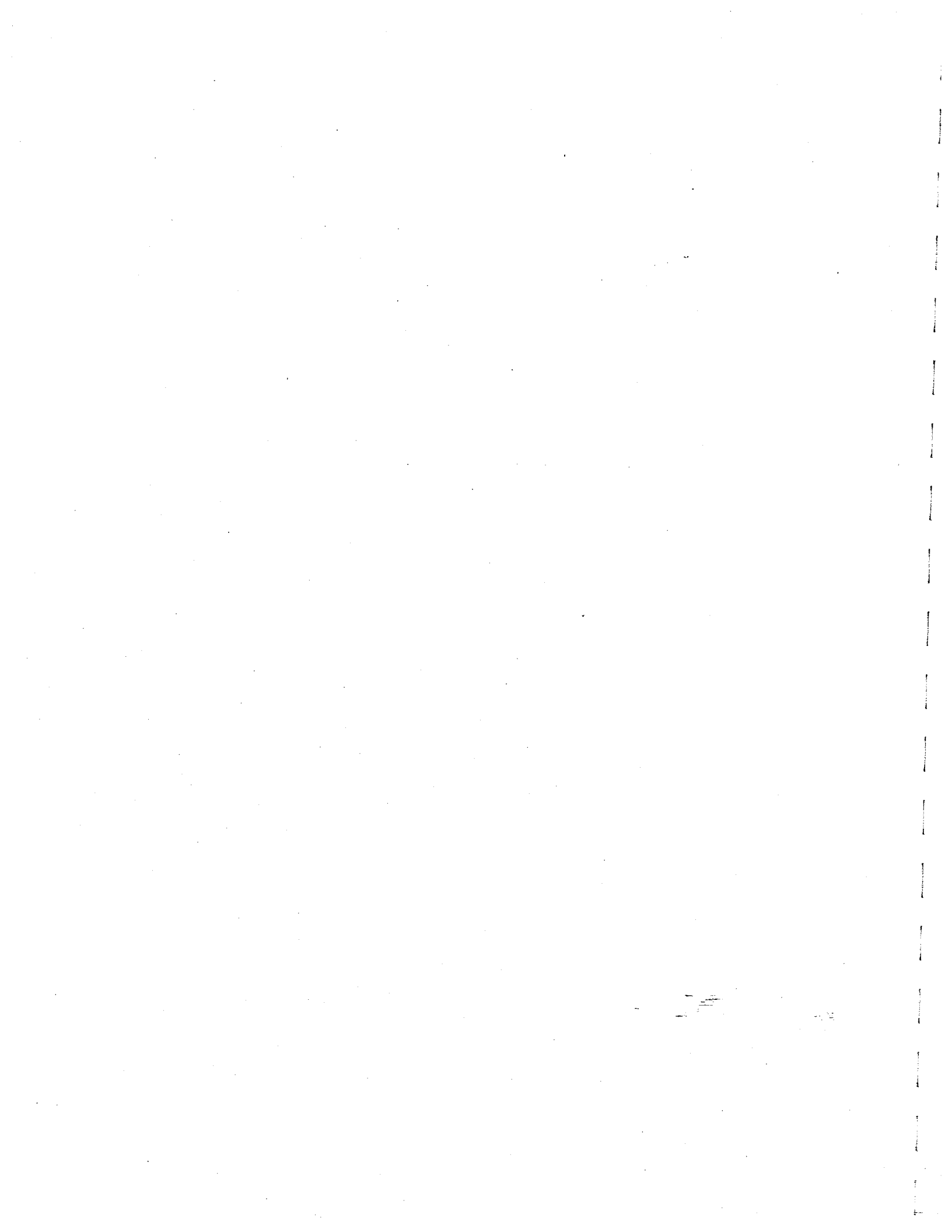
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# I. Planned Development Master Plan

## 1. Introduction

This document is the Planned Development Master Plan ("PDMP") for the Waterfront and Vallejo Station Projects. The PDMP outlines design criteria and minimum development standards for the northern, the central and the southern portions of Vallejo's waterfront. The PDMP is one component of the Vallejo Station Project and Waterfront Project ("Project") entitlements, which include the following actions:

- ~~Amendment of three existing redevelopment plans;~~
- ~~Merger of three existing redevelopment project areas into one area;~~
- Approval of a Disposition and Development Agreement with a Master Developer;
- Amendment of the text of the General Plan and the designations on the General Plan's Land Use Map in the Project area;
- Rezoning of the Project area;
- Adoption of the PDMP to set forth the policies and standards for land use and design for the Project area, and including as an incorporated attachment, ~~to the Vallejo Waterfront Design Guidelines~~ ("Waterfront Design Guidelines") to assist future developers and the City ~~to~~ implementing specific projects in a manner consistent with the land use and design standards; and
- Adoption of a Development Agreement pursuant to Government Code Section 65864 et seq.

The PDMP was developed pursuant to Chapter 16.116, Planned Development Permit Procedure, of the Vallejo Municipal Code. The PDMP was adopted as an ordinance, and it serves as the zoning land use regulations for development within the defined planning area.

### 1.1 Plan Area and Setting

This PDMP encompasses approximately the 92-acre (area bounded on the west by the Mare Island Strait, on the north by the Mare Island Causeway, on the east by Downtown Vallejo, and on the south by Solano Avenue. The area's major streets are Mare Island Way, which runs parallel to the waterfront and Georgia Street, which is the main east-west thoroughfare through the City of Vallejo. The boundaries of the plan parcels are illustrated on Figures 1a and 1b [*see new figure attached*].

There are several major influences on the physical setting of the planning area that have contributed to the development of the plan. These include 1) the location of the area along the waterfront of Mare Island Strait at the western edge of the historic downtown; 2) the former Mare Island Naval Shipyard across Mare Island Strait to the west; 3) the surrounding historic residential areas of the Heritage District, Washington Park neighborhood and St. Vincent's Hill Historic District, and the Vallejo Heights neighborhood north of the plan area; 4) the access to the 780 freeway via Curtola Parkway, to the I-80 freeway via Curtola Parkway and Sonoma Boulevard, and to State Route 37 via Mare Island Way and Wilson Avenue; and 5) the redeveloping industrial area in South Vallejo along Sonoma Blvd. and Mare Island Strait.

## 1.2 Planning Process

In May 1997, the City of Vallejo Redevelopment Agency entered into an Exclusive Right to Negotiate Agreement with DeSilva Callahan LLC as the Master Developer for the Agency-owned parcels along the Vallejo waterfront. Through an 18-month public planning process, a conceptual Master Plan was developed. This Master Plan proposed the mixed-use development and redevelopment of the waterfront and a portion of Vallejo's historic downtown. The Master Plan included residential, commercial and open space uses and public improvements related to circulation and access along the waterfront and the City of Vallejo ferry service to San Francisco. The Agency accepted the conceptual Master Plan on April 20, 1999, and directed an additional step in the planning process.

The Agency retained the services of the Urban Land Institute ("ULI") to review the Master Plan. The ULI Advisory Services Panel met June 27-30, 1999 in Vallejo. The Panel's conclusions endorsed the Master Plan with some modifications. The Agency considered this modified Plan and accepted it on August 24, 1999. With this acceptance, the completion of a Disposition and Development Agreement ("DDA") with the Master Developer was initiated.

On February 15, 2000, during a status report on the waterfront planning process, the Agency directed staff to consider alternative land uses for certain sites in the planning area and to bring back recommendations to the Agency. On March 28, 2000, the Agency accepted the Master Plan as modified by staff's recommendations.

At the same time, the Agency retained Wallace, Roberts & Todd, Inc. ("WRT"), a planning and landscape architecture firm with national and international experience, to develop a conceptual plan for the public spaces within the waterfront / downtown planning area. WRT undertook this process with the assistance of the Waterfront / Downtown Design Advisory Committee, a group of citizens representing a cross-section of the community and a variety of views on waterfront development.

On August 22, 2000, the DDA was approved subject to the completion of environmental review and other land use and redevelopment actions.

On September 19, 2000, the Agency considered WRT's "Vallejo Waterfront / Downtown Master Plan for Public Spaces" ("Public Spaces Plan"). The Agency directed that the Public Spaces Plan be incorporated into the Vallejo Waterfront Project for analysis in the environmental impact report. Further, the Agency directed the Public Spaces Plan's recommendations for private parcels be used as input into the development of land use and design standards for such parcels, recognizing that the final PDMP for public spaces and private parcels would not be approved until the certification of the EIR.

On June 5, 2001, the Agency held a public study session regarding the Waterfront/Downtown Master Plan for Public Spaces. The purpose of the study session was to review proposed changes to the land use profiles previously developed. The creation of a transit center strengthened in its relation to the downtown and waterfront area was now emphasized as the key element to successfully revitalizing the Waterfront and downtown area. The "Vallejo Station Transit Center" design concept now assumed significance for its role in reconnecting the downtown with the waterfront, defining a public open space framework of street corridors and green space, and strengthening Vallejo's identity. Design concepts revolved around creating an extension of the downtown street grid to the waterfront, the creation of a Civic Center complex, the enhancement of multi-modal public transit opportunities, and related redevelopment opportunities. The Redevelopment agency accepted the proposed changes to the Waterfront Master Plan on July 10, 2001.

In 2002, a Draft EIR was prepared for the Waterfront and Vallejo Station projects. Following Planning

Commission recommendation of certification of the DEIR, changes were made to the Waterfront project by the City Council in October 2003 to amend the Disposition and Development Agreement (DDA) with the master project developer, to remove Parcel K from the project area and to allow construction of the Capitol Street extension through the project area.

Following City Council action, a State Farm Insurance Company electronic payment center was constructed on former Parcel K.

In August 2004, a second amendment to the DDA as approved to implement changes in the processing of the Program level EIR to a Project level EIR, to describe the merger of the three redevelopment areas, removal of Parcels K, U and V from the project area and to update the original scope of development and the schedule of performance.

The City authorized the preparation of the Waterfront Design Guidelines, which are intended to supplement this PDMP document relating to community planning and urban design. These design guidelines are included as a component of the PDMP.

In June 2005, a Revised Draft Environmental Impact Report (RDEIR) on the Vallejo Station and Waterfront projects was released for a 60-day public review period. Following close of the comment period, all comment letters have been responded to a Final Environmental Impact Report has been prepared. In October 2005, a Final Environmental Impact Report was published.

In November 2005 the RDEIR was certified and project entitlements were approved by the City Council. By early December 2005 a lawsuit was filed by a community based interest group named the Vallejo Waterfront Coalition. Citing concerns over the potential inadequacies in the certified RDEIR, 10 months of negotiations ensued and a final settlement agreement was reached by December 2006. The PDMP and Waterfront Design Guidelines are the final results of the incorporation of the City/Agency/Developer partnership and community input into an environmentally balanced and financially viable master plan for the Vallejo Waterfront.

### *1.3 Project Objectives*

The objective of the PDMP is to enable the revitalization of Vallejo's waterfront area and, in conjunction with the Downtown Specific Plan, help to revitalize the adjacent historic downtown. This will occur with land use actions and associated redevelopment actions to ensure that:

- Revitalization is financially feasible;
- The waterfront and downtown regain their historic place as the cultural heart of the community; and
- The waterfront and downtown are revitalized with quality development that is pedestrian and transit friendly and that includes higher density commercial, office and residential uses with innovative public spaces for cultural and recreational activities.

Without the Project, Vallejo's waterfront will remain underutilized and blighted into the foreseeable future, and the community will not receive the benefit of the cultural, retail, employment, housing and recreation opportunities provided by the Project.

### *1.4 Planning Goals*

Through the community process facilitated by the Master Developer (MD) and the subsequent process by WRT, goals were established to guide the planning efforts. Both sets of goals were very similar in that

they shared a common vision for the waterfront area. The goals have been modified to reflect current conditions in the plan area, including but not limited to construction of the State Farm building, the Georgia Street extension and others.

#### **1.4.1 Planning Goals for Private Development**

- Incorporate mixed land uses, which are people oriented and which will allow the waterfront and downtown areas to evolve into the social, cultural and entertainment hub of the city. (MD)
- Take advantage of the recent Georgia Street extension and the remaining planned Capitol Street and Marin Street extensions to: create marketable properties adjacent to the waterfront while preserving and enhancing land for public open space; enhance the linkage between the downtown commercial area and the waterfront; and increase and enhance crossings of Mare Island Way to make it more pedestrian-friendly. (MD)
- Develop extensive public access and public park and open space areas along the waterfront. (MD)
- Create new and revitalized existing residential neighborhoods within and adjacent to the waterfront and downtown areas. (MD)
- Design new development in an architectural style that is compatible with the existing character of the historic downtown and adjacent residential neighborhoods. (MD/City)
- Ensure that land uses in the waterfront area will be compatible with and linked to those anticipated on Mare Island. (MD)
- Encourage private investment in the downtown and adjacent residential neighborhoods. (MD)

#### **1.4.2 Planning Goals for Public Spaces**

- Issues of Use Goal: Balance commercial, residential, employment and transportation uses with recreational, festival, events and other associated uses so that each are accommodated and each help to create synergy for the waterfront and downtown as they function in combination with one another. (WRT)
- Issues of Connection Goal: Enhance connections between the waterfront, downtown and Mare Island utilizing physical and visual connections to the greatest extent possible. (WRT)
- Issues of Culture Goal: Develop a concept for the waterfront that is rooted in the cultures of Vallejo and celebrates its uniqueness. (WRT)
- Issues of Design Goal: Develop a design theme for the waterfront which will reflect the unique identity of Vallejo, celebrate the water's edge and incorporate distinctive elements which will all combine to make a place which is truly unique and which ensures Vallejo's position as one of world's great waterfronts. (WRT)
- Issues of Sustainability Goal: Concerns of sustainability as they relate to social, ecological and economic issues should figure strongly in the development of the waterfront concept. (WRT)

### **1.5 Vision Statement**

As a result of the planning process, a statement was developed to set the theme for the revitalization of the waterfront and downtown:

Coming Back to the Future – Bringing the Downtown Back to the Waterfront: Create a distinctive waterfront / downtown for Vallejo which reflects the community's sound values of Ecology, Citizenry, Rich History, A Real Place and Downtown as the Heart of the Community. The new waterfront and downtown should be a celebration of Vallejo's ethnic and maritime culture, and the waterfront's connection to the downtown should be strengthened in every way possible. In addition to strengthening Vallejo's distinctive identity, the waterfront should emphasize pedestrian and other non-vehicular circulation modes, accommodate a wide variety of recreation activities, festivals and events, encourage boating and other water oriented uses and provide opportunities for associated urban residential, commercial and civic uses. (WRT)

## 2. PDMP Summary

The PDMP addresses the development and redevelopment of the waterfront planning area as shown in Figure 2 [*see new figure attached*], ~~Proposed Project Land Uses~~. The overall concept is to have continuous public access and open space along the Mare Island Strait waterfront between the extension of Solano Avenue in the south to the Mare Island Causeway in the north. More intense urban uses are set back from the waterfront edge to create a bridge between the existing downtown and the waterfront. Within the plan area, there are up to 1,251 new, higher density residential units and up to 562,000 gross square feet of new private mixed-use commercial, office, research & development/light industrial and developed recreation. A major hotel with associated conference and retail facilities is also included.

New public facilities include a below grade parking structure known as Vallejo Station to serve existing and future ferry service and other uses in the area as well as a performing arts center. These public facilities complement the existing Civic Center and Ferry Terminal. Public space increases from the existing 11 acres to approximately 31.9 acres within the planning area. A large Festival Green and existing Dr. Martin Luther King Jr. Unity Plaza (formerly Unity Plaza) form the centerpiece of the public spaces. Public art is incorporated into Dr. Martin Luther King Jr. Unity Plaza and is encouraged to be installed along the waterfront.

The connection between the waterfront and downtown is further strengthened by the extension of the historic street grid to the waterfront where practical with the completed extension of Georgia Street and ~~remaining planned~~ the partial extension of Capitol Street ~~extension being the strongest links~~, which will be extended to Santa Clara Street when the Vallejo Station garage is completed. Other streets that are extended as part of the historic grid, where practical, are Branciforte (Civic Center Drive) and Marin Streets.

The planning area is divided into three smaller geographic areas: Central Waterfront; Northern Waterfront; and Southern Waterfront. While the proposed land uses in each area are summarized below, more detailed descriptions of future development are described in section 59.0 of this PDMP.

## 3. Overriding PDMP Goals, and Policies and Standards

There are five overriding goals and associated policies that govern all private development and public improvements. It is the intent of these goals and policies to ensure that the waterfront area is redeveloped and revitalized in the following manner:

- As a pedestrian-oriented mixed-use district;
- With an integrated urban fabric;
- With visual access and orientation to the waterfront;



- With quality urban design; and
- As an example of sustainable development.

### 3.1 *Pedestrian-Oriented Mixed Use District*

- *Goal 1:* Establish the waterfront planning area as an attractive pedestrian-oriented, mixed-use district.
- *Policy 1A:* Enhance the economic and recreational potential of the area by promoting the relocation, revitalization, or redevelopment of existing uses or businesses that are not oriented to the waterfront. In their place, encourage the introduction of uses that will contribute to the creation of a vibrant, pedestrian-oriented, mixed-use district. (WRT Policy 30)
- *Policy 1B:* Provide landowners / developers with the flexibility to respond to market factors as they change over time with the mixed-use concept. (WRT Policy 31)
- *Policy 1C:* Encourage the development of a mixed-use district to enhance the “around-the-clock” vitality of the area, by incorporating uses that attract people during all periods of the day and week whether for habitation, employment or entertainment. (WRT Policy 25)
- *Policy 1D:* Encourage mixed-use development as a means of reducing automobile use within the planning area. Development of complementary uses (retail and office, retail and housing, office and housing) in proximity to each other allows residents, employees, and visitors to walk and/or bicycle when undertaking many of the typical daily trips, whether it is going to lunch, running errands, or going out for the evening. (WRT Policy 26)
- *Policy 1E:* Balance retail uses with a mix of cultural, entertainment, residential and office uses that will complement and support the economic vitality of the downtown commercial core. (WRT Policy 27)
- *Policy 1F:* Contribute to the concept of the planning area as a community focal point and activity center through commercial activities that provide distinctive retail and entertainment uses that cater to and will be used by the community). (WRT Policy 28)
- *Policy 1G:* Encourage housing that addresses the needs of a diverse population, including age, household composition and income. A range of unit types should be considered, including but not limited to town homes, and court homes and podium style units. Creating just residential areas with just traditional single-family units is not the most efficient use of the limited land resources within the planning area. (WRT Policy 33/City/MD)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Ssection II. A.1 for direction on implementation. [*Cross-reference to be updated as necessary*]

### 3.2 *Integrated Urban Fabric*

- *Goal 2:* Establish the waterfront area as an economically and socially vital center for Vallejo.
- *Policy 2A:* Employ the design of the public realm, including parks, plazas, sidewalks and streets, to reintegrate the waterfront into an active commercial area that will serve as both a citywide and regional destination. (WRT Policy 22)
- *Policy 2B:* Provide an integrated open space system that enhances the aesthetic character of the downtown and establishes a distinctive identity for Vallejo’s waterfront. (WRT Policy 23)
- *Policy 2C:* Establish the Vallejo waterfront approximately 356 acres of public open space in the Vallejo Station and Waterfront project as a citywide open space amenity, and a focal feature and recreational amenity for the downtown. (WRT Policy 24)

- *Policy 2D:* Create an integrated system of urban open spaces that accommodates pedestrian movement throughout the development areas and links the development areas to the waterfront open spaces. (WRT Policy 54)
- *Policy 2E:* Create a continuous public zone along the water's edge that provides a minimum width of public promenade, improved relationships to the water's edge and key green space penetrations into the urban edge. (WRT Policy 1)
- *Policy 2F:* Require project designs to incorporate pedestrian and transit linkages within the project, with adjacent properties and with the city as a whole. (MD)
- *Policy 2G:* Reestablish the historic city grid in the public spaces of the waterfront / downtown area by means of physical connections (street and paseo) and / or visual connections as practical. (WRT Policy 2)
- *Policy 2H:* Incorporate green spaces projecting back into the urban edge where practical. Reinforce these green spaces with landscape and urban design features that help to frame the view orientation out to the water. (WRT Recommendation 1)
- *Policy 2I:* Create a continuous pedestrian connection through the City Hall and City parking lots in the area between Sacramento Street and the extension of Civic Center Drive. (WRT Policy 53)
- *Policy 2J:* Provide a pedestrian-oriented environment within the downtown and waterfront areas, with convenient pedestrian connections to adjoining neighborhoods. (WRT Policy 55)
- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Section I. B. for direction on implementation. [*Cross-reference to be updated as necessary*]

### 3.3 Visual Access and Orientation

- *Goal 3:* Preserve and enhance visual access to the waterfront in new private and public development.
- *Policy 3A:* Encourage uses in areas adjacent to the waterfront open space that will benefit from their proximity to this important open space resource. Development, whose orientation is completely internal, such as performing arts center, theaters, conference facilities, etc. should not be located adjacent to waterfront open space. (WRT Policy 29)
- *Policy 3B:* Locate uses that will most benefit from views of the waterfront and associated open space improvements so that they have positive orientation and access to the available visual amenities. Such uses include restaurants, residences, offices and hotel rooms. Uses, such as conference facilities, that are primarily internally oriented should be located where access to visual amenities is lower or include landscape and urban design features that are supportive of public activity in open spaces. (WRT Recommendation 30)
- *Policy 3C:* Preserve view corridors in new development along the alignment of city streets where practical. (WRT Recommendation 28)
- *Policy 3D:* Preserve the alignment of the visual corridor established by the predominant right-of-way alignment through building massing in situations, such as the Georgia Street and Capitol Street extensions, where the actual street right-of-way bends to make right angle connections with Mare Island Way, where practical. (WRT Policy 29)
- *Policy 3F:* Emphasize the orientation of new development to the waterfront and public open space through the placement of building entries and by maximizing the area of fenestration

facing open space amenities. (WRT Recommendation 31)

- *Policy 3G:* Incorporate balconies and upper level terraces in addition to windows into building designs that provide additional opportunities for people to appreciate the area's visual assets where practical. (WRT Recommendation 32)
- *Policy 3H:* Remove, relocate or redesign existing waterfront development that either obstructs visual access to Mare Island Strait or does not significantly benefit from the visual amenities associated with its location where practical. (WRT Policy 52)
- Refer to ~~Waterfront Planned Development Master Plan~~—Design Guidelines Sections; II. A, III. A.2.3, III. B.3.1, III. C.3.1 and III. D.3.1 for direction on implementation. [*Cross-references to be updated as necessary*]

### 3.4 Quality Urban Design

- *Goal 4:* Encourage the highest and most creative standards for urban design in new private and public development.
- *Policy 4A:* Design new development to address directly and openly adjacent open space by incorporating windows and pedestrian entrances along these frontages. (WRT Recommendation 33)
- *Policy 4B:* Design new development to incorporate courtyards, plazas, passageways, roof terraces and other open spaces in order to complement, extend and enrich the pattern of pedestrian-oriented public open spaces. (WRT Recommendation 34)
- *Policy 4C:* Use original designs that are tailored to the site rather than generic or trademark buildings and site design. (MD)
- *Policy 4D:* Promote designs that achieve a balance between appearance and function, where form and function rely on each other for a successful project design. (MD)
- *Policy 4E:* Use designs that add to the character of the community by providing opportunities for integration of the project with adjacent properties. (MD)
- *Policy 4F:* Establish a streetscape presence and appearance through setbacks, landscaping, building placement and architecture that defines the pedestrian and vehicular corridor and that presents an appealing and continuous theme along a sidewalk or street. (MD)
- *Policy 4G:* Commercial projects should provide connections between neighborhoods, adjacent compatible uses and area-wide trail systems. (MD)
- *Policy 4H:* Commercial projects should provide continuous pedestrian walkways in the public right-of-way or designated landscape corridor. (MD)
- *Policy 4I:* Parking lots, service areas and other less attractive building elements should generally not be located adjacent to open space amenities such as plazas and parks. (WRT Recommendation 35)
- Refer to ~~Waterfront Planned Development Master Plan~~—Design Guidelines Sections; III. A.2.3, III. B.3.2, III. C.3.2 and III. D.3.2 for direction on implementation. [*Cross-references to be updated as necessary*]

### 3.5 Sustainability

- *Goal 5:* Include the principles of sustainability in the implementation of the PDMP where practical.

- *Policy 5A:* Institute water conservation techniques when feasible. (WRT Standard 11a)
- *Policy 5B:* Utilize native or drought-resistant plants where appropriate. (WRT Standard 11b)
- *Policy 5C:* Use recycled and/or recyclable materials when feasible. (WRT Standard 11c)
- *Policy 5D:* Promote energy conservation through the use of efficient lighting and utility systems. (WRT Standard 11d)
- *Policy 5E:* Use wood products from renewable, non-old growth forestry practices when feasible. (WRT Standard 11e)
- *Policy 5F:* Promote ecological / habitat diversity within the open space. (WRT Standard 11f)
- *Policy 5G:* Use nontoxic building materials either in manufacturing process or in final product state. (WRT Standard 11g)
- *Policy 5H:* Use materials from local sources to reduce transportation impacts when feasible. (WRT Standard 11h)
- *Policy 5I:* Design integrated storm water management systems that promote filtration, percolation, retention and detention when feasible. (WRT Standard 11i)
- *Policy 5J:* Utilize pest and weed management practices that reduce or eliminate leaching of pesticides and herbicides into the groundwater or into adjacent wetlands and / or bodies of water. (WRT Standard 11j)
- *Policy 5K:* Design grey-water irrigation systems as a water conservation technique when feasible. (WRT Standard 11k)
- *Policy 5L:* Use designs that show awareness of and consideration for the energy requirements of a proposed design with respect to heating, cooling and material selection. (MD)
- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Section III. A.2.1 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 4. Development Policies and Standards ~~Land Use Standards~~

### 4.1 ~~General Land Use Categories~~

- *Civic:* This category includes public and/or quasi-public uses that provide noncommercial services, such as cultural facilities, government facilities, parking, and transportation and essential services.
- *Residential:* This use category includes types of residential units with higher densities that will take advantage of their close proximity to the waterfront and its amenities, transportation facilities and downtown.
- *Commercial:* This use category is for the provision of commercial goods and services to the residents, visitors, workers and transportation users within the waterfront / downtown area. These goods and services include retail, lodging, food, cultural, recreation, entertainment, personal services and visitor-serving uses.
- *Office:* This category includes two types of business uses. The first type of uses are small businesses where the public can generally enter for services such as legal, administrative, financial, real estate and professional. The second type of uses are businesses and professional uses on a scale larger than usually found in retail commercial areas. These uses are not generally open to individual customers.

- *Research & Development/Light Industrial:* This category includes industrial uses such as manufacturing and research and development that are low intensity and clean in character. They can be conducted entirely in enclosed buildings or in screened outdoor areas, and they generate a minimum of truck traffic.
- *Developed Recreation – Public:* This category includes public and/or quasi-public uses that provide active public recreation facilities and/or services, such as parks, playgrounds and event areas.
- *Developed Recreation – Private:* This use category includes active recreation services that are privately operated, such as fitness facilities, bicycle rentals or tennis clubs.
- *Open Space:* This category includes uses that are public and/or quasi-public for resource preservation, interpretation and passive recreation.
- *Uses Requiring Conditional Use Permits:* A few land uses require additional review to ensure operating characteristics do no impact adjacent uses. Major conditional use permits are required for off-site alcohol sales and on-site alcohol sales (except in bona fide eating establishments or as an accessory use within the hotel within the planning area).

#### ~~1.1 Land Use Standards for Private Development~~

~~Land use standards and development profiles for private development within the PDMP area are included in Table 1, for the Waterfront portion of the project, and Table 2, for the Vallejo Station portion of the project, both of which are provided at the end of this document. The development profiles correspond to the parcels illustrated on Figure 2, also provided at the end of this document. [Figure 2 to be added]~~

#### ~~1.1 Land Use Standards for Public Development~~

~~Land use standards and development profiles for private development within the PDMP area are included in Table 1, for the Waterfront portion of the project, and Table 2, for the Vallejo Station portion of the project, both of which are provided at the end of this document. The development profiles correspond to the parcels illustrated on Figure 2, also provided at the end of this document.~~

### 4.2 *Development Design Policies and Standards for Private Development*

The following section contains overall standards for all development in the PDMP area as well as specific standards for residential, commercial, office, and research & development/light industrial uses. An accompanying document attachment, *Vallejo Waterfront Design Guidelines*, provides explanatory overall design guidance for the PMDP area along with more specific design guidance for individual types of land uses envisioned in the plan and for each waterfront area.

**Design Review Program:** Establish a design review process within one year of adoption of the plan for all projects in the Waterfront Project plan area. The process should include a Design Review Board that evaluates and acts on all projects in the plan area. This function would be performed by the Planning Commission until the Design Review Board is formed.

#### 4.2.1 Overall Design Standards

##### 4.2.1.A Policies

- *Policy:* Ensure that the architectural theme of all new development is compatible but not necessarily consistent with the character of the historic downtown and adjacent neighborhoods.

- *Policy:* Buildings within the Vallejo Waterfront shall directly orient towards the streets, sidewalks, parks, plazas and promenade that form the public realm.
- *Policy:* The more active uses in a building shall front onto sidewalks and open spaces. For commercial buildings this includes storefronts, dining areas, office and hotel lobbies, or other semi-public spaces within offices. For civic uses, this should be the front lobby and any retail component associated with the use. For residential uses, this includes lobbies, porches to individual unit entries, living rooms, dining rooms, and the work portion of live-work units.
- *Policy:* Outdoor dining shall comply with the City of Vallejo's "Outdoor Dining Performance Standards" as established in the City's Zoning Ordinance.
- *Policy:* In the design of parking structures and surface lots, walkways should be an integral part of the design process. Designs shall comply with the most up-to-date ADA and Title 24 accessibility requirements.
- *Policy:* All loading and service (refuse and recycling, utility, etc.) areas shall be located and designed to minimize visual impacts and their presence along sidewalks, pedestrian corridors, and other public spaces.
- *Policy:* The height of awnings and canopies should provide pedestrian scale to the building and also meet code requirements. Awnings and canopies shall be at least 8 feet above the sidewalk, and may project no more than 2/3 of the width of the sidewalk or a maximum of 10 feet. Valances on the edge of an awning parallel to the building face should not be more than 12 inches wide.
- *Policy:* All exterior lighting shall be designed so as to not produce glare onto pedestrian spaces and adjacent uses.

#### 4.2.1.B Standards

- *Standard:* Modern expressions of the historic building vocabulary, including massing, scale, detail and materials, shall be used.
- *Standard:* Replicas of historic architectural styles shall not be used.
- *Standard:* Adequate detailing, visual interest and durable materials shall be used.
- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guideline Section II A-, III.A.2.2 and A.2.3, III.B.3.1 and #2, III.C.3.1 and 3.2, and III.D.3.1 and 3.2 for direction on implementation. [*Cross-references to be updated as necessary*]
- Refer to Tables 1 and 2 of this PDMP for maximum building heights and building height standards for all parcels in the three Waterfront districts.

#### Central Waterfront

- *Standard:* (1) Parcel J building height shall be measured from the street curb perpendicular to the midpoint of the building to the building top plate; (2) Parcel L building height shall be measured from the street curb perpendicular to the midpoint of a given parcel zone to the building top plate, as depicted in Figures 3, 4, 5 and 6 [*see new figures attached*].
- *Standard:* On Parcels J and L: (1) Decorative features, including, but not limited to, parapets, spires, bell towers, domes, cupolas, obelisks, and monuments, and pitched roofs or pitched roof elements, including, but not limited to, dormers, shall be limited to a maximum height of six (6) feet above the building top plate; (2) If any architectural element such as a dormer or vaulted ceiling increases the interior ceiling height of the top unit, it shall be limited to a

maximum of three (3) feet above the top plate; (3) Elevator or stair towers, chimneys, ventilators, plumbing vent stacks, water tanks, cooling towers, machinery rooms and other mechanical equipment and appurtenances shall not be subject to these height limits, and shall be appropriately screened in accordance with the PDMP and Waterfront Design Guidelines.

## 4.2.2 Residential

### 4.2.2.A Policies

#### Northern Waterfront

- *Policy:* To decrease the overall visual impact for the residential development, the taller pitched roof residential buildings shall be located in the Northern Neighborhood with the lower pitched roof buildings located in the Southern Residential Neighborhood.

#### Central Waterfront

- *Policy:* The north and south sides of the Paseo Park are fronted by Vallejo Station buildings that *shall* provide active frontages onto the Park, such as residential stoops or stairs leading to individual residential units, the conference facilities, retail storefronts, secondary entries to the hotel, residential lobbies, entries to residential internal courtyards that provide views of the interior landscape, and/or entries to ground level live/work units.
- *Policy:* Regardless of the use that fronts onto Civic Center Drive, the design of the sidewalks shall be as illustrated in Waterfront Design Guidelines Figure 3.C.26 of the Design Guidelines with a 6 foot wide tree well with grate and a 6 foot minimum width of sidewalk from the tree well to the edge of the right-of-way. [*Cross-reference to be updated as necessary*]

#### Southern Waterfront

- *Policy:* First-floor residential units along the Marin Street extension and Kaiser Place shall have individual entries that directly relate to these streets.

### 4.2.2.B Standards

#### Standards—Podium Units

- ~~*Standard:* The maximum building height is 55 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs—peaked roofs, mechanical equipment, screens for roof mounted equipment, and minor building projections used to create architectural character and accent are not considered in this measurement.) (MD)~~
- *Standard:* Design of structures should avoid long, unbroken walls on the project perimeter. (MD)
- *Standard:* All building facades should be well-articulated to avoid blocky appearance. Variations in window treatments, roof lines and vertical elements should be emphasized. (MD)
- *Standard:* Utilize generous eaves and overhangs to soften and ground the architecture by adding horizontal shadow and texture to the buildings especially when viewed from a distance. (MD)
- *Standard:* Provide quality and scale through the use of textured materials such as masonry and siding. (MD)

- *Standard:* Variations in roof lines and massing should be used. (MD)
- *Standard:* Implement quality architectural detailing including window trim, recessed windows and built-up fascias. (MD)
- *Standard:* Where feasible, first-floor units should have individual entries or stoops that directly access the public or common areas. (MD)
- *Standard:* Portions of the garage that are visible from adjacent public streets and areas should be concealed using architectural elements such as grills, stairs and landscaping. (MD)
- *Standard:* Garage access should be between or at the rear of buildings. Where garage opening must occur along a street frontage, the openings should be recessed into the building. (MD)
- *Standard:* Landscaping on the top of the podium should attempt to create a pedestrian-oriented zone between building clusters by providing planters, changes in landscape material, naturalistic plantings and water features. (MD)
- Refer to ~~Waterfront Planned Development Master Plan Design Guidelines~~ Section III.C.3.1.2.D and C.3.2.3 for direction on implementation of the Central Waterfront. [*Cross-references to be updated as necessary*]
- Refer to ~~Waterfront Planned Development Master Plan Design Guidelines~~ Section III.B.3.2 for direction on implementation of the Southern Waterfront. [*Cross-reference to be updated as necessary*]

#### **Standards—Townhouse Units**

- *Standard:* Building heights in Parcel A shall be measured from the street or alley curb perpendicular to the midpoint of the street or alley to the ridge of the roof structure. Chimneys shall not be subject to this height measurement and shall be allowed to exceed the height limit.
- ~~*Standard:* The maximum building height is 42 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs, except of peaked roofs, mechanical equipment, screens for roof mounted equipment, and minor building projections used to create architectural character and accent.) (MD)~~
- *Standard:* All units within a cluster should share common visual links, such as architectural themes, details, materials and colors. (MD)
- *Standard:* All building facades should be well-articulated to avoid blocky appearance. Variations in window treatments, roof lines and vertical elements should be emphasized. (MD)
- *Standard:* Variations in rooflines and massing should be used. (MD)
- *Standard:* Entries should be visible from the street or parking area for attached cluster. (MD)
- *Standard:* Covered porches or stoops at entries are encouraged along the street to activate the street and provide a transition between the public street and the private residence. Where appropriate, one-story rooflines can be used for porches or stoops to reduce building mass. (MD)
- *Standard:* Where feasible, and appropriate to the character of the neighborhood, the impact of garage doors should be reduced using second story overhangs or trellises. (MD)
- *Standard:* In order to increase landscaping within the parking areas, paving should be reduced where possible. (MD)



- *Standard:* Decorative paving should be used for the parking areas to create an identity separate from the street. (MD)
- *Standard:* Provide quality and scale through the use of textured materials such as masonry and siding. (MD)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section III.D.3.2 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 4.2.3 Commercial and Office

### 4.2.3.A Policies

#### Northern Waterfront

- *Policy:* Buildings shall create a well-defined, visually interesting, and continuous building wall with few interruptions from parking lots, driveways, and inactive open spaces and landscape areas.
- *Policy:* Retail building at the corner of Harbor Way and Mare Island Way (Parcel C): The northeastern face of the building shall be set back from the edge of the Harbor Way ~~right-of-way~~ westerly curb line by 35 feet to provide a view corridor from Mare Island Way and elevated areas of the St. Vincent's Hill neighborhood into the site and to boat masts and views of the waterfront. Landscaping in this setback should be selected and designed as an integral part of the future gateway at the entry to Harbor Way (see Waterfront Design Guidelines Figure 3.D.40). [*Cross-reference to be updated as necessary*]
- *Policy:* Restaurant Building at Promenade: No portion of the restaurant building shall be located closer to the higher water mark than 55 feet (as defined by the Bay Conservation Development Commission; also see Waterfront Design Guidelines Figure 3.D.40 ~~of the Waterfront Design Guidelines~~). [*Cross-reference to be updated as necessary*] The building and its surrounding landscaping and hardscaped "patio" seating areas should engage the promenade and make activity within the building visible to the promenade.
- *Policy:* There will be no parallel parking on Harbor Way from its intersection with Mare Island Way northerly to a point past the visual corridor between the Promenade and Wetland parks.

#### Central Waterfront

- *Policy:* The frontages of Georgia Street and Mare Island Way from Capitol to the ferry parking garage driveway, should be considered as prime space for commercial uses that can take the greatest advantage of a high degree of pedestrian traffic. The sidewalks for these streets shall be fronted by uses that activate them at the ground-floor such as storefronts; restaurants; cafes; the work portion of live/work units; hotel, conference center and office lobbies; and the most active spaces within offices such as the front lobby. For ground-floor retail, active storefronts or display areas should turn the corner for at least 50% of the façade along the Ferry parking garage driveway in order to activate this important pedestrian route.
- *Policy:* Parking structures should include active ground-floor uses, such as retail, to create a pedestrian-supportive interface with the surrounding sidewalk, particularly on more active street frontages such as Georgia Street, Santa Clara Street, and Mare Island Way. (See Waterfront Design Guidelines Figure 3.C.39 ~~of the Waterfront Design Guidelines~~) [*Cross-reference to be updated as necessary*] On more minor streets, parking structures shall, at a minimum, be buffered with landscaping if active ground-floor uses are impractical. Facades

should be designed with equal attention to form and articulation as other buildings within the Central Waterfront. Parking structures may also be built to include ground-floor retail in the future with minor retrofitting.

- *Policy:* Every retail establishment and live/work unit shall have its own entry directly from or connecting to a publicly accessible sidewalks, walkway, or plaza space, such as the Paseo Park.
- *Policy:* Visibility of any sloping floors and long horizontal openings shall be avoided.
- *Policy:* At a minimum, screening *shall* include landscaping, landscaped planters, decorative architectural detailing such as metal and grill work, or changes in materials and colors. Planters that are too tall should be avoided (See Waterfront Design Guidelines Section 3.2.2 Architectural Scale and Detailing ~~section~~ for additional landscape planter guidelines).; ~~Section 3.2.2 of the Waterfront Design Guidelines.~~ [Cross-reference to be updated as necessary]

#### 4.2.3.B Standards — General

- *Standard:* All ground-level commercial uses should have their primary entrances oriented to the street. In general, entrances should be frequent, with the specific spacing informed by the predominantly existing spacing pattern of entries and the land use type. (WRT Recommendation 22)
- *Standard:* Building height is measured from the top plate to the mean elevation of the surrounding street curbs, excluding peaked roofs, mechanical equipment, roof screens for roof mounted equipment, and minor building projections used to create architectural character and accent. (MD)
- ~~*Standard:* In the Southern Waterfront, the maximum building height is 45 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs—peaked roofs, mechanical equipment, screens for roof mounted equipment, and minor building projections used to create architectural character and accent are not considered in this measurement.) (MD).~~
- ~~*Standard:* In the Central Waterfront, upper floors of buildings taller than those existing across the adjacent street should be set back to create a compatible building form. The maximum building heights for Parcel L are 65 feet on Mare Island Way, 55 feet on Santa Clara Street, and 45 feet for the building at the corner of Mare Island Way and Georgia Street. On Parcel J the maximum building height is 55 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs—peaked roofs, mechanical equipment, screens for roof mounted equipment, and minor building projections used to create architectural character and accent are not considered in this measurement.) Residential development on Parcels J1 and J2 will be reduced as necessary to provide active public or commercial land uses along some or all of the first floor frontage of buildings along Mare Island Way and Festival Green. (MD).~~
- *Standard:* The ground-level street frontage should be dominated by active commercial or public-oriented uses and be lined with windows. (WRT Recommendation 19)
- *Standard:* Clear, untinted glass should be used to achieve maximum transparency when it is appropriate to expose commercial uses to the street. Windows, French doors and other façade treatments (in addition to the front door) that open onto the street are encouraged when appropriate. (WRT Recommendation 25/MD)

- *Standard:* Entries should be emphasized through building articulations and form and oriented to address the main street. (MD)
- *Standard:* Roof-mounted equipment shall be screened from public view. (MD)
- *Standard:* Innovative use of durable, high quality materials, such as brick, stone, tile, stucco and certain forms of concrete, is encouraged. (MD)
- *Standard:* The materials, shapes, elements and details used on the front or main building elevation, including the roof style and materials, should be extended to all elevations. (MD)
- *Standard:* Texture and color should be used to create visual interest and enhance the streetscape appearance of the building. (MD)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Sections III.A.2, III.B.3, III.C.3 and III.D.3 for direction on implementation. [*Cross-references to be updated as necessary*]

#### **Standards—Parcels B and C**

- *Standard:* ~~The maximum building height is 25 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs, except excluding peaked roofs, mechanical equipment, roof screens for roof mounted equipment, and minor building projections used to create architectural character and accent.)~~ (MD)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section III.D.3 for direction on implementation. [*Cross-reference to be updated as necessary*]

#### **Standards—Parcel J**

- *Standard:* ~~The maximum building height is 55 feet. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs, except of peaked roofs, mechanical equipment, screens for roof mounted equipment, and minor building projections used to create architectural character and accent.)~~ (MD)
- *Standard:* ~~To the extent feasible, locate~~ ground level retail and restaurant uses that are open to the public along the Festival Green and Mare Island Way frontages to add visual interest and encourage pedestrian activity. (MD)
- *Standard:* Use scale and massing along the Capitol Street frontage that are sensitive to the residential neighborhoods. (MD)
- *Standard:* The residential development will also include on-site landscaping in courtyards and perimeter landscaping.
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Sections III.C.1 and C.3.2. [*Cross-references to be updated as necessary*]

#### **Standards—Parcel L**

- *Standard:* Building heights generally shall step down in a westerly direction from Santa Clara Street to Mare Island Way, as depicted in Figures 3, 4 and 5 of this PDMP [*see new figures attached*]. Also see Table 2 for maximum building heights and building height measurement standards for Parcel L.
- *Standard:* ~~The maximum building height is 65 feet at Mare Island Way and Maine Street, 55 feet on Santa Clara Street and 45 feet at Georgia and Mare Island Way. (Building height is measured from the top of the parapet or top plate to the mean elevation of the surrounding street curbs—peaked roofs, mechanical equipment, screens for roof mounted equipment, and~~

minor building projections used to create architectural character and accent are not included in this measurement.) (MD)

- ~~Standard: Along Mare Island Way, orient buildings toward the waterfront, use consistent building heights and setbacks to define the corridor, and create a broader and more protected pedestrian environment with enhanced access to the waterfront. (MD)~~
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section III.C.1 and C.3.2. [*Cross-references to be updated as necessary*]

## 4.2.4 Light Industrial

### 4.2.4.A Standards

- *Standard:* Main building entries should be integrated into the façade along Marin Street Extension to focus pedestrian activity onto this street and be emphasized through building articulation, building form, or architectural detailing so the entry is easily identified and visible from the main street and parking lot. (MD)
- *Standard:* Stairs and other entry access requirements such as wheelchair ramps should be integrated into the overall building design. (MD)
- *Standard:* Building entries and street-side facades should have a pedestrian scale. Windows, awnings, trellises, arcades, landscape planters and material changes should be used to achieve this. (MD)
- *Standard:* Rooflines, wall planes and wall heights should be varied and significantly articulated to avoid blank expanses of building mass. (MD)
- *Standard:* Landscaping and architectural detail at the street level should be used to soften the edge of the building and enhance the pedestrian scale and streetscape. (MD)
- *Standard:* Blank walls in areas where pedestrian traffic occurs are discouraged. Landscaping and architectural treatment should be used to create a comfortable environment for pedestrians. (MD)
- *Standard:* Innovative use of durable, high quality materials, such as brick, stone, tile, stucco and certain forms of concrete, is encouraged. (MD)
- *Standard:* The materials, shapes, elements and details used on the front or main building elevation, including the roof style and materials, should be extended to all elevations. (MD)
- *Standard:* Texture and color should be used to create visual interest and enhance the streetscape appearance of the building. (MD)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section III.B.3 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 4.3 Design Policies and Standards for Public Spaces

The following design standards and objectives are based on the many improvement projects envisioned in the WRT Plan for Public Spaces which sets forth the city's vision for the improvement of public spaces within the PDMP area. It is recognized that the implementation of this vision will require substantial investment and will be dependent on the availability of adequate funding. The accompanying *Vallejo Waterfront Design Guidelines* adopted on October 25, 2005 as an implementation document provides overall design concepts and direction for key open spaces in each of the waterfront areas.

### Overall-Project-Wide Objective

- *Policy:* All public open space Improvement Projects shall be subject to a public design process to be determined by City Council.

### Waterfront Promenade

- *Policy:* The waterfront within the PDMP will contain a public promenade for the purpose of providing extensive public access.
- *Standard:* The public promenade will maintain its current width of 30 feet within the Central Waterfront to allow for combined pedestrian, bicycle and other wheeled mode (skates, skateboards, etc.) circulation in both directions. (WRT Standard 1a)
- *Standard:* In the central area along the festival green, alternative pedestrian interaction with the water's edge and small boat access should be provided if feasible. (WRT Standard 1b)
- *Standard:* To the extent that funding is available, the seawall railing will be redesigned to provide a more aesthetically pleasing appearance and a better pedestrian relationship with the water's edge. (WRT Standard 1c)
- *Standard:* Promenade widths within the Northern Waterfront should allow for combined pedestrian and other non-motorized, wheeled modes of circulation in both directions. (WRT Standard 8a).
- *Standard:* Promenade widths along the water in the Southern Waterfront District will be a minimum of 14 feet along the water's edge to allow for combined pedestrian and other non-motorized, wheeled modes of circulation in both directions. (WRT Standard 9a).
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section II. A, for direction on implementation. [*Cross-reference to be updated as necessary*]

### Festival Green/Other Open Space Improvements

- *Policy:* Relocate "linear" festivals and events, including the Yacht Race, Whaleboat Regatta, North Bay Boating Festival, Lighted Boat Parade, Trawler Festival and potentially a new "Kite Days" festival to the wing areas on either side of Festival Green. It may be appropriate for certain boat-related festivals to extend into the Northern Waterfront area adjacent to the Marina. (WRT Policy 14)
- *Standard:* Provide power sources for vendor booths and performance venues along the greens. (WRT Standard 14a)
- *Standard:* Provide picnic areas in appropriate locations within the greens. (WRT Standard 14b)
- *Policy:* A large, triangular "Festival Green" will be established adjacent to the Georgia Street extension as it intersects with Mare Island Way. The Green will be a triangular configuration as shown in the master plan extending all the way to the water's edge and will have a combination of hard and soft surfacing to accommodate a variety of functions including a performance venue. (WRT Policy 4) and Waterfront Design Guidelines Figure X) [*Cross-reference will be updated*]
- *Standard:* Lawn areas will be constructed to accommodate heavy foot traffic in this area. (WRT Standard 4a)
- *Standard:* Hard surfaces will be designed to accommodate light service truck access and in the case of the back stage area, the hard paving will be designed to accommodate semi-tractor / trailer loads. (WRT Standard 4b)

- *Standard:* The performance stage will be outfitted with electrical power outlets to accommodate major performances. (Standard 4c)
- *Standard:* Provide power sources for performance venues and vendor booths. Provide grey-water dump points as needed. Design areas for installation of portable restrooms during festival events. (WRT Standard 12a)
- *Standard:* A 3.5-acre park will be located on the water side of Harbor Way and is intended to provide a generous public open space that accommodates a variety of recreation functions including periodic use as during the annual Jazz Festival-Green. (WRT Standard 8b)
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Section II.A for direction on implementation. [*Cross-reference to be updated as necessary.*]

#### **Dr. Martin Luther King Jr. Unity Plaza**

- *Policy:* A long, rectangular public plaza will be established on the Georgia Street axis spanning either side of Santa Clara. The design of this plaza will include setback standards and street paving standards as necessary to create a continuous plaza surface that can accommodate vehicular uses as well as a wide variety of pedestrian uses and functions. (WRT Policy 5)
- *Standard:* The plaza paving will be continuous across pedestrian and vehicular areas with either a curb or bollard separation to designate vehicular lanes. No parallel parking will be permitted in this segment in order to maintain the sense of pedestrian space at all times. (WRT Standard 5c)
- *Policy:* The City will maintain the ability to close public streets depending on the size and extent of festival activities that are occurring in Dr. Martin Luther King Jr. Unity Plaza. (WRT Policy 6)
- *Policy:* Expand the farmers market to extend it to the end of the new Dr. Martin Luther King Jr. Unity Plaza. Institute the annual Vallejo Arts Festival utilizing the Georgia Street downtown corridor and Dr. Martin Luther King Jr. Unity Plaza. (WRT Policy 13)
- *Policy:* Provide power sources for vendor booths and performance venues along Georgia Street and in Dr. Martin Luther King Jr. Unity Plaza. (WRT Standard 13a)

#### **Wetland Park**

- *Policy:* A 4.0 acre public wetland park (the “Wetland Park”) shall be created in a central location between the two townhouse neighborhoods (the “Northern Residential Neighborhood”) adjacent to the Mare Island Causeway and across Harbor Way from the existing restaurant known as Zio Fraedo’s and the “southern Residential Neighborhood” adjacent to Mare Island Way.
- *Policy:* The site plan for the residential development area shall include public access through the new residential neighborhoods to the Wetland Park from Mare Island Way and the north end of Harbor Way. The design will invite pedestrians to walk through the new residential neighborhoods to the Wetland Park from the adjacent Mare Island Way and the Mare Island Causeway sidewalks.
- *Policy:* A pedestrian pathway will be provided along the southern sidewalk of the Mare Island Causeway in approximately the same location as the existing pathway. The pathway will provide a connection from the Mare Island Causeway, through the residential neighborhood, crossing Harbor Way and through a portion of the marina parking in the

proximity of the Parcel B1, to the Waterfront Promenade and will be enhanced with paving and a stop sign or other traffic control mechanism at intersection(s) with vehicle thoroughfares.

- *Policy:* A three (3)-hour parking time limit (for daytime hours, seven (7) days a week) shall be included for the on-street parking spaces located along the west side of Harbor Way and any street abutting the Wetland Park.
- *Policy:* The Wetland Park shall be centrally located and consist of a minimum of 4.0 contiguous acres, with approximately 1.5 to 1.7 acres comprised of vegetated swales, wetland terraces, and a tidal pond connected to the Mare Island Strait.
- *Policy:* The 4.0 acre size shall not be reduced to accommodate any non-park use, including but not limited to the residential development, parking, public and private streets, and "paseos" or perimeters of the private development that are not contiguous to the Wetland Park open space.
- *Policy:* The Wetland Park will create a visual amenity with interpretive features, provide for passive recreation, and re-create a naturalistic drainage system.
- *Policy:* an observation area will contain interpretive features that will explain the wetland system, cleansing of stormwater, and tidal pond/brackish water ecology.
- *Policy:* The swales will range from ten (10) feet to forty (40) feet in width including vegetated buffer areas adjacent to the swales. At its narrowest, between the two townhouse neighborhoods, the Wetland Park will be a minimum of 120 feet wide.
- *Policy:* The open space, while not formally programmed, will provide a variety of spaces for individuals and groups to relax and enjoy the natural surroundings.
- *Policy:* The Wetland Park shall be dedicated in fee to the City for park purposes and maintained by the City using assessments generated by a Landscape and Lighting Maintenance District, or other similar funding mechanism, as provided for in the DDA and subject to the City's annual budgetary process.
- Refer to ~~Waterfront Planned Development Master Plan~~—Design Guidelines Section III.D for direction on implementation. [*Cross-reference to be updated as necessary*]

### Circulation and Improvements

- *Policy:* View corridors should be maintained coinciding with city streets to ensure strong visual connections to the waterfront from adjacent residential neighborhoods, where practicable. (WRT Recommendation 4)
- *Policy:* Marin Street should be extended into the Southern Waterfront area and along with the existing Sonoma Boulevard will provide connections to the city grid and facilitate pedestrian circulation and visual links between the waterfront and existing downtown. (WRT Recommendation 5)
- Refer to ~~Waterfront Planned Development Master Plan~~—Design Guidelines Section II.C.2, II.C.3 for direction on implementation. [*Cross-references to be updated as necessary*]

### Fishing Pier

- *Policy:* Keep the existing fishing pier and keep or relocate the boat launch area to the southern edge of the Southern Waterfront public open space. Reconfigure the adjacent parking area and pedestrian circulation area.

- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Section III.2.1.2 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 5. Circulation and Parking

The following policies and standards are based in large part of the urban design recommendations in the WRT Plan for Public Spaces. The accompanying *Vallejo Waterfront Design Guidelines* document provides cross sections of roadways, sidewalks, and areas adjacent to sidewalks (as applicable) and policies for streets, crossings, parking, and other elements of the circulation network in each of the waterfront areas.

### 5.1 Circulation

#### Intersection Signalization

- *Policy:* Signalized intersections with enhanced pedestrian crossings will be installed along Mare Island Way and Curtola Parkway at the Capitol, Georgia, and Marin Street extensions and Sacramento Street extension (if it occurs at the corner of the Kaiser property), in addition to the ones that already exist at Sonoma, Florida, Harbor Way and Tennessee. (WRT Policy 16)

#### Mare Island Way Improvements

- *Policy:* Mare Island Way will be reconfigured to allow two lanes in each direction with parking and a bicycle lane along the curb on each side (*see Waterfront Design Guidelines Figure X*). [*Cross-reference to be updated*]
- Street Extensions
- *Policy:* ~~Extend Georgia Street and Capitol Street~~ has been extended to Mare Island Way and Capitol Street has been partially extended toward Santa Clara Street. ~~Designate them~~ these streets, along with Santa Clara Street and Sonoma Boulevard, as primary roads. (WRT Policy 19)

#### Civic Center Drive Improvements

- *Policy:* Prior to the contemplation of connecting Civic Center Drive through to Georgia Street, the City and the Developer shall study the possibility of not creating the intersection of Civic Center Drive and Georgia Street. The City shall obtain an independent opinion from a qualified traffic engineer regarding whether the associated intersections' level of service (the "LOS") anticipated in the Final EIR, for the Project can be maintained without the extension of Civic Center Drive through Festival Green to Georgia Street. The City shall conduct a pre-study meeting to solicit comments from interested parties, regarding the scope of the study. The Developer shall fund the cost of this study. In the event it is determined that such LOS cannot be maintained, and Civic Center Drive is to be extended through the Festival Green to Georgia Street, the traffic engineering study also shall include an analysis of possible measures (such as removable bollards) to prevent bisecting the Festival Green and the adjacent pedestrian area during non-peak traffic times.
- Refer to Waterfront Design Guidelines Section III.C.2.2.1.B Civic Center Drive for direction on implementing the Civic Center Drive policies.



## Paseos

- *Policy:* Selected streets will be created as pedestrian-oriented paseos allowing no vehicular through traffic. (WRT Policy 20)
- Refer to Waterfront Design Guidelines Section III.C. ~~III.2.1.7~~ for direction on Design Guidelines implementing the paseo policies. [*Cross-reference to be updated as necessary*]
- Refer to Waterfront Planned Development Master Plan—Design Guidelines Sections II.C.1, II.C.2, II.C.3, III.A.2.2, III.B.2.2, III.C.2.2, and III.D.2.3 for direction on implementation. [*Cross-references to be updated as necessary*]

## 5.2 Parking

The following policies and standards relate to on-street and off-street parking

### Off-street Parking

- *Policy:* In order to enhance the pedestrian environment and visual character of the area, new off-street surface parking should not be located between the street and the building frontage. Surface parking lots should generally be located behind buildings. In the Northern Waterfront, buildings that are directly oriented toward the Waterfront Promenade may accommodate parking between the building and the adjacent street; preferably to the side of the building. Parking lots to the sides of buildings will be acceptable in limited situations provided they do not create a significant break in the continuity of the building facades along the street frontage. Reasonable accommodation should be made for corner parcels. (WRT Recommendation 27)
- *Policy:* The capacity and use patterns of existing public parking lots (e.g., Library, City Hall, etc.) should be evaluated to determine possibilities for sharing with other downtown / waterfront uses. (WRT Policy 50)
- *Policy:* Parking for the ferry, downtown commercial operations and public events will be consolidated in a new parking structure. In order to take advantage of its proximity to both the ferry terminal and the downtown, the structure will be located on the Santa Clara Street site that currently includes the Post Office, the former Denny's restaurant and ferry parking lot. (MD)
- *Policy:* The parking structure will be sized to include spaces needed to accommodate parking needs for expanded ferry service and new commercial and residential development proposed on the parking structure site. (MD)
- *Policy:* In order to reduce its visual prominence, the parking structure will be built into the existing slope and situated below grade to the extent feasible with the high water table. (MD)
- *Policy:* In order to integrate the parking structure into the urban pattern and take full advantage of the site development potential, the retail, office and residential uses will be integrated into the structure. The Mare Island Way and Georgia Street facades of the structure will be fronted with commercial (retail and/or office) and lobbies for upper floors. The Civic Center Drive façade will be designed to minimize the perceived mass of the structure. The roof of the structure will be developed with some mixture of commercial, residential and public uses, including open space. (MD)
- *Policy:* In order to enhance the retail and pedestrian environment and supplement the parking capacity provided by the parking structure, on-street parking will be encouraged along all waterfront and downtown streets. (MD)

- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Section III.C.3.1.4 for direction on implementation. [*Cross-reference to be updated as necessary*]

### On-street parking

- *Policy:* On-street parking will be maximized for the downtown waterfront area to encourage visitation to this district and to minimize the need for large surface parking lots. (WRT Policy 21)
- *Policy:* In order to enhance the retail and pedestrian environment and supplement the parking capacity provided by the parking structure, on-street parking will be encouraged along all waterfront and downtown streets. This action will not only increase the parking capacity in the downtown, but will serve as a traffic calming measure to calm vehicle speeds on downtown streets. (WRT Policy 51)
- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Sections III.B.3.1.4; III.C.3.1.4 and III.D.3.1.4 for direction on implementation. [*Cross-references to be updated as necessary*]

## 6. Landscaping

The following policies and standards apply to all public and private development in the PDMP area.

- *Policy:* Planting and the use of hardscape help to create places that are memorable, livable and that possesses a unique identity and character. Landscape should reinforce the best aspects of an environment to make it comfortable for the people living or working there. From sunlit plazas to shady tree-covered streets, the importance of landscaping in creating successful places cannot be overestimated. (MD)
- *Standard:* The plant palette should emphasize massing and form rather than individual or small groupings of shrubs and trees. It should include a mixture of deciduous and evergreen species. (MD)
- *Standard:* Where possible, plants should be grouped according to their water needs and irrigated separately from other groupings with dissimilar water needs. (MD)
- *Standard:* Landscape designs should consider adjacent site landscaping, either existing or planned, and enhance rather than duplicate the landscaping effort. (MD)
- *Standard:* Shrubs should be selected not only for drought tolerance but also for local climate extremes, for low maintenance characteristics, and for durability. (MD)
- *Standard:* Tree selection and placement should allow for sufficient root space adjacent to paved surfaces. (MD)
- *Standard:* Streetscapes should contain primary trees that provide shade for pedestrians, soften and frame the street and adjacent architecture and define public open space. (MD)
- *Standard:* Accent trees should be used to define entrances, add variety in form and color and highlight other focal points. (MD)
- *Standard:* Alleys in residential areas should also have tree plantings in scale with the smaller available space. Alley should not appear barren and devoid of vegetation. (MD)
- *Standard:* Plantings at intersections and driveways should be located to maintain safe sight line distances. (MD)

- *Standard:* Shrub plantings should soften and enhance building massing with a varied layering of forms, color and texture. (MD)

## 7. Signage

- *Policy:* All signage within the PDMP area shall be consistent with a City approved Sign Program.
- *Standard:* Entry signage should be an integral part of the pedestrian experience and provide guidance for vehicular traffic.
- *Standard:* Entry signage may be used as a formal statement into a business park, commercial area, residential development or public space. (MD)
- *Standard:* Signage construction may be incorporated into a wall or fence or as an independent structure located behind the landscape corridor adjacent to a street. It must be placed so as to not interfere with important vehicular lines of sight. (MD)
- *Standard:* Construction materials should match or complement the aesthetic design of nearby walls, fences and/or building architecture. (MD)
- *Standard:* Signage dimensions should be in scale with the surrounding environment and for its purpose, e.g., to identify project name. (MD)
- *Standard:* Landscaping around signs may serve as backdrops to and highlight the signage. Landscaping also may bring attention to the signage such as with the use of seasonal, colorful, annual plantings. (MD)
- Refer to ~~Waterfront Planned Development Master Plan~~ Design Guidelines Sections III.A.2.3.6 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 8. Street Furnishings and Public Art

- *Policy:* All street program furnishings should be consistent with the ~~Vallejo Waterfront~~ Design Guidelines. All public art should be consistent with a City-approved Public Art Program.
- Adopt a “percent for art” program within one year of approval of the Waterfront Project as a part of a Citywide program. The program should create a centralized fund to ensure that the fees generated by the Waterfront Project are used for public art in the project area. A fee of one percent of the construction cost of the building is recommended for all projects. In addition, the City should designate either the Vallejo Community Arts Foundation or the City's Cultural Arts Commission to be responsible for approving public art projects in the Waterfront Plan Area.
- Refer to the ~~Vallejo Waterfront Planned Development Master Plan~~ Design Guidelines Section II.B.1.2 for direction on implementation. [*Cross-reference to be updated as necessary*]

## 9. Project Development Profiles

### 9.1 Northern Waterfront

The Northern Waterfront area extends on the western side of Mare Island Way between the Yacht Club at the southern end to the Mare Island Causeway at the northern end.

### 9.1.1 Private Development

Existing development in this section remains. The new development includes:

- Parcel A: This residential area is known as Mariner's Cove. It is proposed to include up to 175 ~~townhouse-dwelling~~ units on a 10.8 acre parcel with ~~athe 4.0 acre and Wwetland Ppark~~ located between its northern and southern residential neighborhoods ~~associated recreation and community facilities~~, to be constructed ~~northeastwest~~ of a realigned Harbor Way.
- Parcel B: This parcel is proposed to have up to 12,000 gross square feet of retail commercial development that is oriented to the waterfront.
- Parcel C: This parcel is proposed to have up to 10,000 gross square feet of retail commercial development that is oriented to the waterfront and is anticipated to include a restaurant.

### 9.1.2 Public Spaces <sup>1</sup>

The Northern Waterfront area is different in character than the Central Waterfront area. The most obvious difference is the presence of the marina facilities at the Yacht Club and Municipal Marina. These facilities lend a distinctively maritime character to the waterfront. The public spaces in this section would take advantage of this character by the proposed widening of the promenade and by creating a continuous green space parallel along the water's edge. A 3.5-acre public park (Promenade Park) is proposed to be constructed adjacent to the water's edge west of the realigned Harbor Way. Landscaped courts and passages would extend into the residential and mixed-use areas to engage the development with the waterfront. ~~The one-acre site currently planted with grass and used for the annual Jazz Festival will remain, as will the Harbor Master's office, two restaurants and all existing commercial and marine related uses north of the Harbor Master's office will remain.~~

At the intersection of Tennessee Street and Mare Island Way, a "gateway" feature is envisioned to be located to announce one's arrival into the waterfront area.

## 9.2 Central Waterfront

The Central Waterfront area is centered around the completed extension of Georgia Street from the mid-200 block to Mare Island Way at the Ferry Terminal. The Central Waterfront is the heart of the planning area. This area generally extends between the Capitol Street extension, Mare Island Strait, Maine Street and Santa Clara Street. In addition to the recently completed extension of Georgia Street, this portion of the plan area encompasses two additional primary components of the plan: the Vallejo Station multimodal waterfront transportation facility, and the Civic Center.

### 9.2.1 Vallejo Station Concept: Public/Private Partnership

Vallejo Station is a proposed multimodal waterfront transportation facility intended to create the principal transit hub serving the City of Vallejo as well as providing a gateway to the North Bay and Solano County. It includes the construction of a parking garage to provide ferry parking for existing and future ferry service from the Vallejo Ferry Terminal; bus transfer facilities to connect local and regional bus services to each other and the ferry (both in the Transit Center to the east of Santa Clara Street and along Mare Island Way); intensive transit supportive commercial and residential development around and near the bus and ferry service facilities; and several public open space and urban design enhancements to

<sup>1</sup> The text in this section is text amended from text taken from WRT's Public Spaces Plan, pages 8-9.

connect the various components of Vallejo Station with the ferry terminal and downtown.

The Vallejo Station concept includes three primary features in its development: 1) transportation elements, 2) transit-supportive private sector investments, and 3) public open space and urban design enhancements.

## 1. Vallejo Station Transportation Elements under the Waterfront Project

- **Parking Garage:** A central element of Vallejo Station is a public parking garage structure (Parcel L), which would be located across Mare Island Way from the existing ferry terminal. The garage would provide two levels containing 1,190 ferry patron-parking stalls to meet the projected demand for ferry parking under a three-boat in-service plan to be implemented in 2006. The garage would also form the nucleus of a transit village on the waterfront containing additional parking for Vallejo Station transit-supportive private sector investments of multi-family and commercial development, and allow for the development of approximately 11 acres of surface parking in the Waterfront Project area that are currently used for surface parking. Set into the hillside between Mare Island Way and Santa Clara Street, this area is presently occupied by the U.S. Post Office and restaurant (My Café). These uses are anticipated to be acquired for the project. The Vallejo Station parking garage would have direct access to a pair of signalized pedestrian crosswalks connecting to the ferry terminal and regional bus stops. Total covered off-street parking for Vallejo Station and its related private elements would amount to approximately 1,86854 spaces
- **Bus Facilities:** Regional and local bus services fanning out from downtown Vallejo currently carry about 12,000 daily riders, or nearly 3.5 million annual passengers. BartLink buses to El Cerrito Del Norte BART carry 2,000 passengers per weekday. "VINE" express buses to the Napa Valley carry 800 daily riders; Benicia Transit to Benicia and Pleasant Hill BART serve more than 500 daily riders. Vallejo Transit's local bus routes carry approximately 8,000 daily passengers. Patronage on all bus services that would connect at Vallejo Station is projected to grow to more than 11,000 daily passenger movements on a typical weekday by all modes upon project completion.

Vallejo Station bus facilities are intended to include significant improvements to the interface between Vallejo Bay Link ferryboats and buses. A new off-street bus transfer facility to replace the current on-street condition at Marin and York Streets is planned to be constructed between Sacramento and Santa Clara Streets as an extension of York Street (Parcel O) within walking distance of the ferry dock. The integration of local routes and regional express bus service with the proposed parking garage and existing ferry terminal is intended to make Vallejo Station the most important focus of bus service in the North Bay

The off-street design of the new bus transfer facility is planned to be integrated with downtown uses and to minimize the loss of on-street parking. It is intended that patrons benefit from upgraded amenities providing a convenient and safe transit experience. The off-street bus transfer facility would provide up to 12 bus bays, integrating passenger waiting areas that incorporate weather protection, seating, lighting, security features and street trees for visual enhancement. A transit office building would ultimately be developed as an integral part of the bus transfer facility. The office building would contain pass/ticket sales facilities and a public information booth, along with bus driver layover/relief facilities. The bus transfer facility design is planned to meet the Americans with Disabilities Act standards and State Transportation Guidelines for Challenged Patrons.

Regional express bus stops would remain on Mare Island Way, immediately adjacent to the ferry terminal (up to 10 bus bays). However, loading areas would be expanded and a system

of walkways and plazas would connect the parking structure and local bus transfer facility together. A new drop-off/pick-up area would be developed to serve private autos and employer shuttles. Local bus transit service to Mare Island would connect with the existing ferry terminal and the new downtown bus transfer facility.

- Pedestrian facilities: As part of the Vallejo Station Plan, strong east-west pedestrian linkages include walkways along the Georgia Street Extension and a second pedestrian connection through the Paseo Park, both linking the Ferry Terminal area along Mare Island Way with the Bus Transfer Center, just east of Santa Clara Street.

## 2. Vallejo Station Transit-Supportive Private Sector Investments

Various transit-supportive private sector land uses such as live-work units will include a hotel, restaurant, conference center (Parcel L-4), residential units (Parcel L-1) and ~~rental apartments would surround and be a~~ restaurant with outdoor dining (Parcel L-2), taking advantage of scenic views to the Mare Island Straight. These uses, **built on top** of the Vallejo Station ~~the parking garage~~ (Parcel L-3), will have ground-floor retail fronting Santa Clara and Georgia Streets (Parcel L4). Retail space would be incorporated at the sidewalk/ground floor level with a residential condominium development elevated above the street immediately south of the Vallejo Station parking garage fronting Maine Street and Mare Island Way. A retail/office project is planned adjacent to the parking garage fronting Georgia Street and Mare Island Way. All development surrounding the ferry parking garage structure would have dedicated underground parking with separate entrances from the ferry parking portion of the garage. ~~In addition to the 1,190 ferry parking spaces to be provided, and additional 664 spaces would be provided for transit-supportive private sector investments at Vallejo Station for a total of 1,854 off-street covered Vallejo Station parking spaces.~~ The development on top of the ferry parking garage would look into a landscaped paseo over the garage. The construction of office, retail and hotel development for Vallejo Station is planned to commence after the underground ferry parking structure is completed.

The most intensive private urban development within the PDMP area is within the Central Waterfront area; however, this development is primarily located on the eastern side of Mare Island Way. With the exception of the Ferry Terminal and related improvements, existing development on the west side of Mare Island Way is ultimately removed. On the eastside, the existing Post Office, restaurant and surface ferry parking lots are removed. Marina Vista Park was removed as a result of the Capitol Street extension and the need to accommodate ferry parking that was eliminated by the development of the State Farm Claims Center.

New private development in the Central Waterfront area, by parcel, is summarized below:

- *Parcel J:*

This parcel will contain up to 286 stacked flat residential condominium dwellings, up to ~~in two and four-story buildings constructed levels~~ built on top of a ~~one-story podium level~~ parking garage, potentially half above and half below grade. Dwellings will contain between one and three bedrooms averaging 1,050 square feet ~~each~~. Garage parking ~~would~~ will provide up to 516 spaces. The residential development ~~would~~ will also include ~~on-site~~ landscaping in courtyards and perimeter landscaping.

Retail uses on the ground-floor up to 25,000 square feet are required uses for the building on Parcel J1 as defined and allowed in Table 3.

~~The maximum building height is 55 feet.~~ Retail uses on the ground-floor up to 25,000 square

feet are required ~~uses for~~ for the building on Parcel J1 as defined and allowed in Table 3. ~~A reduction in residential units may be necessary if up to 25,000 square feet Category 1 of public or commercial uses were accommodated along the Mare Island Way and Festival Green frontages.~~

A three-level parking lot with 600 spaces will also be constructed immediately east of Parcel J on the existing City Hall surface parking lot. The structure will be constructed with one level of parking below the existing grade of Santa Clara Street and the second level approximately 12 feet above Santa Clara Street. The garage will be constructed in two phases. The first phase includes the two lower levels providing 400 spaces to replace existing City Hall parking. The second phase consists of a third level of parking to contain 200 spaces for future ferry service parking if a fourth ferry is brought into service.

- *Parcel L:*

Parcel L will be developed with ~~up to 140 residential dwelling units, up to 102,000 square feet of retail commercial and office space, up to 200,000 square feet devoted to a 200 room hotel use, restaurant and a conference center.~~ Parking for these uses and for ferry riders, ~~and of up to 1,868 parking spaces will be primarily located in a multiple structured parking garages located on Parcels L-1, L-2, L-3, and L-5. Of the parking spaces, 1,190 spaces will be reserved for use by ferry patrons.~~ A Neighborhood Paseo Park (consisting of approximately 0.5 acres) will provide a pedestrian access way through the site linking the Bus Transfer Center and downtown area to the east, with the ferry terminal. The paseo will include approximately 50 surface parking spaces.

It is possible that the parking garage could be built in two phases, the first would consist of a 3-story parking structure located on Parcel L3 and L5, at ground-level with Santa Clara Street, with two additional levels below. During the interim Phase 1, the ground-level would contain approximately 250 parking spaces and a minimum 18-foot pedestrian path connecting Santa Clara Street and the bus transfer center with Mare Island Way and the ferry and bus services. The ultimate development of the parking garage will implement Phase 2, which would remove 250 parking spaces at ground-level available to ferry patrons to construct the Paseo Park. The Paseo Park would also include pedestrian connections linking Santa Clara Street and the bus transfer center with Mare Island Way and the ferry and bus services as well as open space amenities and a total of 50 short-term parking spaces, which may be constructed in two phases. The City shall delay installation of the planned northern row of parking along the Paseo Park until, in the City's determination, the conference center or other uses in Zone Two (the same Zone as the conference center) require such additional parking spaces. The City shall be responsible for the costs of installing such future parking spaces. These improvements are located on Parcel L5. In the interim, landscaping will be provided within this space as defined in the Waterfront Design Guidelines (see *Section III.C.2.1.2 Vallejo Station Paseo Park (Area F)* and Figures 3.C.23 to 3.C.25). *[Cross-reference to be updated]*

- *Parcel O:*

Parcel O accommodates a 10,000 square foot regional bus transit facility and associated parking.

### 3. Public Open Space and Urban Design Enhancements

Open Space and Urban Design Enhancements are planned in conjunction with the Vallejo Station transportation improvements and transit-supportive private sector investments.

As part of the Vallejo Station Plan, strong east-west pedestrian linkages include walkways along the Georgia Street Extension and a second pedestrian connection through the Paseo Park, both linking the Ferry Terminal area along Mare Island Way with the Bus Transfer Center, just east of Santa Clara Street.

A Paseo Park (Parcel L-5) is planned to orient on a central axis through Vallejo Station (Parcel L-3), providing a pedestrian-oriented environment linking the various Vallejo Station transportation elements terminating at the ferry terminal adjacent to the Festival Green open space at the waterfront. The Paseo Park would be located above the parking structure and along the proposed ~~live/work and rental apartment~~ Hotel/Conference Center (Parcel L-4) and condominium development (Parcel L-1). The Paseo Park would be landscaped with trees and pedestrian scale lighting. The neighborhood Paseo Park would include a pedestrian way. Stoops, stairs, residential entrances and lobbies to activate the area would front the Paseo Park. A narrow and low-speed drive aisle would provide access to residential and visitor parking on one side of the drive, and potentially on both sides, as well as emergency vehicle access. Pedestrian walkways, sidewalks and crosswalks are intended to provide direct connections between the bus transfer facilities, ferry parking garage and ferry terminal, integrating these Vallejo Station elements together. Bicycle access and storage is also intended to be included in the Vallejo Station project. Vallejo Station is being designed to integrate street furniture with downtown urban design improvements along the Georgia Street Extension axis, through the Paseo Park, and along Mare Island Way. Streetscape enhancements would be developed in conjunction with the new local bus transfer center that would enhance the facility's visibility. Expanded street parking would also be provided along existing and new area roadways.

#### **4.1.1 Civic Center Concept**

~~The Civic Center concept component of the PDMP includes the addition of the transit transfer facility and office, the public parking garage, in conjunction with City Hall and the JFK Library, as well as Dr. Martin Luther King Jr. Unity Plaza in a concentrated area surrounding the intersection of Georgia and Santa Clara Streets.~~

#### **9.2.39.2.2 Public Spaces<sup>2</sup>**

This Central Waterfront area includes the more structured parts of the waterfront where the seawall extends to either side of the Ferry Terminal to the Yacht Club at the north end and the boat basin at the southern end. The terminus of the Georgia Street extension is at the Ferry Terminal area, and the major public spaces for the waterfront are centered within this area.

The Festival Green will be located at the intersection of Georgia Street and Mare Island Way in the largest triangular open space that extends into the developed edge. The Festival Green is proposed to be split into two sections by Mare Island Way with a larger area on the western side and a smaller triangle on the eastern side. Mare Island Way can be closed in this area to allow the Festival Green to be used as one large pedestrian space. On the eastern end of the Festival Green, Dr. Martin Luther King Jr. Unity Plaza serves the same function. This Plaza extends up Georgia Street across Santa Clara Street into the downtown. The Plaza uses a consistent paving in the street sections to create a pedestrian space when the streets are closed for events. It also includes decorative paving replicating the historic shoreline area and similar features.

<sup>2</sup> The text in this section is amended from text taken from WRT's Public Spaces Plan, pages 5-7.



Flanking the north side of the western end of the Festival Green is a large open green space running parallel with the water's edge. This space is flexible in use, and can accommodate a wide variety of recreational functions. The south side of Festival Green Extension is adjacent to the Ferry Terminal.

### 9.3 *Southern Waterfront*

The Southern Waterfront District extends from the water's edge to Sonoma Boulevard in the east and is bounded on its other sides by Mare Island Way and Curtola Parkway to the north and Sonoma Avenue to the south.

#### 9.3.1 **Private Development**

Existing development in the west of Mare Island Way and Sonoma Blvd. ultimately is removed. All other existing development in this section remains.

- **Parcels S and T:** The development is proposed to be mixed use with a maximum of 170,000 gross square feet of commercial, office and/or light industrial and 650 higher density residential units.

#### 9.3.2 **Public Spaces**<sup>3</sup>

The Southern Waterfront area is also very different in character from both the central and northern areas. The waterfront edge is more natural. The waterfront promenade is proposed to be less structured and 10.9 acres of parks and open space is proposed to provide recreational opportunities for the community and adjacent development. A small docking facility would remain at the reconfigured former boat launch site. Visual and physical access between the downtown and waterfront is proposed to be provided with the extension of Marin Street where feasible.

As with the Northern Waterfront, a gateway feature is envisioned to be located at the intersection of Sonoma Blvd. and Curtola Parkway to define the southern end of the waterfront area and to announce its entrance.

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<sup>3</sup> The text in this section is amended from text taken from WRT's Public Spaces Plan, pages 10-11.

**Table 1  
Parcel Development Profiles – The Waterfront Project**

<b>Parcel A</b>	
<b>Parcel Size</b>	14.8 acres
<b>Parcel Location</b>	South of Mare Island Causeway, west of the realigned Harbor Way, east-north of Mare Island Way
<b>Max. Building Height</b>	Heights of the residential buildings shall not exceed 45 feet in the Northern Residential Neighborhood and 38 feet in the Southern Residential Neighborhood. 42 feet
<b>Development Profile</b>	Up to 175 dwelling units on 10.8 acres and a 4 acre Wetland Park centrally located between the two residential neighborhoods. Up to 175 single family attached residential units and associated private amenities (swimming pool, private recreational facilities)
<b>Parcel B-1, B-2</b>	
<b>Parcel Size</b>	1.5 acres, in two 0.7-acre and 0.8-acre building pads identified as Parcels B1 and B2 <i>[Parcel size to be updated if necessary to reflect updated design]</i>
<b>Parcel Location</b>	West of Harbor Way and east of Municipal Marina
<b>Max. Building Height</b>	25 feet
<b>Development Profile</b>	Up to 12,000 gross square feet of single-story waterfront-oriented commercial/retail space, plus parking
<b>Parcel C</b>	
<b>Parcel Size</b>	3.4 acres consisting of a 0.6-acre building pad and 2.8 acres in parking <i>[Parcel size to be updated if necessary to reflect updated design]</i>
<b>Parcel Location</b>	Southwest corner of Harbor Way and Mare Island Way
<b>Max. Building Height</b>	25 feet
<b>Development Profile</b>	Up to 10,000 gross square feet of single-story waterfront-oriented commercial/retail space, potentially including restaurants, plus parking
<b>Parcel J</b>	
<b>Parcel Size</b>	9.3 acres
<b>Parcel Location</b>	East of Mare Island Way between the Georgia and Capitol Street extensions, west of Civic Center Drive

**Table 1  
Parcel Development Profiles – The Waterfront Project**

<b>Max. Building Height</b>	Maximum height of the building on Parcel J1 is 45 feet along Mare Island Way and the Festival Green for a minimum depth of 30 feet, with the remainder of the building to be limited to a height of 55 feet. Maximum height of the building on Parcel J2 is 45 feet along Mare Island Way to Capitol Street for a minimum depth of 30 feet, with the remainder of such building to be limited to a maximum height of 55 feet. Parcels J1 and J2, 6.7 acres: 55 feet
<b>Development Profile</b>	<p>Up to 286 units of stacked flat residential condominiums in two phases on 6.7 acres in two and condominium dwellings up to four story buildings constructed levels built on top of one story podium-level parking garage, structures, half below potentially half above and half below above grade. The units would provide Dwellings will contain between one, two, and three bedrooms in sizes averaging 1,050 square feet. The garage structures would provide off street, secure resident parking for approximately 516 cars and project storage space, utility room, stairwells, and elevator areas. Extensive at grade perimeter landscaping and private recreation and landscaping on the podium decks would be provided. A reduction in residential units would be necessary if 25,000 square feet Category 1 of public or commercial uses were accommodated along the Mare Island Way and Festival Green frontages. Garage parking will provide up to 516 spaces. The residential development will also include on-site landscaping in courtyards and perimeter landscaping. Retail uses on the ground floor up to 25,000 square feet are required of the building on Parcel J1 as defined and allowed in Table 3: Permitted and Conditional Land Uses — Commercial and Industrial Types.</p> <p>Civic Center Drive: 0.9-acre roadway                  Capitol Street Extension: 0.8-acre roadway                  Festival Green: 0.9-acre open space</p>
<b>Parcels S and T</b>	
<b>Parcel Size</b>	41.5 acres
<b>Parcel Location</b>	West of Sonoma Boulevard and Mare Island Way, east of the waterfront
<b>Max. Building Height</b>	Parcel T1: 55 feet Parcels S, T2, and T3: 45 feet
<b>Development Profile</b>	<p>Parcel T1: 14.9 acres. Three buildings with a total of 650 stacked flat residential condominium units</p> <p>Parcels S, T2, and T3: 11.5 acres. Approximately 170,000 square feet of one- and two-story retail/commercial, office, and flex space/light industrial uses including the allocated U.S. Post Office</p> <p>The development of Parcels S and T includes the extension of Marin Street from Curtola Parkway along the waterfront to an intersection with the extension of Solano Avenue.</p> <p>Southern Waterfront Open Space: 10.9 acres on the waterfront</p>
<b>Parks &amp; Open Space (Parcels P/OS)</b>	

Table 1 Parcel Development Profiles – The Waterfront Project	
<b>Parcel Size</b>	Total <del>34.9</del> approximately 35.0 acres, of which about 24.929.0 acres would be newly developed or newly designated
<b>Parcel Location</b>	Along the waterfront west of Mare Island Way, Harbor Way, and the Marin Street extension, between the Solano Avenue extension on the south and Mare Island Causeway on the north, with the exception of three parcels east of the waterfront roadways: <del>0.8 acres at Mariner's Cove Parcel D2;</del> 0.4 acres of Martin Luther King Jr. Unity Plaza Extension; and 0.9 acres of Festival Green
<b>Max. Building Height</b>	N/A
<b>Development Profile</b>	Public parks/open space includes landscaping, lighting, sculptures, pedestrian waterfront promenade additions; at Mariner's Cove, Service Club Park, Festival Green, Martin Luther King Jr. Unity Plaza, Independence Park, Wetland Park; and boat launch and public amenities in the Southern Waterfront.

Table 2 Parcel Development Profiles – The Vallejo Station Project	
Parcel L	
<b>Parcel Size</b>	8.4 acres
<b>Parcel Location</b>	Between Mare Island Way and Santa Clara Street, Maine Street and the Georgia Street extension
<b>Max. Building Height</b>	<p>Building heights shall be established in relation to specific zones of Parcel L, including the street frontages of Mare Island Way, Maine Street, Georgia Street, and Santa Clara Street. The locations from which the height of buildings along each block (e.g., along Mare Island Way from Georgia Street to Maine Street) will be measured are depicted in Figures 3, 4, and 5 [see new figures attached], 65 feet on Mare Island Way, 55 feet on Santa Clara Street, 45 feet at the corner of Georgia Street and Mare Island Way</p> <p>Parcel L1:</p> <p>(a) Along Mare Island Way, Parcel L1 shall be divided into two zones:</p> <p>(i) L1 Zone One is located along Mare Island Way, originating at Maine Street, includes the corner of Maine and Mare Island Way, and has a building frontage along Mare Island Way of approximately 265 feet and shall be limited to a maximum height of 45 feet for a depth of one dwelling unit (i.e., a minimum of 30 feet).</p> <p>(ii) Zone Two is located north of Zone One and south of the Vallejo Station parking garage entrance, and shall be limited to a maximum height of 35 feet.</p>

**Table 2  
Parcel Development Profiles – The Vallejo Station Project**

	<p>(b) Along Maine Street, Parcel L1 shall be divided into three zones:</p> <ul style="list-style-type: none"> <li>(i) Zone One originates on the west segment of Maine Street, approximately 50 feet from the curb of Mare Island Way, and shall be limited to a maximum height of 55 feet.</li> <li>(ii) Zone Two is located east of Zone One for approximately 150 feet, and shall be limited to a maximum height of 65 feet.</li> <li>(iii) Zone Three is located east of Zone Two up to the corner of Maine Street and Santa Clara Street, and shall be limited to a maximum height of 70 feet.</li> </ul> <p>(c) Along the Vallejo Station Paseo, Parcel L1 shall be limited to a maximum height of 65 feet,</p> <p>(d) The building at the corner of the Vallejo Station Paseo (Parcel L-5) and Santa Clara Street shall not exceed 60 feet as depicted in Figure 4 [see new figure attached].</p> <p><i>Parcel L2:</i> shall be limited to a maximum height of 45 feet.</p> <p><i>Parcel L4:</i> shall be limited to a maximum height of 55 feet.</p>
<p><b>Development Profile</b></p>	<p>Residential, commercial/office, parking garage, and park space:</p> <ul style="list-style-type: none"> <li>- up to 140 residential units.</li> <li>- up to 102,000 gross square feet retail/commercial and office space.</li> <li>- up to 200,000 square feet of commercial uses for a 200 room hotel, restaurant, and conference center.</li> <li>- up to 1,868 parking spaces.</li> </ul> <p><i>Parcel L1:</i> a 1.9-acre parcel developed with up to 140 single-family residential condominium units in a fourtwo- to five-story structure over two levels of parking (241 spaces) and up to 12,000 gross square feet of retail commercial space.</p> <p>At the corner of Mare Island Way and Georgia Street, a setback of the building shall be provided to create a public open space areaplaza of no less than 1,900 square feet, as depicted in Figure 7 [see new figure attached], which may include outdoor seating.</p> <p><i>Parcel L2:</i> a 1.9-acre parcel developed with approximately 63,000 gross square feet of office/commercial space in a two- and three-story structure over a single-level parking garage (215 spaces).--Category 4</p> <p>On Parcel L2, retail uses on the ground floor of the building as defined and allowed in Table 3: Permitted Uses.</p> <p><i>Parcel L3:</i> a 4.6-acre parcel providing a two-level Ferry Parking Garage with 1,190 parking spaces reserved for the ferry and Performing Arts Center patrons.</p> <p><i>Parcel L4:</i> a 2.8 acre vertical subdivision private development parcel on the top level of the L-3 garage structure developed in- two and four story building with approximately 25,000 square feet of first floor retail/commercial uses fronting on Georgia and Santa Clara Streets. The 200,000 square foot, 200 room hotel located on the second to fourth floors will include a two level 32,000 square foot, two story restaurant and meeting center facility. Parking for 172 cars will be provided on the first and second levels of the private development structure to serve the</p>

**Table 2  
Parcel Development Profiles – The Vallejo Station Project**

	<p>retail, hotel, restaurant, and meeting center uses.</p> <p><i>Parcel L5: a-4.45 1.40 acre vertical subdivision public development parcel on the top level of the L-3 garage structure. This parcel will be developed with a public open space Paseo providing pedestrian access between the Bus Transfer station on Parcel O and the Ferry terminal as well as public open space serving the Vallejo Station project and downtown area. The parcel will provide an access driveway from Santa Clara Street including 50 short term parking spaces to serve the retail and restaurant uses. The driveway will also provide emergency fire service access for the benefit of Parcels L-2 and L-4.</i></p> <p><i>Park Spaces: Neighborhood Paseo Park, (approximately 0.5 new acres). Parcel L-5 would include a pedestrian access way through the site from the Bus Transfer Center to the Ferry Terminal at the Waterfront, with open space amenities and landscaping.</i></p>
<b>Parcel O</b>	
<b>Parcel Size</b>	0.9 acres
<b>Parcel Location</b>	Portion of 6.2-acre area bounded by Santa Clara, Sacramento, Maine, and Georgia Streets
<b>Max. Building Height</b>	50 feet
<b>Development Profile</b>	Bus Transfer Center. Includes 10,000 gross square feet of public transit office floor area and associated parking.

Table 3 [New Table]<sup>4</sup>

**Permitted and Conditional Land Uses – Commercial and Industrial Types**

Commercial Land Uses	Parcels B & C	Parcels J1 (Frontage on Festival Green) & Parcel L2	Parcels L1 & L4	Parcel S	Parcels T2 & T3
Administrative & professional services	MJUP	--	P	P	P
Animal sales & service – Retail sales, grooming & veterinary (small animals)	--	P (6)	P (6)	--	--
Automotive & equipment	P (10)	--	P (9)	--	--
Building maintenance services	--	--	--	--	P
Business equipment sales & services	--	--	P	--	P
Business support services	--	--	P	--	P
Communication services	--	--	P	--	P
Construction sales and services	--	--	--	--	P (11)
Convenience sales and personal services (e.g., drug stores and convenience markets less than 5,000 square feet in size)	--	P (2), (3), (6)	P (2), (3), (6)	P (2), (3), (6)	--
Eating and drinking establishments	P (2)	P (2), (3), (4)	P (2), (3), (4)	P (2), (3), (4)	--
Fast food/take out (2)	P (2)	MNUP (2), (3), (4), (8)	MNUP (2), (3), (4), (8)	--	--
Financial, insurance and real estate services	--	P (1), (2)	P (2)	P (2)	P (2)

<sup>4</sup> Land use designations derived from Table 8.1 Permitted and Conditional Land Uses of the Downtown Vallejo Specific Plan dated September 20, 2005.

**Table 3 [New Table]**

**Permitted and Conditional Land Uses – Commercial and Industrial Types**

Commercial Land Uses	Parcels B & C	Parcels J1 (Frontage on Festival Green) & Parcel L2	Parcels L1 & L4	Parcel S	Parcels T2 & T3
<b>Food and beverage retail sales</b>					
11,000 square feet and under	--	P (2), (3), (6)	P (2), (3), (6)	--	--
Greater than 11,000 square feet	--	MJUP (2), (3), (6)	MJUP (2), (3), (6)	--	--
Fast food/take out (2)	--	MNUP (2), (3), (6), (7)	MNUP (2), (3), (6), (7)	--	--
<b>Laundry services</b>	--	--	MNUP	--	--
<b>Medical offices</b>	--	--	--	P	--
<b>Medical services</b>	--	--	--	P	--
<b>Parking facilities (f*)</b>	P	--	MJUP (1)	P	--
<b>Participant sports and recreation</b>					
Indoor (e.g., includes health and fitness clubs)	--	--	MNUP (3)	--	MNUP (3)
Bingo	--	--	MNUP (1), (3)	--	--
<b>Personal services</b>					
General	--	P (5)	P (5)	--	--
Functional community training for developmentally disabled	--	--	MNUP (1)	--	--
<b>Repair services, consumer</b>	P	--	P	--	P
<b>Research services</b>	--	--	--	--	P



**Table 3 [New Table]**

**Permitted and Conditional Land Uses – Commercial and Industrial Types**

<b>Commercial Land Uses</b>	<b>Parcels B &amp; C</b>	<b>Parcels J1 (Frontage on Festival Green) &amp; Parcel L2</b>	<b>Parcels L1 &amp; L4</b>	<b>Parcel S</b>	<b>Parcels T2 &amp; T3</b>
<b>Retail sales</b>					
<b>General</b>	P <sup>5</sup> (2), (3), (5), (6), (7)	P (2), (3), (5), (6), (7)	P (2), (3), (5), (6), (7)	P (2), (3), (5), (6), (7)	P (2), (3), (5), (6), (7)
<b>Adult uses</b>	--	--	MJUP (5)	--	--
<b>Spectator sports and entertainment (e.g., includes theaters, cabarets, performing art studios, galleries)</b>					
<b>Limited</b>	--	MNUP (3)	MNUP (3)	--	--
<b>General</b>	--	MNUP (3)	MNUP (3)	--	--
<b>Adult</b>	--	--	MJUP (5)	--	--
<b>Transient habitation</b>					
<b>Lodging (e.g., hotel, motel,</b>	--	P (3), (4)	P (3), (4)	--	--
<b>Bed &amp; Breakfast)</b>	--	P (3), (4)	P (3), (4)	--	--

<sup>5</sup> Water-serving uses will be given highest priority.

**Table 3 [New Table]**

**Permitted and Conditional Land Uses – Commercial and Industrial Types**

<b>Industrial Land Uses</b>	<b>Parcels B &amp; C</b>	<b>Parcels J1 (Frontage on Festival Green) &amp; Parcel L2</b>	<b>Parcels L1 &amp; L4</b>	<b>Parcel S</b>	<b>Parcels T2 &amp; T3</b>
<b>Custom manufacturing (e.g., includes bakeries)</b>	--	--	--	--	P
<b>General industrial</b>	--	--	--	--	P
<b>Packing and processing</b>	--	--	--	--	P
<b>Civic Land Uses</b>	<b>Parcels B &amp; C</b>	<b>Parcels J1 (Frontage on Festival Green) &amp; Parcel L2</b>	<b>Parcels L1 &amp; L4</b>	<b>Parcel S</b>	<b>Parcels T2 &amp; T3</b>
<b>Administrative services</b>	--			--	P
<b>Cultural exhibits</b>	P	--	--	--	--
<b>Essential services</b>	P	--	--	P	P
<b>Parking services</b>	P	P	P	--	P
<b>Public park &amp; open space</b>	P	--	--	--	P
<b>Postal services</b>	--	--	--	--	P
<b>Telecommunication facility</b>	MNUP	--	--	MNUP	MNUP
<b>Accessory and Temporary Land Uses</b>	<b>Parcels B &amp; C</b>	<b>Parcels J1 (Frontage on Festival Green) &amp; Parcel L2</b>	<b>Parcels L1 &amp; L4</b>	<b>Parcel S</b>	<b>Parcels T2 &amp; T3</b>
<b>Accessory uses (See VMC Section 16.58.040 for list of accessory uses)</b>	P per VMC Section 16.58.040	P per VMC Section 16.58.040	P per VMC Section 16.58.040	P per VMC Section 16.58.040	P per VMC Section 16.58.040

**Table 3 [New Table]  
Permitted and Conditional Land Uses – Commercial and Industrial Types**

	Land Use or Use Condition	Conditions, Limitations or Prohibitions
(1)	<b>Location limits for specific land use classifications</b>	<p><i>Georgia Street Corridor:</i> Use classification(s) prohibited on street or ground floor level with the exception of banks, credit unions and automatic teller machines (ATM) permitted on ground floor level.</p> <p><i>Central Downtown:</i> Use classification(s) prohibited on the street or ground floor level with the following exceptions:</p> <ul style="list-style-type: none"> <li>• Permitted on ground floor level along Santa Clara Street, Maine Street frontages</li> <li>• Banks, credit unions and automatic teller machines (ATM) permitted on ground floor level.</li> </ul>
(2)	<b>Drive-through (a)*</b>	Prohibited
(3)	<b>Liquor (alcohol) sales</b>	Subject to the restrictions and limitations of VMC Sections 18.62.060Q (On-sale liquor establishments) and 18.62.060R (Off-sale liquor establishments).
(4)	<b>Outdoor dining (b)*</b>	<p>Permitted subject to the following:</p> <ul style="list-style-type: none"> <li>• Approval of an Administrative Permit (AP).</li> <li>• Approval of an Encroachment Permit if conducted within the public right-of-way.</li> <li>• Securing a general liability insurance policy naming the City as additional insured if conducted within the public right-of-way.</li> <li>• Subject to Development Standards in Section X of the Vallejo-Waterfront Planned Development Master Plan—Design Guidelines. <i>[Cross-reference to be updated]</i></li> </ul>
(5)	<b>Adult Uses</b>	Refer to VMC Chapter 16.59 (Adult Use Regulations)
(6)	<b>Outdoor display (c)*</b>	Permitted with an Administrative Permit subject to the regulations set forth in VMC Chapter 16.77.
(7)	<b>Outdoor street vending (d)*</b>	<p>Permitted, subject to the following:</p> <ul style="list-style-type: none"> <li>• Approval of an Administrative Permit (AP).</li> <li>• Approval of an Encroachment Permit if conducted within the public right-of-way.</li> <li>• Securing a general liability insurance policy naming the City as additional insured if conducted within the public right-of-way.</li> <li>• Subject to Development Standards in Section X of the Vallejo-Waterfront Planned Development Master Plan—Design Guidelines. <i>[Cross-reference to be updated]</i></li> </ul>

**Table 3 [New Table]  
Permitted and Conditional Land Uses – Commercial and Industrial Types**

(8)	<b>Fast food/take-out (e)*</b>	<ul style="list-style-type: none"> <li>• Permitted with a Minor Use Permit (MNUP).</li> <li>• Subject to Development Standards in Section X of the Vallejo-Waterfront Planned Development Master Plan—Design Guidelines. [<i>Cross-reference to be updated</i>]</li> </ul>
(9)	<b>Automotive &amp; equipment</b>	Limited to automotive and equipment sales and display.
(10)	<b>Parking</b>	Limited to parking only.
(11)	<b>Storage</b>	No on-site storage or business activities.
* See table with Definitions of Terms		
<b>Definitions of Terms</b>		
(a)	<b>Drive-through</b>	A place of business that is designed to include a service window or drive-through facility that is accessible by vehicle
(b)	<b>Outdoor dining</b>	The operation of dining service located outside of and ancillary to an eating and drinking establishment. Outdoor dining includes the placement of tables, chairs and similar furniture, where seating does not exceed 25% of the indoor seating area of the eating and drinking establishment.
(c)	<b>Outdoor display</b>	The placement of goods or merchandise outdoors of a business or use, without the benefit of screening or fencing. The goods and merchandise that are displayed is representative of the goods and merchandise offered for sale by the associated business or use operating inside a building. Outdoor display does not include the outdoor storage of goods or merchandise that is screened or fenced.
(d)	<b>Outdoor street vending</b>	A business that provides the sale of food, beverage and other general retail sale items in an open area or from a freestanding kiosk or small covered structure placed on the sidewalk or in the public right-of-way.
(e)	<b>Fast food/take-out</b>	<p>An eating and drinking establishment or a food and beverage retail sales establishment where:</p> <ul style="list-style-type: none"> <li>- More than 50% of the food, frozen desserts, and/or beverages intended for immediate consumption is available upon a short waiting time, and is packed or presented in such a manner that it may be readily consumed off of the premises, as well as on the premises where it is sold</li> <li>- There are no facilities for on-site consumption (seating), or where such facilities are limited or insufficient for the volume of customers purchasing such items.</li> </ul>
(f)	<b>Parking facilities, public</b>	Any public or private land designed to be used for parking vehicles including, but not limited to lots and garages, as a principal use and not accessory or

**Table 3 [New Table]  
Permitted and Conditional Land Uses – Commercial and Industrial Types**

	or private	ancillary to a permitted or conditional use. This definition does not apply to parking facilities that are ancillary or supportive to another principal land use contained on the subject property.
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**LEGEND**

- P = Permitted
- MJUP = Major Use Permit Required
- MNUP = Minor Use Permit Required
- = Not Permitted
- (1) = Land Use Condition, Limitations or Prohibitions
- (a) = Definition

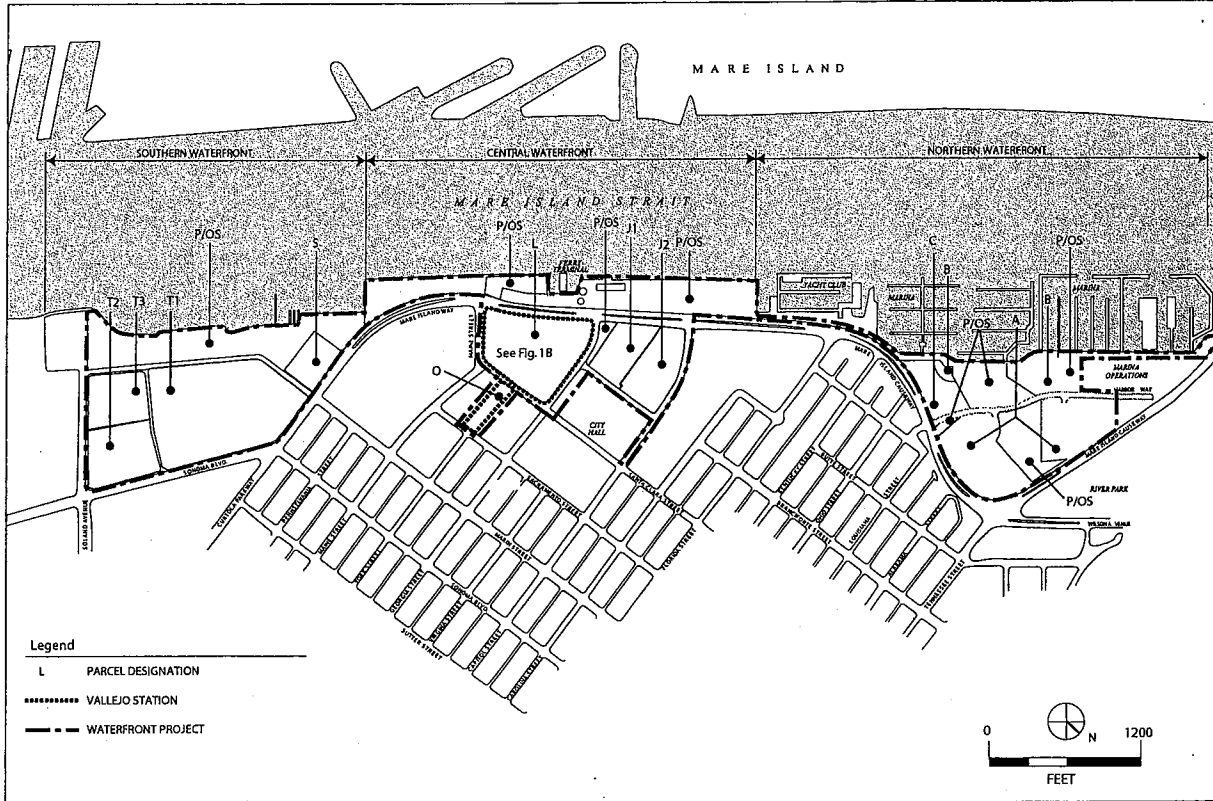


Figure 1A: Vallejo Waterfront Parcel Boundaries Map

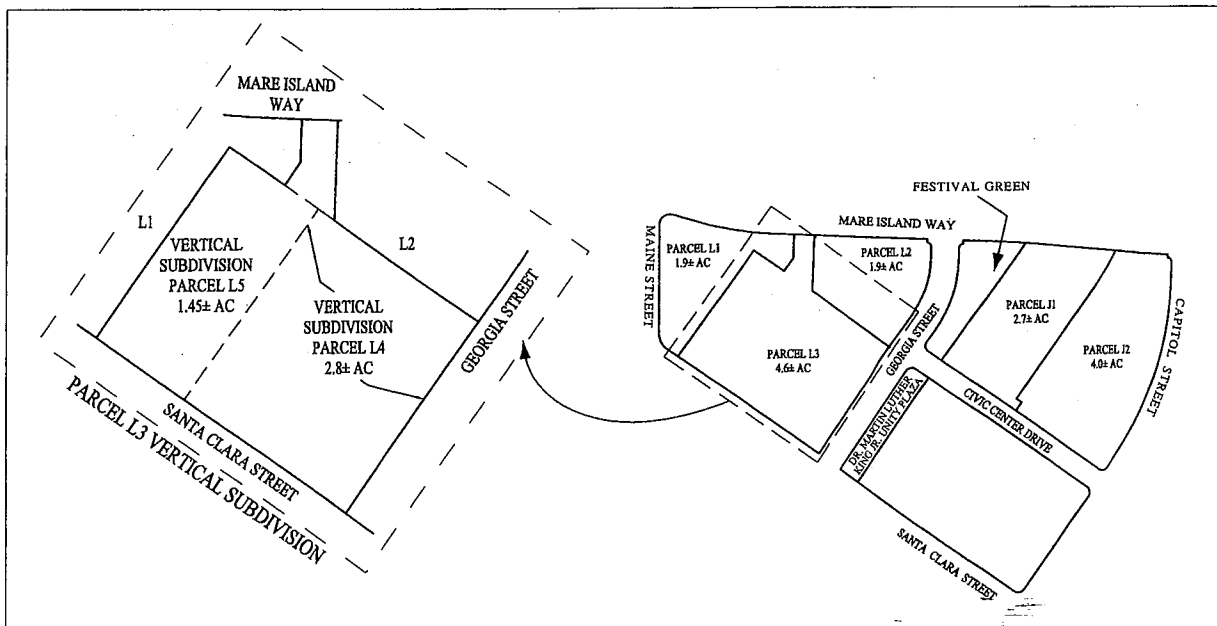


Figure 1B: Parcels J and L and Boundaries Map

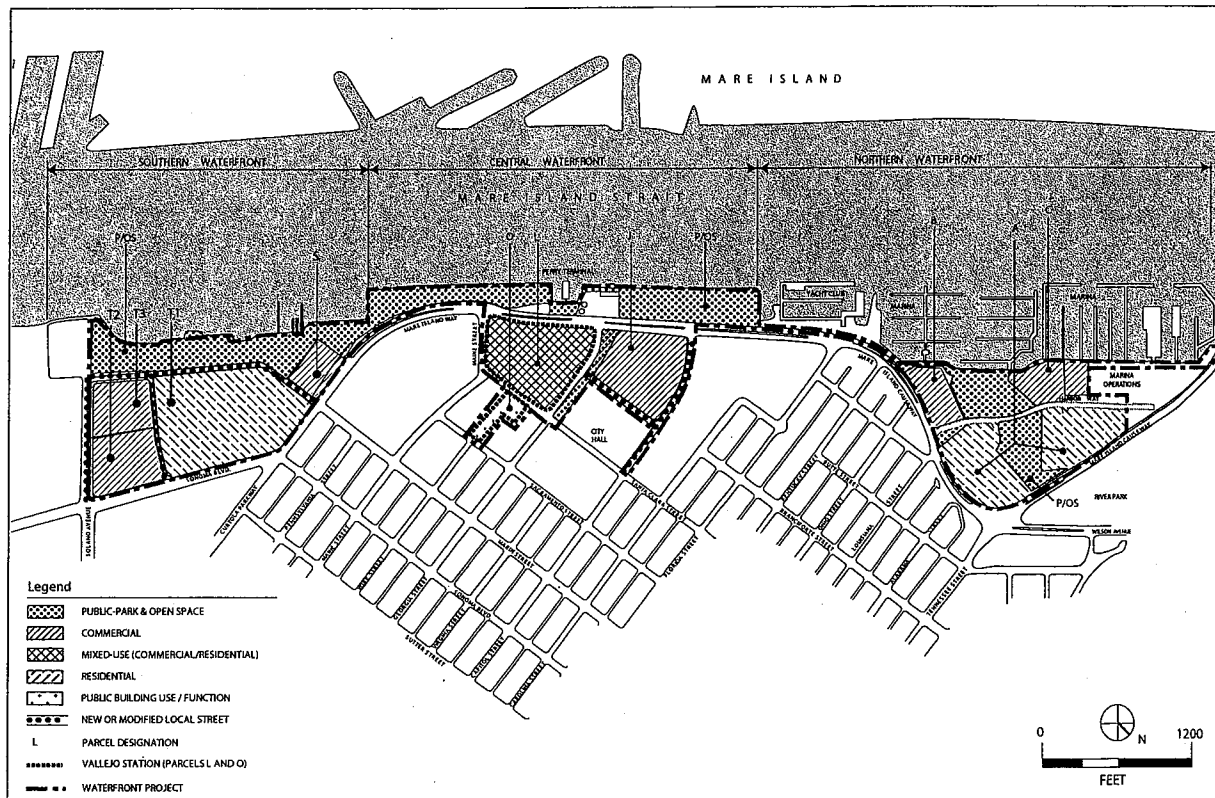


Figure 2: Proposed Project Land Uses

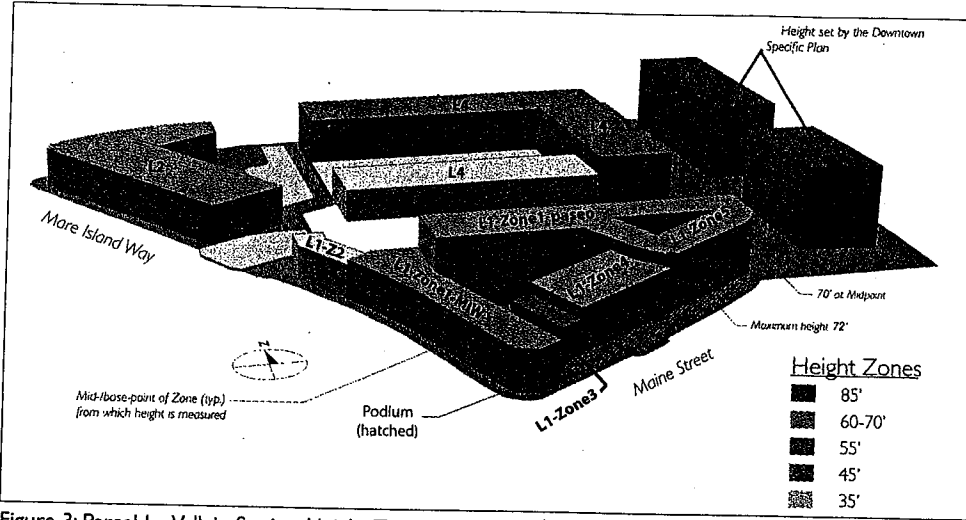


Figure 3: Parcel L - Vallejo Station Height Zone Diagram - Mare Island Way & Maine Street View

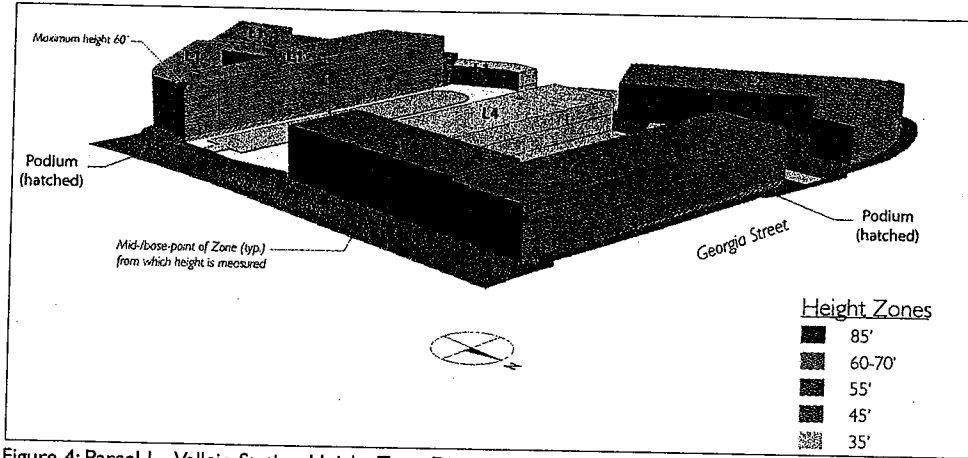


Figure 4: Parcel L - Vallejo Station Height Zone Diagram - Santa Clara & Georgia Street View

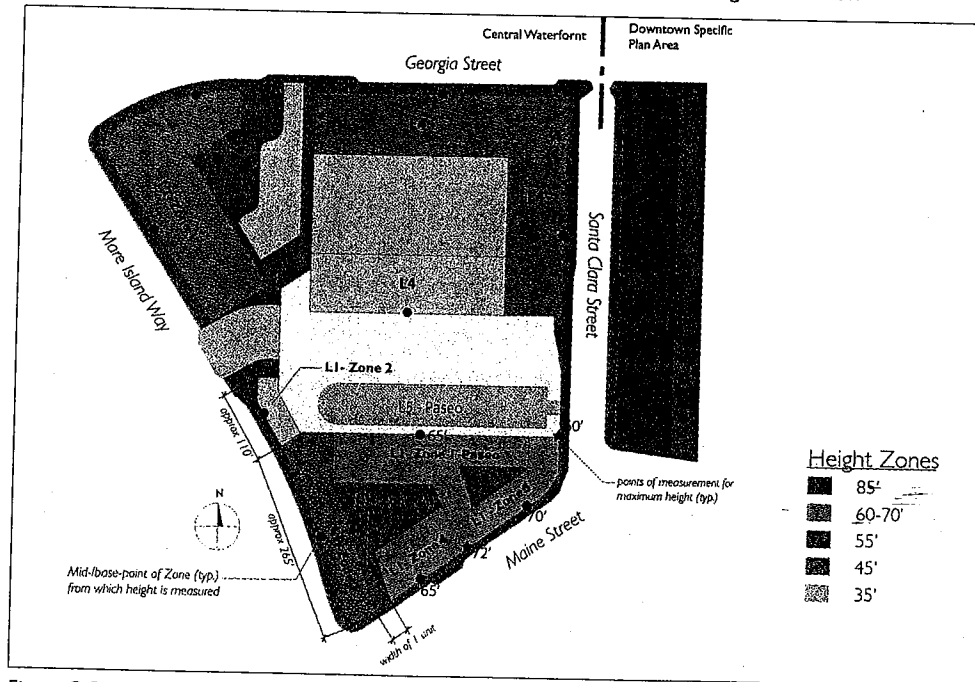


Figure 5: Parcel L - Vallejo Station Height Zone Diagram - Plan View



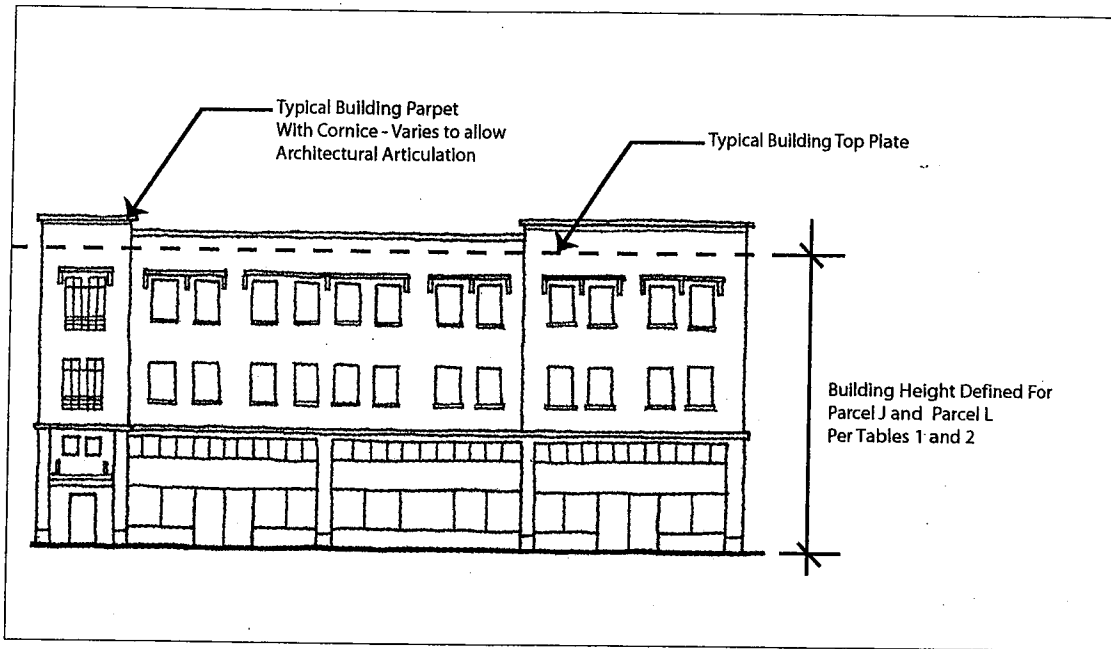


Figure 6: Prototypical Top Plate Location

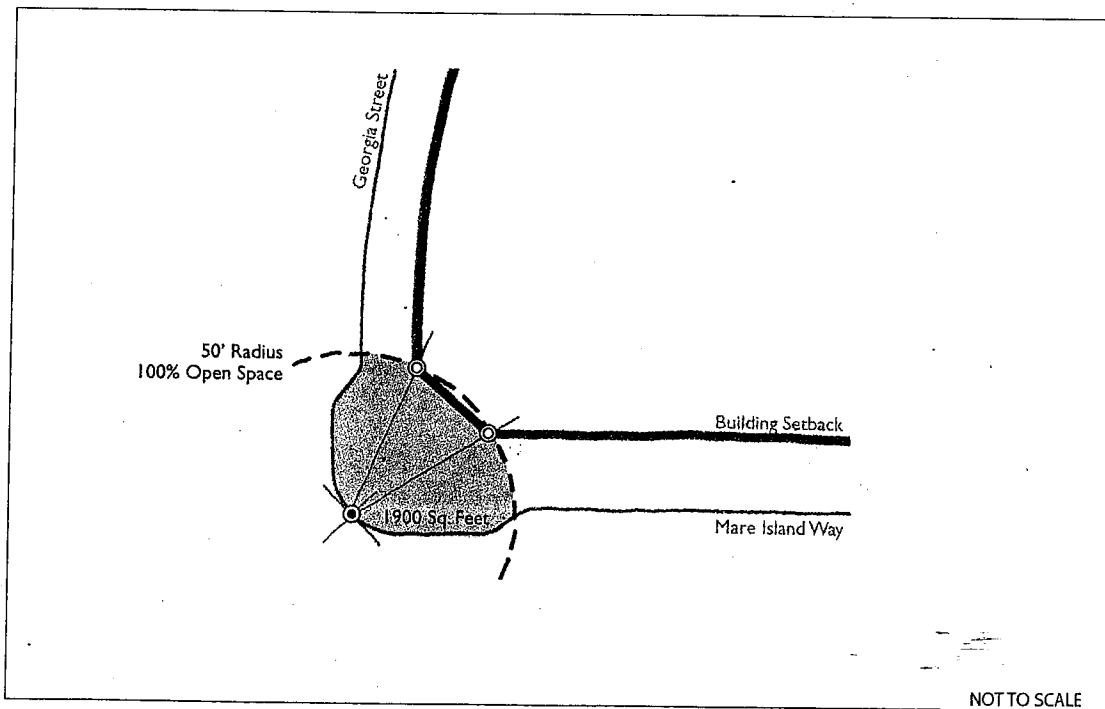


Figure 7: Corner Plaza Diagram, Mare Island Way & Georgia Street

# I. Introduction

These guidelines have been developed in support of the principles and policies of the Vallejo Waterfront Project as defined in the Vallejo Waterfront Planned Development Master Plan (PDMP). In particular, the guidelines have been developed to support the following objectives goals from the PDMP that pertain to community planning and urban design:

## ***Selected Waterfront Master Plan Objectives***

- To allow the waterfront and downtown to regain their historic place as the cultural heart of the community.
- To create quality development and an environment that is pedestrian and transit friendly, and that includes higher density commercial, office and residential uses with innovative public spaces for cultural and recreational activities.

## ***Selected Waterfront Master Plan Goals***

- **Transportation Goal** – Revise existing traffic circulation by extending Georgia and Capitol Streets to Mare Island Way to: create marketable properties adjacent to the waterfront while preserving and enhancing land for public open space; open up the downtown commercial area to the waterfront; and increase intersections along Mare Island Way to make it more pedestrian-friendly.
- **Design Character Goal** – Design new development in an architectural style that is compatible with the existing character of the historic downtown and adjacent residential neighborhoods.
- **Use Goal** – Balance commercial, residential, employment and transportation uses with recreational, festival, events and other associated uses so that each are accommodated and each help to create synergy for the waterfront and downtown as they function in combination with one another.

To support these goals and objectives these design guidelines –

- Build from the Waterfront Plan's framework of open spaces, streets, and other design elements that link the area's three districts with each other and with the surrounding downtown and neighborhoods;
- Provide design direction to support create a pedestrian-supportive relationship between the public realm of the Waterfront's sidewalks, parks, and plazas, and with the private realm of the buildings that frame the pedestrian environment, and provide additional interest and a sense of security for pedestrians;
- Give careful consideration in the location of land uses and public amenities to create an environment that is dynamic and active throughout the day;
- Ensure the use of high-quality building materials and details for both the architecture and landscape, in support of the community character desired for the Waterfront supporting a

waterfront community character;

- Define the design framework and character of the Waterfront's parks, open spaces, and streets to create a unified theme for a world class waterfront while supporting the community identity of Vallejo, and the unique identity and character of the different districts of the Waterfront; and,
- Maximize views ~~within and through~~to the Waterfront and to the Mare Island Strait from within the project, downtown and surrounding neighborhoods.

## **A. Applicability and Organization of the Guidelines**

### **1. Relationship to Vallejo's General Plan, Zoning, and Other Policies and Ordinances**

These Vallejo Waterfront Design Guidelines ("Design Guidelines") ~~are~~ is an incorporated attachment to the Vallejo Waterfront Planned Development Master Plan (PDMP), which sets forth the policies and standards for land use and design for the Project area. The design guidelines are intended to assist future developers and the City ~~to~~ in implementing specific projects in a manner consistent with the PDMP's land use and design standards. The Design Guidelines have been reviewed and adopted by both the Planning Commission and City Council as part of the approvals process of the Vallejo Waterfront project. This approval brings the Master Plan and these Design Guidelines into conformance with the City's General Plan and Zoning Ordinance. In addition, both the PDMP and these Design Guidelines include specific goals, objectives, policies, and design concepts from the City of Vallejo's Waterfront/Downtown Master Plan for Public Spaces which was prepared in 2000.

The guidelines are written to assist City of Vallejo policy makers and City staff in applying the overall and detailed design intent of the Waterfront Plan as they review and approve development proposals that come forward in the future, as well as when they design and implement the public portions of the Waterfront Plan. This document also serves as a guide for project proponents, ~~and~~ their designers and engineers, as they ~~plan and~~ design proposals for the development of specific projects.

### **2. Organization of the Design Guidelines Document**

There are three main chapters to these Design Guidelines, including this introduction, which gives an overview of the document and lays out the context and general character of the Waterfront as a whole as well as of its individual districts. The following two sections contain the main body of the guidelines. *Section II: Unifying Elements and Linkages*, offers guidelines for elements that link the districts with one another and with the surrounding area. In this section, the reader will find guidelines for street and building elements that will be present throughout the Waterfront and along Mare Island Way. It also contains guidelines for gateway features that will identify the Waterfront as a unique place within Vallejo. *Section III: Waterfront Districts*, provides the design guidelines that ensure that development in the Waterfront area is ~~of consistent high quality and results in the three Waterfront Districts that each have~~ ing their own unique character.

### **3. Design Principles of the Design Guidelines**

The central organizing principle for the design guidelines is that private development in the Waterfront Districts must complement and reinforce the public life in the Waterfront's streets, parks, and open spaces to best achieve the community and urban design ~~goals and~~ goals and objectives of the Waterfront Master

Plan. The Guidelines use the terms “public realm” and “private realm” to define these two complementary elements of the Waterfront Master Plan.

### 3.1 The Public Realm

The public realm includes the community areas within the Waterfront Master Plan area that are mainly in public ownership; including streets, sidewalks, parks, open spaces, plazas; and the transit center whether these areas are maintained publicly or privately. The public realm also includes privately owned and maintained areas that are open to public access most times of the day and that contribute to public life in Vallejo’s Waterfront. Indoor areas of community facilities are not included.

### 3.2 The Private Realm

The private realm is primarily the area within privately owned buildings including residential yards and other exterior spaces that are generally accessible only to residents, businesses, and their guests. The conditions of the private realm that are of most concern to the Guidelines are those that contribute to the life and vitality of the public realm of the Vallejo Waterfront.

Examples include:

- storefronts, residential and office lobbies, residential yards, fences, walls, and other areas that front directly onto sidewalks, parks, and open spaces in the public realm;
- building height, massbulk, materials, and detailing-articulation that have a visual relationship to the public realm; and,
- site access points for pedestrians and vehicles, and particularly their relationship to sidewalks and other active areas of the public realm.

## 4. Construction and Maintenance of the Public Realm

As defined above, the public realm includes areas that may be built and/or maintained by private and public entities (typically adjacent property owners). The details of this ownership and responsibility for maintenance will be determined through the current negotiations that will likely result in a Landscape, Lighting, and Maintenance District (LLMD) for the Waterfront, and possibly some adjacent areas of Vallejo.

As the Vallejo Waterfront Master Plan is implemented and maintained in the future there may be a variety of entities who will be responsible for the maintenance of certain portions of the public realm. Typically, if a commercial or residential use is likely to have a business or homeowners association, the private entity may take responsibility for maintenance of the landscape, hardscape, and other non-utility elements of the public right-of-way from the curb to the edge of the right-of-way and any public access easement that is outside the right-of-way. Consistent use of the Design Guidelines in both construction and maintenance of development will ensure that there is a consistent character to the public realm of the Waterfront regardless of who constructs or maintains the public realm. This will support both a higher level of flexibility in financial responsibilities as well as the creation of a world-class waterfront.

## B. Framework of the Waterfront Guidelines

Figure 1.2: Waterfront Framework Plan [see revised figure attached]

The Waterfront Master Plan defines an overarching framework of elements that unify its character and identity as a major element of Vallejo's community structure. The framework also links the Waterfront with the downtown and other districts and neighborhoods that surround it. The framework is based on the prominent features that are present in all the districts of the Waterfront, such as the waterfront promenade and Mare Island Way, see Figure 1.2.

The Design Guidelines utilize the elements of the framework to define the overall character of the Waterfront as a unique place with design elements (e.g., lighting, benches, landscape features, etc.) that define a unified image for the entire Waterfront. At the same time, the Design Guidelines include variations in the design of some elements of the framework to respond to the unique character of the Waterfront's three districts.

## 1. Unifying Elements

The Waterfront Master Plan defines a set of larger elements that result in a unifying character for the Vallejo Waterfront, including:

- **Waterfront Promenade, Parks, and Open Spaces:** The relationship of the Waterfront to Mare Island Strait is a key element that defines the character of the Waterfront. The public open spaces along the water's edge reinforce the importance of the waterfront. The Promenade will allow public access along the entire edge. The parks and open spaces provide opportunities for recreation, and special events, and open up broader views from the Waterfront and surrounding areas to the Strait and Mare Island beyond.
- **Major Streets:** The major streets of the Waterfront area link the rest of Vallejo to the Waterfront and help to link together the three districts of the Waterfront. They include: Curtola Parkway and Mare Island Way, the Mare Island Causeway, Sonoma Boulevard, and at a smaller-scale, the Georgia Street and Marin Street extensions.
- **Gateways:** There are a number of special places within the Waterfront that serve to unify the Waterfront with a strong identity while also serving to link the Waterfront to the downtown, and other districts and neighborhoods that surround it. These are the Waterfront's primary and secondary gateways.

## 2. Linkages and Transitions with the Surrounding City

Figure 1.3: Existing and Proposed roads addressed in the Guidelines [see revised figure attached]

The Design Guidelines also address how the public and private realms of the Waterfront link and relate with other surrounding areas of the City of Vallejo. Given the scale and relationship of these linkages and transitions, they are typically addressed in the district portion of the Design Guidelines.

- **Circulation Linkages:** the major streets provide linkages from the Waterfront to the greater City of Vallejo beyond the more immediate Waterfront area. Another set of streets and accessways provide similar linkages at a more local level between the Waterfront, the Downtown, and surrounding neighborhoods (see Figure 1.3). These include: Solano Avenue, Maine Street, Santa Clara Street, Capitol Street extension, Civic Center Drive, and Harbor Way, as well as other neighborhood streets that intersect with Mare Island Way between the Northern and Central

Waterfront Districts.

- **Land Use and Urban Design Linkages and Transitions:** the relationship of the Waterfront planning area to the surrounding city is also defined by the linkages related to land use and urban form. The Design Guidelines address the scale and use of portions of the Waterfront that are across the street from areas of the downtown and adjacent neighborhoods. In some cases similar uses and scales of buildings are desired, in others, landscaped buffers are more appropriate. The urban design and character of streets within the Waterfront will also need to reflect the adjacent context, as will the design character of the waterfront promenade, parks, and open spaces.

### 3. *The Districts of the Vallejo Waterfront*

The Vallejo Waterfront Master Plan contains three distinct districts that are linked by the major spine defined by the Waterfront parks and open spaces, and Mare Island Way (see Figure 1.4). The Design Guidelines balance the need to unify the Waterfront planning area as an identifiable element of the city with the need to reflect the specific character of each of the Waterfront Districts.

Figure 1.4: Vallejo's three Waterfront Districts *[see revised figure attached]*

- The **Northern Waterfront** is located just south of the Mare Island Causeway between Mare Island Way and Mare Island Strait. This district has both a residential and maritime character, as well as important civic functions such as the existing and popular promenade along the marinas and the activities that currently occur in the waterfront park. The planned residential development in the area provides the potential to strengthen the linkage between the waterfront and adjacent residential neighborhoods, as well as provide more activity and "eyes on the street" to improve the sense of safety and comfort in the area. The relocation of the more active uses of the park spaces to the new Festival Green in the Central Waterfront District will change the character of the Northern Waterfront to a more casual and neighborhood-oriented environment in the future. The two new parks planned will include both passive and active recreation providing a new dynamic environment that will become a local and regional destination.
- The **Central Waterfront** is located just west of and directly adjacent to Vallejo's historic downtown, straddling both Mare Island Way and Georgia Street. The Central Waterfront also ~~contains~~ includes Vallejo's two major transit connections – the Vallejo Ferry Terminal and the planned Bus Transfer Station located on York Street between Sacramento and Santa Clara Streets. Because of this adjacency to downtown and the transit hubs, this district will be the most urban of the three Waterfront Districts, with a greater mix of uses. It will also see the greatest amount of pedestrian activity, much like the proposed revitalized downtown. The Central Waterfront can be thought of as "bringing downtown to the waterfront." The Central Waterfront also includes important civic open spaces – Dr. Martin Luther King, Jr. Unity Plaza, Festival Green, and Service Club FieldPark – that help to link City Hall and other civic buildings and the downtown with each other ~~and to~~ the waterfront.
- The **Southern Waterfront** is characterized by maritime, residential, and employment uses. Much like the Northern Waterfront, it will not be as active as the central portion of the Waterfront planning area. The new facilities for the downtown post office are proposed to be located within

this area. The extension of Marin Street into this area and the major new waterfront park to the west create an important opportunity for the new residential neighborhood to link with downtown and the waterfront. The homes fronting onto the park will take advantage of this recreational and visual amenity while also framing the open space and adding to the liveliness and security of the park.

The Design Guidelines are focused on the creation of a high-quality public realm in Vallejo's Waterfront that is complemented and strengthened by high-quality development of the private realm.

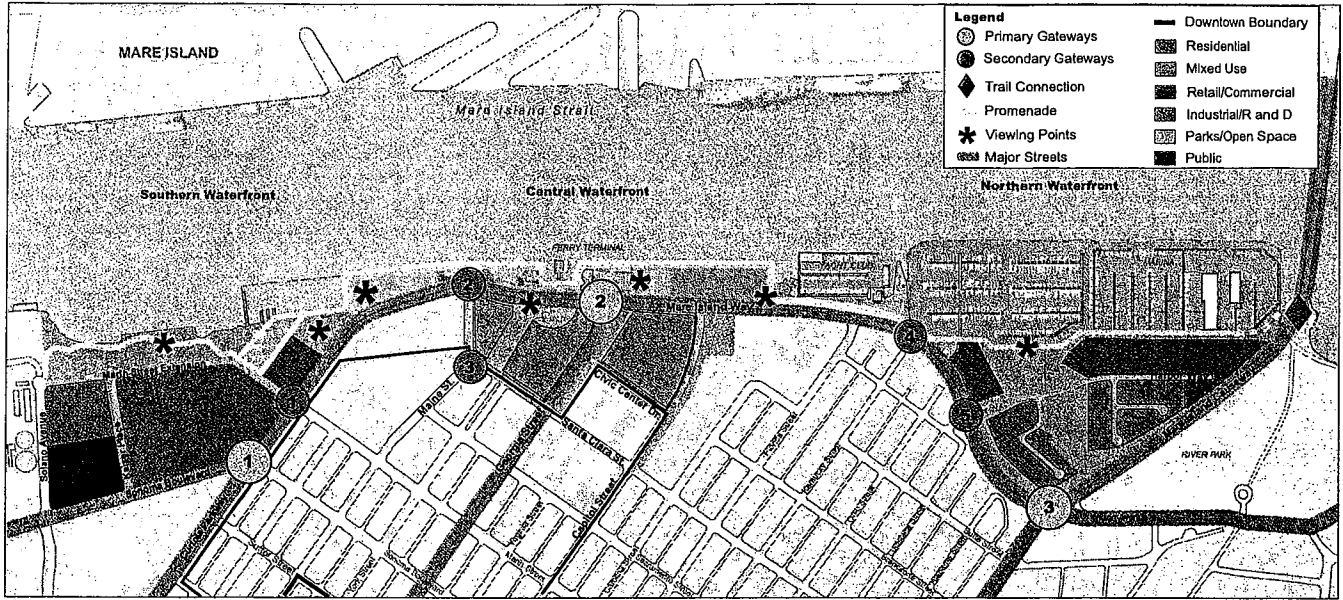


Figure I.2: Waterfront Framework Diagram

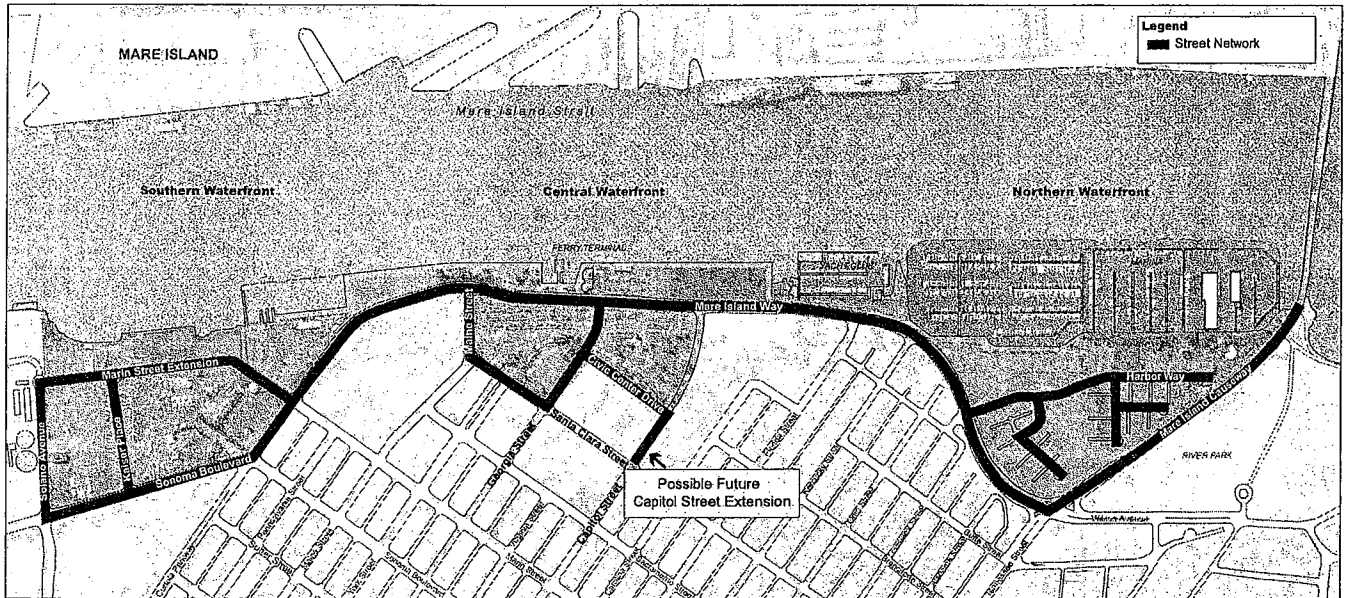


Figure I.3: Existing and proposed roads addressed in the Guidelines



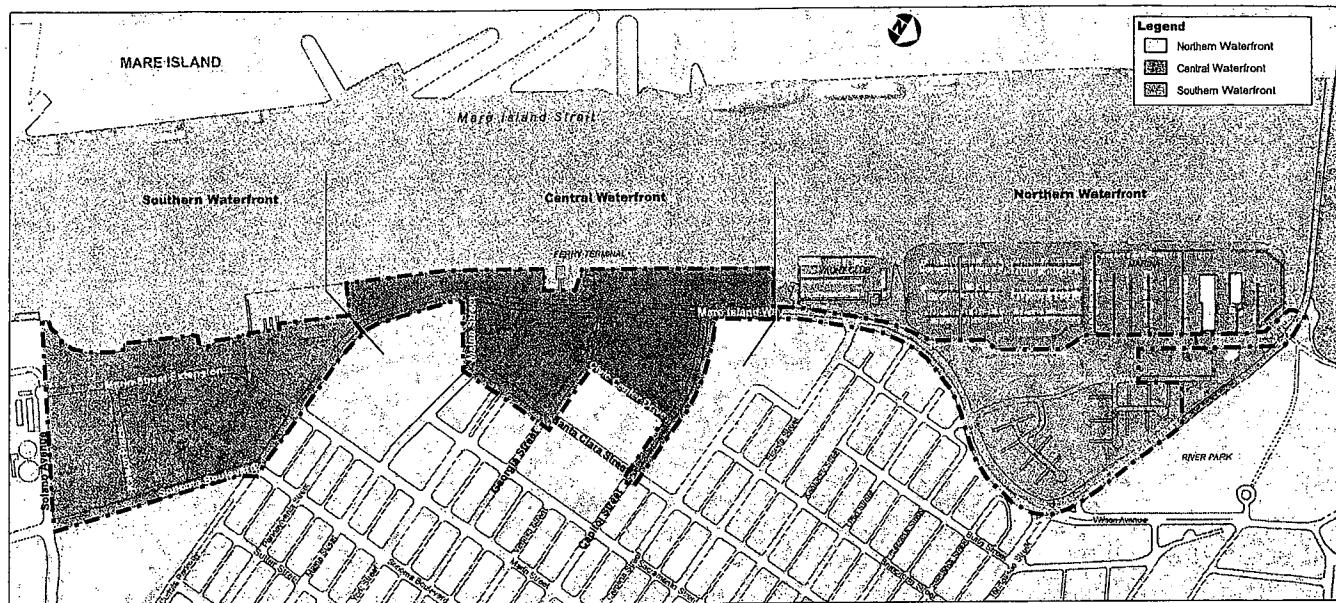


Figure I.4: Vallejo's three Waterfront Districts

## II. Unifying Elements and Linkages

### A. Waterfront Promenade, Parks, and Open Spaces

#### 1. Vision

The Waterfront's Promenade, Parks and Open Spaces act as a center for activity for Vallejo and a linkage between Mare Island Strait and the city. The Guidelines reinforce this characteristic by defining places where a variety of activities, from passive and active recreation to community events, can take place within proximity to the Mare Island Strait; and in a way that strengthens the linkages between Downtown and the Waterfront Districts with the Strait. The vision for the open spaces of the Waterfront planning area as defined in these Guidelines are consistent with the vision of the *Vallejo Waterfront/Downtown Master Plan for Public Spaces* and make the vision consistent with the refinements that have occurred to the *Waterfront's Planned Development Master Plan (PDMP)* since the preparation of the *Master Plan for Public Spaces*. The Design Guidelines define places for:

- passive recreation, such as sitting, people-watching, viewing the scenery, strolling, waiting for the ferry, picnicking;
- active recreation, such as kite flying, a variety of ball games, fishing, running, dog-walking, bicycling, boating;
- group gatherings, such as listening to live music, informal meetings with friends, visiting the farmer's market, art festivals, boat festivals, and other city and community-sponsored events; and,
- places for living, working, shopping, and dining in the Waterfront Districts.

The Waterfront should also be a memorable place with its own distinct identity. It is an opportunity for the City of Vallejo to showcase its history as a ship building port and its participation in other wartime activities, shipping, and commerce. The design for the Waterfront parks and open spaces incorporates historic monuments and may include interpretive signage such that people can walk a path describing the Waterfront's history. Furnishings, lighting standards, landscaping, and architectural design will all create a strong identity for the Waterfront.

Its relationship to the Downtown and the rest of Vallejo will be strengthened to facilitate movement and interaction between these areas to create a central focus for the City. This includes strengthening the visual and physical connection at key intersections through gateway elements, but also with buildings and land uses, particularly along Georgia Street and Marin Street as they link the Central and the Southern Waterfront Districts with the Downtown.

It is the goal of the *Parks, Open Space, and Promenade* section of the Guidelines to tie together the relationship of the Waterfront to the surrounding areas and to provide more specific guidance for how proposed development and new open spaces as well as future improvements of the public realm can mutually enhance one another. In addition, the *Fixtures, Furnishings, and Street Trees* section of this chapter describes how these key elements, if incorporated consistently can contribute to a unified appearance of Vallejo's Waterfront. Additional guidelines regarding the specifics of the Promenade and open space elements within the Waterfront's various Districts are covered in the district-specific sections of the Guidelines, in Chapter III.

## 2. General Parks and Open Space Guidelines

Figure 2.1: Waterfront Parks and Open Space Framework [see revised figure attached]

As new development occurs throughout the Waterfront Districts and over time, new parks and open spaces will be built in all three districts and improvements made to existing parks and open spaces as well as the Promenade. At the time of the writing of these Guidelines the City of Vallejo is convening citizens for a series of public hearings to solicit the public's input about their needs and expectations with respect to future open spaces and amenities in the Waterfront. **While these guidelines address a variety of key open spaces in all three districts, these should be understood as a contribution to the ongoing discussion and dialogue with the public.** This is reflected in the way the guidelines and underlying concepts are presented:

- Only key locations were selected, particularly those that have the most direct relationship to private development in the Waterfront districts, and
- This document provides guidelines not standards, and thereby it provides only guidance and input into the planned public process.

As mentioned in the Introduction Chapter, these Design Guidelines build from existing policies of the City. The *Vallejo Waterfront/Downtown Master Plan for Public Spaces* is of particular importance to the design and character of the Waterfront's parks and open spaces, and these Guidelines recognize and build from the intent of that Master Plan.

As all three Districts have rather distinct parks and open spaces these are discussed in greater detail in each District's Design Guidelines section.

## 3. Waterfront Promenade

Particular design elements span the entire Waterfront unifying it as a distinct place from one end, at the Mare Island Causeway where it meets Tennessee Street, to the other end at Solano Avenue. Unifying elements include light fixtures, furnishings, and landscaping. This section provides guidelines for the design elements that are utilized throughout the promenade, district specific guidelines are included in the district sections.

Views from the Waterfront and the promenade can be dramatic and inspiring. This aspect of the Waterfront should be taken advantage of to the fullest extent. Currently, the promenade provides few accommodations for seating where people may rest, watch activity within the Waterfront and along the Strait, fish, and gather with friends.

The paved Promenade that passes along the majority of the Waterfront's edge is a major attraction for the Waterfront and is used by visitors and local residents on a regular basis. But the existing condition of the Promenade is relatively spartan and does not provide much opportunity for people to comfortably stop and enjoy the views to the Mare Island Strait and Mare Island, as well as back towards Downtown Vallejo, the existing neighborhoods, or the future new development of the three Waterfront Districts, see Figure 2.2. Opportunities exist to make a range of improvements that can take advantage of the unique setting of the existing Promenade, see Figures 2.3 and 2.4. These illustrate the following potential improvements that could be implemented in areas where the Promenade exists today:

- **Seating:** Seat walls could be built within the center of the Promenade allowing people to stop talk to friends and enjoy views in a variety of directions towards the Strait or inland.

- **Lighting:** The existing lighting that exists along the Promenade could be removed as it forms a visual barrier between the park and the Promenade and the fixtures location within the decomposed granite edge of the greens is an impediment to use of the edge as a jogging path. New lighting could be located in line with the new seat walls working with them to break down the scale of the 30 foot wide concrete surface of the Promenade.

Additional specific design guidance for overlooks and other district specific elements are provided in the Central Waterfront section of *Chapter III – Waterfront District Guidelines*.

## 4. Construction and Maintenance of Improvements

The goal and intent of the Design Guidelines is to provide explicit direction for producing a high quality built and open space environment throughout the Waterfront. To this end, the Design Guidelines encourage the City of Vallejo to establish, and all developers/builders to participate in, a Landscape Lighting and Maintenance District (LLMD). The open space and its amenities will be installed through the investment of public and private funds, but their long term maintenance can only be ensured if the proper funding mechanisms are established early in the development of these improvements. Properly funded and maintained public realm improvements along the Waterfront Districts will result in a quality and highly desirable recreational experience for residents and visitors for years to come.

### B. Street Trees, Lighting, and Furnishings

Figure 2.8: Street Furnishing and Light Fixture Concept Diagram [see revised figure attached]

Street lights, benches, bicycle racks, trash/recycling receptacles, bollards, and newspaper racks all are elements in the “family” of street furniture that creates a comfortable environment for the public within the Waterfront and provide the desired identity of a given area. These are a key factor in defining a strong identity for the Waterfront within the City of Vallejo. These elements also serve to define the different character of the three Waterfront Districts.

#### 1. Streetscape Elements

Figure 2.8 provides an overview of how light fixtures and street furnishings are to be used to create distinguishable streetscapes in the Waterfront. The basic concepts are to:

1. Define Mare Island Way as the key linkage between all three Waterfront Districts. It is proposed to expand the use of the recently introduced “Waterfront” fixture along the street.
2. Expand use of the Waterfront fixture to include streets within the Northern and Southern Waterfront to visually unify the streets and open spaces of the Waterfront.
3. Define a set of other fixtures for use in the Waterfront that complement the existing street elements.
4. Expand the use of the “Downtown” furnishings defined in the Downtown Vallejo Specific Plan and Design Guidelines; this includes the use of the Downtown benches and trash/recycling receptacles painted the color of the existing Waterfront fixtures to reinforce the linkage between the Downtown and the Waterfront.

5. Use the Downtown fixture on the east side of Mare Island Way in the Central Waterfront District to provide a visual clue to passersby on the street that they have arrived at the center of the waterfront where this is connected to the Downtown.

## 1.1 Light Fixtures

One of the most important and effective elements of the streetscape in creating a theme for the Waterfront are the lighting fixtures used along its streets and in its open spaces. This includes both lighting for the streets, and pedestrian-scaled lighting for sidewalks and the Waterfront Promenade.

While the final spacing and lighting design will be determined prior to construction, the following guidelines should be observed during the design development phase of future street improvements:

1. The spacing of light fixtures and that of street trees should be coordinated to the greatest extent possible. This will help to reduce conflicts between tree crowns and light distribution from the light fixture heads. Well coordinated spacing of light fixtures and trees also establishes a rhythm along the street that enhances the pedestrian experience.
2. Along Mare Island Way, where the simultaneous use of both, the Waterfront and the Downtown fixtures is proposed, these should generally not be placed side-by-side. Rather a rhythmic spacing of these fixtures should be devised that avoids this condition, and to conserve sidewalk width for pedestrians.

### ***“Waterfront” Standard***

The recently introduced light fixture on Mare Island Way (north of Florida Street) begins to create a character for Mare Island Way and the Waterfront in this area. (Figure 2.9) Over time as Mare Island Way and other streets in the Waterfront Districts are improved this fixture be used. In areas where the Waterfront fixtures have already been installed two additional measures should be taken to provide fixtures and lighting levels specifically tailored to pedestrian needs:

1. Addition of a second fixture head to already existing Waterfront fixtures (see Figure 2.10).
2. One additional fixture on a 12-foot pole between each of two fixtures scaled for roadway lighting in order to provide high-quality lighting for pedestrians.

Pedestrian-scaled fixture heads should be installed to face toward the sidewalk (please refer to the individual street cross-sections provided in this document for additional guidance).

Where this light fixture is newly introduced along a street it should be provided to light both the pedestrian portion of the street and the street within the curbs. Generally, the combined roadway and pedestrian fixtures should be spaced approximately at 80 feet on-center, and the pedestrian-scale fixtures should be spaced approximately 40 feet on-center.

**Manufacturer:** Lumec, Inc.

**Model:** Candela-2-RR (pedestrian-scale pole base fixture); Candela-1-RR-CN (roadway fixture).

**Pole Height:** match existing height for typical roadway fixture and 12 feet for pedestrian fixtures.

**Material:** 4” round aluminum pole with base cover (roadway and pedestrian-scale fixtures).

**Type of Finish:** per manufacturer's specification unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing fixtures of this type along Mare Island Way.

### ***"Promenade" Fixtures***

Two fixtures are recommended for use in relation to the Promenade to complement the Waterfront street fixtures while distinguishing the Promenade as a key design element in the Waterfront.

#### **1.1.0.A Fixture #1**

This fixture has been selected to complement the existing fixtures along the Promenade for use in new improvements, such as the potential overlooks described in the Central Waterfront Guidelines Section.

**Manufacturer:** Lumec, Inc.

**Model:** CANDS2-SR (upright fixture); APR4/LBC2 (pole and base cover).

**Pole Height:** 12 feet.

**Material:** 4" round aluminum pole with base cover.

**Type of Finish:** Prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way.

#### **1.1.0.B Fixture #2**

This fixture would be used if the decision is made to replace the existing fixtures along the Promenade, see the detailed discussion in the Central Waterfront Guidelines Section. If the existing fixtures are not replaced they should be painted to match the "Waterfront" lighting fixtures.

**Manufacturer:** Lumec, Inc.

**Model:** CANDS2-SR (upright fixture); APR4/LBC2 (pole and base cover).

**Pole Height:** 12 feet.

**Material:** 4" round aluminum pole with base cover.

**Type of Finish:** Prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way.

### ***"Downtown" Standard***

Along some of the streets in the Central Waterfront District (see Figure X2.8 - Street Furnishings Concept Diagram) the lighting fixture that is used throughout most of the Downtown will be used to reinforce the relationship between the Downtown and the Waterfront. (Figure 2.13)

**Manufacturer:** Spring City.

**Model:** Washington – 199 Globe w/Brass Band (single head only).

**Pole Height:** 12 feet (maximum).

**Material:** Heavy wall cast aluminum.

**Type of Finish:** per manufacturer's specification.

**Color:** Medium Gloss Black (per Downtown Specific Plan specification).

## 1.2 Street Furnishings

A variety of street furnishings should be provided along the Waterfront's streets and in its parks and open spaces that draw from the furnishings used in the Downtown and that also achieve a balanced relationship with the more modern design of the existing Waterfront lighting fixture.

### **Benches**

Benches provide an important opportunity for people to occupy and spend time in the public realm of the Waterfront. Benches will be located along the Promenade and Waterfront Parks, the Ferry Terminal Plaza and other public open spaces. They can also be located on bulb-outs and other places along the street. Consideration should be given to locating benches in safe and visible locations with an orientation to allow people to enjoy views and talk with friends or people they meet along the Waterfront. The benches should be the same as those used and specified in the *Downtown Specific Plan*. (Figure 2.14)

**Manufacturer:** Landscapeforms.

**Model:** Presidio Collection (include arms when necessary to discourage loitering).

**Material:** Metal.

**Type of Finish:** per manufacturer's specification (Pangard II® polyester powdercoat) unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way when fixture is located in the Southern or Northern Waterfront District, or on the west side of Mare Island Way in the Central Waterfront; on the east side of Mare Island Way color should be Forest Green (per *Downtown Specific Plan* specification).

### **Tree Grates**

Healthy trees require exposure of the soil around them to air. An open planter bed of at least 6 by 6 feet is typically desired to support healthy and fast growth of trees. In areas of higher pedestrian activity open planters reduce the usable area of the sidewalk. Therefore, the Guidelines recommend the use of tree grates on several of the streets within the Waterfront.

**Manufacturer & Model:** The specific manufacturer and model should be coordinated with the selection for the Downtown planning area as the current Design Guidelines for Downtown Vallejo do not identify a specific manufacturer or model.

**Material:** Cast iron ADA approved grate.

**Dimensions:** 6 foot by 8 foot is desired minimum, but range of 5 to 8 foot wide and long is acceptable depending upon tree species and location.

### **Bicycle Racks**

The provision of bicycle racks throughout the Waterfront in proximity to the places that are an attraction to bicyclists, such as the ferry terminal, recreational and event areas, streets with retail shopping, etc. will be important for creating an environment that supports transportation alternatives to the automobile. (Figure 2.15)

**Manufacturer:** DeroRacks, Inc.

**Model:** Hoop rack for storage of 2 bicycles maximum per loop; in ground mounting is recommended.

**Material:** 1.5 inch Schedule 40 pipe (1.9 inch OD).

**Type of Finish:** per manufacturer's specification unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way when fixture is located in the Southern or Northern Waterfront District, or on the west side of Mare Island Way in the Central Waterfront; on the east side of Mare Island Way color should be Forest Green (per Downtown Specific Plan specification).

### **Trash/Recycling Receptacles**

Trash/recycling receptacles should be located throughout the Waterfront in locations where people congregate and in locations where transit riders arrive or leave the area. Consideration to access by sanitary workers should be given when deciding where to locate trash/recycling receptacles. (Figure 2.16)

**Manufacturer:** Landscapeforms

**Model:** Presidio Collection

**Material:** Metal

**Type of Finish:** per manufacturer's specification (Pangard II® polyester powdercoat) unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way when fixture is located in the Southern or Northern Waterfront District, or on the west side of Mare Island Way in the Central Waterfront; on the east side of Mare Island Way color should be Forest Green (per Downtown Specific Plan specification).

### **Bollards**

Bollards may be needed in locations where pedestrian or bicycle access improvements, or plazas, create opportunities where motor vehicles could enter into spaces where they are not allowed. Bollards can also be used as design elements to define an edge or transition between public spaces. Bollards may be used in the Waterfront and in other locations within the project area, one of which is the intersection of Civic Center Drive and Georgia Street where removable bollards could be used. The Design Guidelines do not describe specific locations for bollards, but it is likely that bollards will be used in the Waterfront. The recommended bollard has been selected to complement the style of the other furnishings, particularly the Waterfront lighting fixtures. (Figure 2.17)

**Manufacturer:** FairWeather Site Furnishings.

**Model:** B-3.

**Height:** to match height of existing bollards on the Waterfront.

**Material:** cast aluminum.

**Type of Finish:** per manufacturer's specification unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way when fixture is located in the Southern or Northern Waterfront District, or on the west side of Mare Island Way in the Central Waterfront; on the east side of Mare Island Way color should be Medium Gloss Black (per Downtown Specific Plan specification).



## **Newspaper Racks**

Newspaper racks are a necessary part of the public realm, and should be encouraged in proximity to transit facilities where transit riders appreciate the opportunity to find something to read while they ride transit. When uncontrolled, newspaper racks can be an eyesore and a barrier to pedestrian circulation. The use of well designed modular racks that can be grouped together is strongly encouraged. The racks should be designed to resist vandalism and rust. (Figure 2.18)

**Manufacturer:** No particular manufacturer or model has been selected

**Material:** metal.

**Type of Finish:** per manufacturer's specification unless within proximity of Mare Island Strait where finish should be – prime then finish paint to meet AAMA 605.2 standards for salt spray resistance.

**Color:** to match existing "Waterfront" lighting fixtures along Mare Island Way when fixture is located in the Southern or Northern Waterfront District, or on the west side of Mare Island Way in the Central Waterfront; on the east side of Mare Island Way color should be Medium Gloss Black (per Downtown Specific Plan specification).

## **2. Trees for Waterfront Streets**



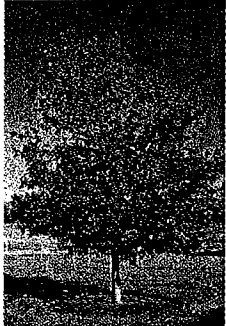
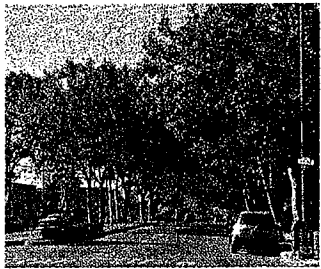
Figure 2.19: Diagram of Street Trees selection within the Waterfront [see revised figure attached]

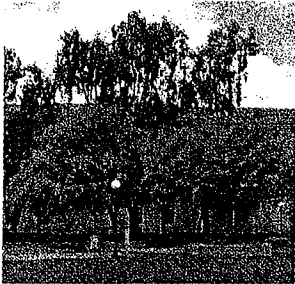


Street trees are typically the dominant element used to create comfortable and memorable streets, and can do much to create an identity for a sub-area of a city. Currently much of the Vallejo Waterfront is lacking in trees, and while this maximizes openness to views towards the Mare Island Strait it also in some locations results in a desolate environment. These Design Guidelines balance the desire to maintain the unique views offered in and through the Waterfront area while also providing opportunities for trees that create an identity and level of pedestrian comfort for people who use and view the Waterfront.

This section of the Guidelines describes the street tree selections for the major streets within the Waterfront. The overarching design concepts are –

- To create a relationship to the street trees that have been identified in the Downtown Specific Plan in order to reinforce the linkages between the Downtown and the Waterfront, and
- To create a strong identity for those locations where the Waterfront's open spaces are bounded and framed by adjacent streets.

Table 2.1: Street Tree Recommendations

Street Segment	Selected Street Tree	Design Concept/Criteria
<p>Mare Island Way from Intersection with Tennessee Street to Intersection with Marin Street, and Marin Street Extension from roundabout or 3-way stop to Solano Avenue (Option 1)</p>	 <p><b>Canary Island Palm</b> <i>(Phoenix Canariensis)</i></p>	<ul style="list-style-type: none"> <li>▪ Create a strong image</li> <li>▪ Grow well in high wind &amp; salt air conditions</li> <li>▪ Maintain open views</li> <li>▪ Does not provide as much shade as Frontier Elm</li> </ul>
<p>Mare Island Way from Intersection with Tennessee Street to Intersection with Marin Street, and Marin Street Extension from roundabout or 3-way stop to Solano Avenue (Option 2)</p>	 <p><b>Frontier Elm</b> <i>(Ulmus 'Frontier')</i></p>	<ul style="list-style-type: none"> <li>▪ Create a strong image</li> <li>▪ Grow well in high wind</li> <li>▪ Provides shade</li> <li>▪ Does not provide as open a view compared to Canary Island Palm</li> </ul>
<p>Capitol Street, Maine Street, Kaiser Place, and Solano Avenue (from Sonoma Boulevard to Marin Street Extension)</p>	 <p><b>Red Maple</b> <i>(Acer Rubrum)</i></p>	<ul style="list-style-type: none"> <li>▪ For Capitol Street is consistent with remainder of street in the Downtown Specific Plan Area</li> <li>▪ For Kaiser Place and Solano provides a shaded street with form similar to London Plane Trees on Sonoma Boulevard with a different fall color</li> </ul>
<p>Sonoma Boulevard, Marin Extension (from Mare Island Way to roundabout or 3-way stop at entry to boat launch parking lot)</p>		<ul style="list-style-type: none"> <li>▪ Consistent with portions of these streets in the Downtown Specific Plan</li> <li>▪ "classic" broad tree for major streets</li> </ul>

<p>Georgia Street, Santa Clara Street, and Civic Center Drive</p>	<p style="text-align: center;"><b>London Plane Tree (Platanus acerifolia) 'Yarwood'</b></p> 	<ul style="list-style-type: none"> <li>▪ Georgia Street: has existing plantings of Evergreen Elms on south side of street</li> <li>▪ Santa Clara Street: consistent with Downtown Specific Plan</li> </ul>
<p>Mare Island Causeway from Mare Island Way to foot of Causeway on south side of the street</p>	<p style="text-align: center;"><b>Evergreen Elm (Ulmus parviflora)</b></p> 	<ul style="list-style-type: none"> <li>▪ Existing tree along this street</li> </ul>
<p>Harbor Way</p>	<p style="text-align: center;"><b>California Pepper Tree (Schinus molle)</b></p> 	<ul style="list-style-type: none"> <li>▪ Provides shade for pedestrians</li> <li>▪ Stays smaller and narrower to maintain high-quality views</li> </ul>

## C. Major Streets

Figure 2.20: Diagram of existing and proposed streets addressed in these guidelines [see revised figure attached]

There are several key streets within the Waterfront that serve to link the three districts as well as to link the Waterfront with the broader reaches of Vallejo, the Downtown, and Mare Island. The following guidelines describe the envisioned design of these key streets, including Mare Island Way, Georgia Street extension, and Marin Street extension.

## 1. Mare Island Way

The design of Mare Island Way is critical to creating a vibrant and dynamic interaction between the ferry terminal, the Waterfront parks and Promenade, and areas to the east of Mare Island Way, including the Downtown, existing neighborhoods, and portions of the Waterfront Districts. Since Mare Island Way is a major arterial street that will carry relatively high volumes of auto and bus traffic, it requires careful design in order to balance these modes with bicycle and pedestrian access. It is particularly important to avoid an environment that is dominated by motorized traffic and that then creates a barrier to pedestrian movement between uses on either side of the street. In order to achieve a strong connection across Mare Island Way, it is essential to provide safe and convenient crossings for pedestrians. Overall, the design needs to consider the pedestrian as equally important, if not primary, to all other modes of travel. Pedestrians should feel safe and comfortable walking to and along both sides of Mare Island Way as well as across it. Giving priority to pedestrians in the Central Waterfront is of particular importance given the high-level of pedestrian activity generated by the ferry terminal. This activity will only increase in the future with expanding ferry service, other additional transit, and new development in Vallejo Station and Downtown Vallejo.

Mare Island Way represents the spine of the three Waterfront Districts, similar to Georgia Street's function as the "spine" of Vallejo's Downtown. The perception of the street as a connecting element and as the primary access route is reflected in and reinforced by the street's physical and design characteristics along its entire length, and the implementing these Design Guidelines will reinforce and improve the existing character and function of Mare Island Way. In doing so, it is important to recognize that while the street should be perceived as a whole, it is equally important for the specific conditions in the context of the street to be reflected in its design and functionality. For example, the character, size, and design elements between the curb and adjacent development vary if the sidewalk is adjacent to a parking lot, a park, or a retail storefront.

Cross-sections and detailed discussions on proposed improvements for Mare Island Way are provided within the individual district guidelines sections. The guidelines cover how the street should address specific conditions along particular segments within the three districts. Overall, however, the street is unified through consistent treatments for lighting, trees and landscaping.

~~The following series of cross-sections illustrates how specific conditions along a segment or in a particular location on Mare Island Way should be reflected in the design of the cross-section of the entire street or, like in most cases, the street's edge condition. The final paragraphs of this section summarize the key streetscape elements that lend continuity to the design of the street.~~

Figure 2.21: Mare Island Way and Section Location Diagram [this figure will be relocated to the various district sections]

~~The following sections are organized by location beginning at Mare Island's northern end and ending at the Marin Street extension intersection in the south.~~

### **Mare Island Way between Mare Island Causeway and Harbor Way**

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Northern Waterfront 2.3.3B]

~~Figure 2.22 illustrates the current configuration of Mare Island Way near Alabama Street, with the exception of the shown palm trees and pedestrian-scale light fixtures, which represent proposed additions to the existing streetscape in order to provide consistency with future improvements along other segments~~

of the street. Here, pedestrians on the west side of the street are buffered from traffic by a substantial landscape buffer of varying width. The sidewalk essentially has the character of a trail. This is appropriate as there are no existing or future uses that directly address the street and no destinations which pedestrian access would need to be provided to. On the east side of the street, pedestrians are somewhat buffered by the bike lane on Mare Island Way, however, it is anticipated that relatively few pedestrians would use this side of the street for longer travel along the busy arterial.

The addition of trees and pedestrian-scale light fixtures are the only changes proposed for this segment of Mare Island Way. Widening of the roadway may occur based on potential future improvements at the Tennessee Street/Mare Island Way intersection.

#### *Mare Island Way from Harbor Way South to Kentucky Street*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Northern Waterfront 2.3.3B]*

Figure 2.23 illustrates how the pedestrian environment can be significantly improved by widening the sidewalk to 8 feet and by introducing a tree-lined landscape strip that acts as a buffer between pedestrians and moving traffic on Mare Island Way. The landscape along the back of the sidewalk provides a visual screen and buffer toward the proposed parking lot.

#### *Mare Island Way from Kentucky Street to Capitol Street*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Northern Waterfront 2.3.3.B and Central Waterfront 2.2.1.G]*

Improvements in this section of Mare Island will likely be minimal for the foreseeable future, as it was recently improved and little or no new development is planned in this area. Yet installation of pedestrian fixtures attached to the existing roadway fixtures and the planting of street trees to match the rest of the street would support the concept of Mare Island Way serving as a major linkage between the three Waterfront Districts.

#### *Mare Island Way from Capitol Street to Festival Green*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.2.1.G]*

Figures 2.24 and 2.25 illustrate the section of Mare Island Way at new residential development between Capitol Street and the future Extension of Festival Green. Figure 2.24 shows the proposed conditions for future improvements if first floor uses include retail or live/work. Figure 2.25 shows proposed improvements if the building use along this frontage is solely residential. Both alternatives assume a parking structure to be built underneath the buildings, which, while at grade at Civic Center Drive, would be partially exposed along Mare Island Way.

First floor Retail or Live/Work Option: In the case of retail or live/work uses along the first floor frontage of the building the proposed arcade (also see Private Realm Guidelines in Section C. Central Waterfront) would be accessed by sets of stairs from an 18.5 foot wide sidewalk on Mare Island Way. This sidewalk width is consistent with that proposed along the Vallejo Station frontage south of the parking garage entry. (see Section 3.1.1.B Building Frontage and Section 3.1.4 Parking Structures for guidelines on the desired treatment of exposed walls of the parking structures).

All Residential Option: Under this option, residential units are set back from the street by 20 foot landscaped area and accessed via stoops from a 15.5 foot sidewalk along Mare Island Way.

Throughout this block, the Waterfront street light fixture (used along all of Mare Island Way) should be combined with the pedestrian-scale Downtown post top fixture to convey the sense of proximity to Georgia Street and its linkage into the Downtown area to the east. The Design Guidelines encourage the use of the Downtown light fixture as the pedestrian-sealed fixture on the east side of Mare Island Way from Capital Street to Marin Street to define the relationship of the Central Waterfront and Downtown Vallejo. Proximity to the important nexus of Georgia Street, Vallejo Station, and the ferry terminal should be further conveyed by the use of banners mounted to the Waterfront street lights in this area.

The section also illustrates how 5-foot bicycle lanes can be incorporated into the cross-section of the street without moving curbs. This is critical to the goal of providing bicycle lanes along the sections of Mare Island Way that currently lack this important element.

*West Side of Mare Island Way Adjacent to Festival Green to North End of Ferry Building*

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.G]

Planned Final Improvements: It is the City's intention to redevelop the area that is currently to the north of the ferry terminal and across from the Festival Green into a continuation of the Festival Green to the Waterfront Promenade. When this occurs, the width of sidewalk on the west side of Mare Island Way and tree planting areas should be widened to 5 and 8 feet respectively, as is illustrated in Figure 2.26.

Interim Recommendations: The existing "Front Room" restaurant north of the Ferry Building has a long-term lease, and when the Festival Green can be expanded into this area, as mentioned above, is not certain. In order to ensure that the pedestrian environment along the restaurant's parking lot is improved, the following interim streetscape and sidewalk design recommendations should be considered.

Improvements to the sidewalk are limited by the minimal available right of way in this location. Figure 2.27 illustrates how a significant improvement over the existing conditions can be achieved by placing trees in tree wells fitted with tree grates and by placing a 3.5 high landscape screen (hedge) between parking lot and sidewalk.

*East Side of Mare Island Way along Festival Green to Georgia Street*

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.G]

Figure 2.28 illustrates the how Mare Island Way interfaces with the Festival Green north of Georgia Street. The addition of pedestrian-scale Downtown lights and banners to the Waterfront street lights is critical to the improvement of existing conditions. The row of Downtown fixtures along the sidewalk will demarcate the edge of the green along Mare Island Way.

A 29-foot setback of active open space uses from the face of curb along Mare Island Way should be observed according to requirements contained in the Noise Element of Vallejo's General Plan (see Figure 2.37 on page 31).

*Mare Island Way between Georgia Street and Maine Street*

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.G]

The configuration of sidewalks and cross-walks between and at the intersection of Georgia Street and Mare Island Way in the north and Maine Street and Mare Island Way in the south are critical given the

high level of pedestrian activity in the area and the extent to which pedestrian activity will increase in the future. It is at these two intersections and along this block, where links to and from the ferry terminal, regional and local busses, waterfront open spaces, and retail and civic uses converge.

To successfully implement the envisioned connection of the Downtown to the Vallejo Waterfront along Georgia Street it is essential that functional and safe crosswalks across Mare Island Way be provided which visually tie in with future improvements on the Waterfront side of the street. In addition, the Design Guidelines propose some adjustments to the existing curbs and striping on Mare Island Way between the Georgia Street intersection and the intersection with Maine Street which facilitate improved pedestrian crossings of Mare Island Way, see Figure 2.29.

#### *Between Georgia Street and Entry to Parking Garage*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.2.1.G]*

The cross section for the segment between Georgia Street and Maine is illustrated in Figure 2.30. Benefits of this section include:

- β The shortening of the pedestrian crossing distance through the use of curb extensions (bulb outs) on both sides of Mare Island Way at pedestrian crosswalks (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.);
- β The crosswalk on the south side of the intersection should be 20 feet wide to provide sufficient space for larger crowds crossing at times when departures or arrival of ferries require the accommodation of larger pedestrian volumes;
- β The creation of a pedestrian refuge at the now 4-foot wide median allowing those who do not make it across the entire street on one “signal cycle” to wait safely for the next pedestrian signal;
- β Pedestrian countdown signals that indicate the remaining pedestrian signal “green time” should be provided for all directions of travel at this intersection;
- β The surface of the Mare Island Way crosswalks should be given an artistic treatment that ties in with the design theme of future improvements around the ferry building and plaza, and the Waterfront Promenade in this area. This will enhance the visual integration of the Festival Green on one side of the street and the Promenade as well as open spaces on the waterfront side;
- β The integration of bicycle lanes which can be connected to those already existing farther north on Mare Island Way;
- β Generous sidewalk space along the Vallejo Station frontage, where a mix of pedestrian activities needs to be accommodated, such as the boarding and alighting of bus riders, potential outdoor seating, access to storefront entries, window shopping, and people walking to and from Vallejo Station’s Paseo as well as Georgia Street Extension and destinations in the Downtown; and,
- β A clear definition of bus stop locations along bus bays on either side of the street.

In addition, the curb extension on the east side of the street creates additional space in front of the anchor building at the southeast corner of Georgia Street and Mare Island Way, which can be used to

accommodate potential outdoor seating, bicycle racks, newspaper racks, and other streetscape elements that lend further prominence to this most important site.

The design of the Georgia Street/Mare Island Way intersection and its crossings is an integral part of the reconfiguration of Mare Island Way in this location (See Figure 2.33). As these crossings are a further extension of Georgia Street, their design is further described in *Section 2. Georgia Street* of this chapter.

It should be pointed out that by maintaining the eastern curb of the existing median the proposed reconfiguration avoids the need for adjustments in the street's crown and therefore larger changes to the existing storm drainage system. Vehicular traffic will be unaffected by the proposed changes.

#### *South of Entry to Ferry Parking to Maine Street*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.2.1.G]*

The functional requirements for the proposed reconfiguration of Mare Island Way between the driveway into the ferry parking garage and the Maine Street intersection do not include the accommodation of bus bays, as current transit plans do not envision the need for buses to stop in this area. Instead on-street parking is provided in front of potential future retail uses along the building frontage on the east side of the street (see Figure 2.34). This parking provides convenience to shoppers wanting to stop for a quick errand, for visitors to the residential uses in Vallejo Station, and others needing a place to park for a short period of time. The sidewalks along this part of the block are, with 18.5 feet, still generous but reduced in width as compared to the segment north of the ferry garage driveway. This reduction is based on the lesser volumes of pedestrian activity expected to occur along this portion of Mare Island Way.

On the west side of the street the 15.5-foot wide sidewalk with trees in tree wells is separated from the adjacent parking lot by a landscaping strip of varying width. This guideline is provided as it is expected that this parking will continue to be used into the future for kiss and ride activities related to the ferry. The sidewalk is adequately sized to provide accommodation of pedestrians traveling to the Maine Street intersection on this side of Mare Island Way.

#### *Mare Island Way at Mixed-Use Building North of Marin Street Extension*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Southern Waterfront 2.2.1.E]*

The Marin Street Extension will provide access to a variety of uses in the Southern Waterfront District, including: housing, industrial, research and development, as well as a variety of Waterfront open spaces. It is therefore important to provide a recognizable entry where this street intersects with Mare Island Way. The proposed retail/office mixed-use building at the intersection of Mare Island Way and Marin Street Extension provides the opportunity for establishing a recognizable land use in this location with direct relationship to both streets.

The (at average) 20-foot deep distance from edge of traveled way to the mixed-use building and Mare Island Way is proposed to be utilized for accommodating on-street retail parking in parking pockets and a sidewalk of urban character, with street trees in tree wells covered by tree grates (see Figure 2.36). The character and design of the streetscape elements in this area is the same as the Mare Island Way improvements discussed earlier. This consistent use of design elements serves to tie together the different sections of Mare Island Way.



### *Street Tree Options for Mare Island Way*

Street trees are the major design element that can be used to create a consistent character along the length of a street that is comprehensible to those driving along the street and those bicycling or walking along the street. The challenge on a street with a context like Mare Island Way's is creating a memorable pattern of street trees while maintaining important views across the street. The earlier Vallejo Waterfront/Downtown Master Plan for Public Spaces did not propose street trees along the majority of Mare Island Way. These guidelines provide two choices for balancing the importance of trees for character and shade along the street, and the need to maintain and enhance views towards the Mare Island Strait from the street and development to the east.

All Mare Island Way cross-sections presented in these guidelines illustrate Canary Island Palms (*Phoenix canaryensis*) as the consistent street tree for the street (Figure 2.38). This choice maintains views but may not achieve the character or shade desired for Mare Island Way. However, as a potential alternative is also provided which would plant a larger tree with a narrower form, such as the Frontier Elm (*Ulmus 'Frontier'*). In this pattern (Figure 2.39), the spacing of the trees provides a "window" for views towards the Strait.

### *Unifying Streetscape Elements for Mare Island Way*

It is critical to enhance the character of Mare Island Way as the main connector of all Waterfront Districts. In order to achieve this the various streetscape elements for Mare Island Way have been selected to create a consistent character along the street, including using the color of the existing new light fixtures along the street on new streetscape elements such as benches, trash receptacles, bollards, and pedestrian scale light fixtures. Overall, the set of streetscape elements along Mare Island Way includes:

- Street Lights (for lighting that includes the roadway)
- Pedestrian-scale Lights
- State flags
- Tree Grates
- Trash/Recycling Receptacles
- Benches
- Bicycle Racks
- Bollards

For more details on these street furnishings, please refer to *Section B: Street Trees, Lighting, and Furnishings*.

## **2. Georgia Street Extension**

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.A]

Georgia Street is the civic and main street connecting Downtown Vallejo and the Waterfront. It will be associated with a variety of open space, civic, cultural and commercial amenities uses that will effectively bridge the downtown to the waterfront and the Ferry Terminal. For this reason lighting, furnishings and street trees are defined in a consistent manner to Vallejo's Downtown.

Cross-sections and detailed discussions on proposed improvements for Georgia Street are provided within Section III.C.2.2.1.A.

Georgia Street is the civic and main street connecting Downtown Vallejo and the Waterfront. On the Vallejo Station side of the street it will be lined by a mix of uses that may include retail, office, live-work, and residential. Opposite, on the north side of the street, is the civic heart of Vallejo including the Public Library, City Hall, Dr. Martin Luther King, Jr. Plaza, and the Festival Green where civic, cultural, and community events take place. Georgia Street also acts as the primary link between these uses and the Waterfront and its amenities, including the Ferry Terminal. Georgia Street will see large volumes of pedestrian activity and, as a result, the intersection of Georgia and Mare Island Way will become the most visible and visited corner of the Waterfront. In order to strengthen this link, the Guidelines treat this street as a continuation of the Downtown by extending the design specified for Georgia Street in the Downtown Specific Plan and Guidelines to this section of the street. In addition, the proposed treatment of the street builds on concepts discussed in the Downtown Specific Plan including the preservation of views from Georgia Street across the existing civic open space of Dr. Martin Luther King, Jr. Plaza and the Festival Green, across the central waterfront to the waterfront along Mare Island. The long term goal of redeveloping the northern parking lot at the Ferry Terminal and of "The Front Room at the Wharf" restaurant will further strengthen the linkage between the Waterfront and Downtown.

Figure 2.41 illustrates the proposed section for Georgia Street. As in the Downtown, it includes an 18-foot sidewalk to accommodate the high amount of pedestrian traffic foreseen for this street and to provide sufficient room for shoppers to window shop, and restaurants and cafés to place small tables or chairs along their storefronts without obstructing the clear space for pedestrians moving along the street. Furnishings used along Georgia Street, such as benches, trash receptacles and light fixtures will all match those used in the Downtown portion of Georgia Street to further strengthen the linkage between Waterfront and the Downtown. This includes using the Downtown light standards on both sides of the street (See Section II B for additional information on lights, furnishings and street trees.).

## **2.1 Georgia Street Extension Crossing Design**

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.A]*

Safe and convenient pedestrian crossings are a critical component for the design of a successful main street. This is particularly true in an area with a mix of uses that provides visitors with the opportunity to link visits to multiple destinations into a single walking trip. Such an environment exists along Georgia Street west of the Downtown, which will not only attract shoppers but also people visiting one of the several civic buildings in the area, relaxing or playing on the Festival Green, congregating in Dr. Martin Luther King, Jr. Plaza, traveling to and from the ferry, or visiting open spaces in other parts of the Waterfront while being in the area. High quality crosswalks are needed at the intersections of Georgia and Santa Clara, the proposed Civic Center Drive, and at Mare Island Way. The following guidelines apply to the crossings at intersections along Georgia Street.

### *Intersection of Georgia and Santa Clara Streets*

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts –Central Waterfront 2.2.1.A]*

Crosswalks that include key design elements already exist at the Georgia at Santa Clara intersection.

Pedestrian countdown signals that indicate the remaining pedestrian signal "green time" should be considered for this intersection.

### *Intersection of Georgia Street and Proposed Civic Center Drive*

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.2.1.B]

High visibility of crosswalks at the intersection of Georgia Street and proposed Civic Center Drive are critical at this non-signalized T-intersection. In addition, it is critical that a curb extension be provided across from Civic Center Drive spanning the whole width of the intersection (see Figure 2.43 The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.).

### *Intersection of Georgia Street and Mare Island Way*

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.2.1.A]

To successfully implement the envisioned connection of the Downtown to the Vallejo Waterfront along Georgia Street it is essential that functional and safe crosswalks across Mare Island Way be provided which create strong visual linkages between both sides of the street.

Curb extensions should be provided on Mare Island Way to shorten the current considerable crossing distance (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.). The crosswalk on the south side of the intersection should be 20 feet wide to provide sufficient space for larger crowds crossing at times when departures or arrival of ferries occur. On the south side of the intersection a 4 foot wide pedestrian refuge at the end of the narrow median adjacent to the left turn lane creates a refuge for pedestrians unable to complete crossing of Mare Island Way during a single pedestrian signal period. Pedestrian countdown signals should be provided for all directions of travel at this intersection to let pedestrians know how much time they have to cross the street and if they should wait for the next signal.

The surface of the Mare Island Way crosswalks should be given an artistic treatment that ties in with the design theme of future improvements around the ferry building and plaza, and the waterfront promenade in this area. This will enhance the visual integration of the Festival Green on one side of the street and the open spaces and Promenade on the Waterfront.

## **3. Marin Street Extension**

The proposed Marin Street Extension not only provides access to new residential, retail, and industrial/research & development uses, but also to marina facilities, such as boat launch, and future open spaces and the Promenade extension in the Southern Waterfront District. Through the link to Solano Avenue at its southern end, uses along the Marin Street Extension can also be accessed from areas to the east of Highway 29.

Cross-sections and detailed discussions on proposed improvements for the Marin Street Extension are provided within Section III.B.2.2.1.A.

[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Southern Waterfront 2.2.1.A]

High levels of pedestrian activity are expected on this street, because of its linkages to future waterfront destinations as well as new and existing residential areas. The waterfront destinations also create “desire lines” for pedestrian travel across Marin Street Extension in several locations. It is therefore critical that

the travel speed of vehicular traffic is kept appropriately low (at 25 mph) and that high-visibility pedestrian crossings with curb extension be included in the street's design.

Figures 2.45 through 2.47 illustrate the proposed sections for Marin Street Extension. The roadway between the curbs is consistently configured to accommodate trucks with boat trailers in tow and the on-street parking needs of such vehicles. The design of the street section beyond the curbs, however, changes according to the adjoining land uses.

β Along residential uses, a setback of 33.5 feet between the face of curb and residential buildings provides a pleasant and comfortable walking environment that includes a landscape strip along the edge of the street as well as a landscaped front yard that is separated from the sidewalk by a low wall with a trellis or a low fence. This setback also provides a good balance between the desired privacy for ground level residences, maintaining high-quality views from the residences' porches to the park and Mare Island Strait, and providing an element of safety for the area with "eyes-on-the-street" and park (Figures 2.45 and 2.46);

β Along the proposed mixed-use building at the Curtola Parkway intersection a more urban sidewalk of 20-foot width, including the area for landscaped tree wells, and streetscape is provided to accommodate pedestrians entering and exiting ground-level shops and walking to and from the parking lot behind the building. (Figure 2.45);

β Towards the southern end of Marin Street extension adjacent to the research and development area, the cross-section of the street remains consistent with the residential area with an 8-foot wide landscaped strip and 6-foot wide sidewalk. But the building setback is a 16-foot "build-to-line" with the area used for landscaping between the building and sidewalk; this provides for a visual linkage between activity in the building and the street and park. (Figure 2.47); and,

β Along the frontage of future park areas in the Southern Waterfront an 8-foot sidewalk is provided to accommodate pedestrians strolling at the park's edge. An 8-foot landscape strip provides for street trees and a landscaped buffer between the sidewalk and the street. (Figures 2.46 and 2.47).

It is critical to ensure that travel speeds of vehicular traffic along Marin Street extension remain low (at 25 mph), and that pedestrians can cross the road safely in locations where key connections exist between the residential development on the east side of the street and the waterfront park and Promenade on the west side. Therefore, it is highly recommended that a roundabout or a three-way stop intersection be provided where the road bends adjacent to the entry to the boat launch parking lot.

A possible roundabout configuration of the street is illustrated in Figure 2.49 which integrates the entry into the boat launch parking lot and provides the opportunity to accommodate a highly visible landscape or public art feature in the center of the circle. The roundabout's geometries would be designed to slow traffic to the desired speed level while accommodating all vehicle movements required for this area, including trucks with boat trailers. The pedestrian crossings would include well marked crosswalks and refuges, as per "best practices" recommended by the Federal Highway Administration (FHWA).

As an alternative to the roundabout, a three-way stop signed intersection could be provided as illustrated in Figure 2.50. This would also achieve the goals of providing safe pedestrian crossings and slowing vehicular travel speeds. Similar to the roundabout, this configuration also integrates the entry to the boat launch parking. Curb bulb-outs should also be provided to shorten crossing distances and to visually reduce the width of the roadway, a common traffic-calming technique. Compared to the roundabout

option, the three-way intersection does not take up as much space, but provides a less of an opportunity for inclusion of art work or other design feature as a landmark for the Southern Waterfront District.

## D. Gateways

At key locations where the Waterfront Districts connect with adjacent areas, primarily at major street intersections, consideration needs to be given to the design of elements of these locations as gateways that mark entry into Vallejo's waterfront. There are three "primary" gateways and six secondary gateways defined in these Design Guidelines. (Figure 2.51):

### 1. Primary Gateways

Primary gateways are those locations where the highest volumes of people will enter into the Waterfront whether arriving by transit, auto, bicycle, or on foot. The scale and geometry of the intersections at these locations and the desire to maintain open views towards the Waterfront preclude the use of physical arching gateway structures to mark the Primary Gateways. Also, the use of banners or other more temporary elements to mark the gateways is discouraged. Rather, the Design Guidelines recommend the use of landscape and streetscape elements at or adjacent to corners, and at one location a building, as landmarks for these gateways. The unified approach to the landscape and streetscape of major streets in the Waterfront will also serve to mark entry into the Waterfront planning area from other parts of the city. The Primary Gateways include:

1. Northern Gateway
2. Central Gateway
3. Southern Gateway

Further discussion of each District's Primary Gateways can be found in Section III within each District Section.

#### **1.1 Northern Gateway**

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Northern Waterfront 2.4]*

The northern gateway is located at the intersection of Mare Island Way with Mare Island Causeway, Tennessee Street, and Wilson Avenue Intersection. This is the most challenging gateways to the Waterfront, because of the scale of the intersection and because the four roadways that intersect here provide access to distinct areas of Vallejo and in some cases important regional transportation connections. The southwest corner of this intersection is visible for those who are approaching the Waterfront from either Wilson Avenue or Tennessee Street. The improvements to Parcel A in the Northern Waterfront District include this corner and propose to construct an accent wall and landscaping in this location. In addition, the street trees and general streetscape improvements that are proposed for Mare Island Way could be used to frame the proposed accent features to highlight this point as a major gateway to the Waterfront. Similarly, street trees and other elements of the streetscape improvements could be used in the park space at the south east corner of the intersection to frame this gateway.

## 1.2 ~~Central Gateway~~

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Central Waterfront 2.3]*

The central gateway is located at the Georgia Street and Mare Island Way Intersection. This gateway needs no special gateway treatments in the public realm. The combination of the major public open spaces of the Festival Green at the northeast corner, the expansion area of the Festival Green on the waterfront side of the intersection, the adjacency of the ferry terminal building, and the special treatment of the crosswalks and bulb-outs at the intersection, along with the high level of pedestrian activity in the area will do much to make this gateway a memorable place.

This is the one primary gateway that can be particularly enhanced by the design of adjacent private development. The new building that will be constructed as part of Vallejo Station at the southeast corner of the intersection needs to be designed and have ground level activity that enhances the gateway as a memorable and special place. The guidelines for this location in Chapter III will work to achieve this goal by recommending a landmark architectural treatment of the building's corner and by encouraging the development of ground floor retail or restaurant commercial use that opens onto the adjacent sidewalk and corner bulb-out.

## 1.3 ~~Southern Gateway~~

*[This section and any figures associated with the text have been relocated to Section III Waterfront Districts – Southern Waterfront 2.3]*

The southern gateway is located at the intersection of Curtola Parkway and Sonoma Boulevard. This gateway has some of the same challenges as the northern gateway given the size of the streets that intersect here and the skewed geometry of the intersection.

This gateway should be highlighted by landmark streetscape or monument features at the southwest and northwest corners of the intersection. These features would frame the entry towards Mare Island Way as one approaches the intersection along north or south bound Sonoma Boulevard or west bound Curtola Parkway. Alternatives for the gateway treatment include:

β Use of street trees to highlight the gateway. Depending upon the street trees that are selected for Mare Island Way, either more closely spaced palms or elms could be planted along the first 40 to 60 feet of the street moving west from the intersection. An additional highlight could be provided by planting flowering plums closer to the intersection.

β Built landmarks could be used to highlight the gateway. These could be either public art pieces or architectural monuments.

## 2. Secondary Gateways

Secondary Gateways are also important entry points into the waterfront and connections to adjacent neighborhoods. These gateways address intersections where lower volumes of traffic, both auto and pedestrian. Design elements should also emphasize these important intersections. Use of streetscape, landscaping, or built landmarks is also the recommended approach for marking the secondary gateways in the Vallejo Waterfront. The secondary gateways include:

1. Mare Island Way and Marin Street Intersection

2. Mare Island Way and Maine Street Intersection
3. Maine Street and Santa Clara Intersection
4. Mare Island Way and Kentucky Street Intersection
5. Mare Island Way and Harbor Way Intersection

Further discussion of each District's Secondary Gateways can be found in Section III within each District Section.

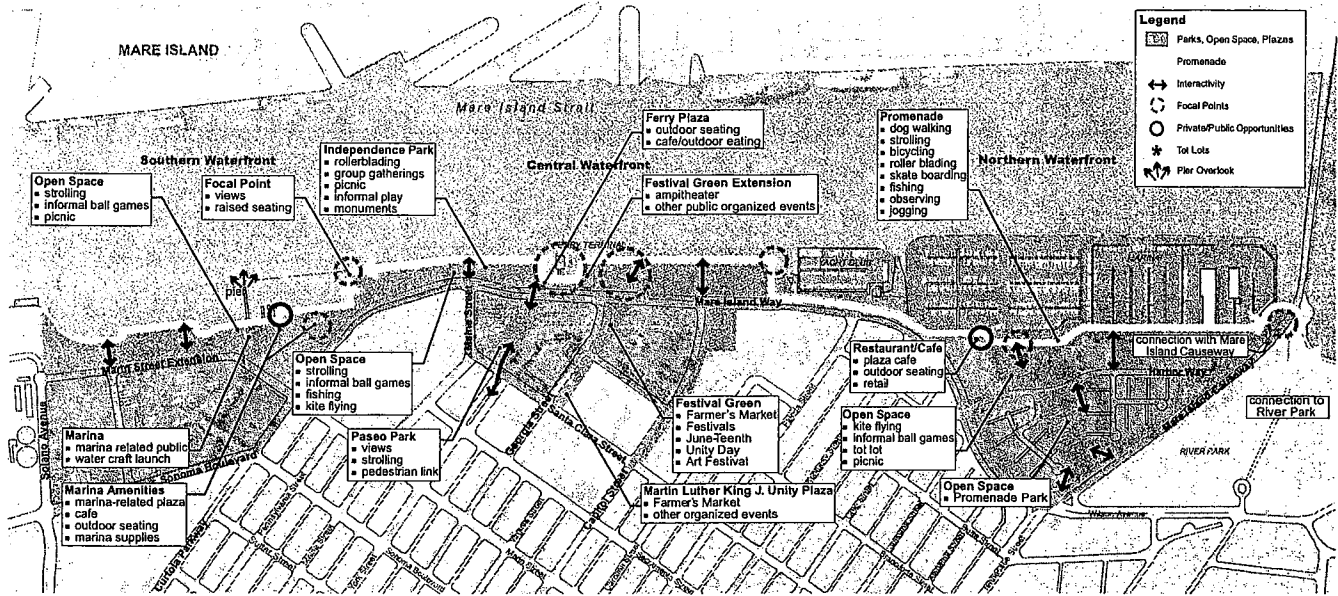


Figure 2.1: Waterfront Parks and Open Space Framework

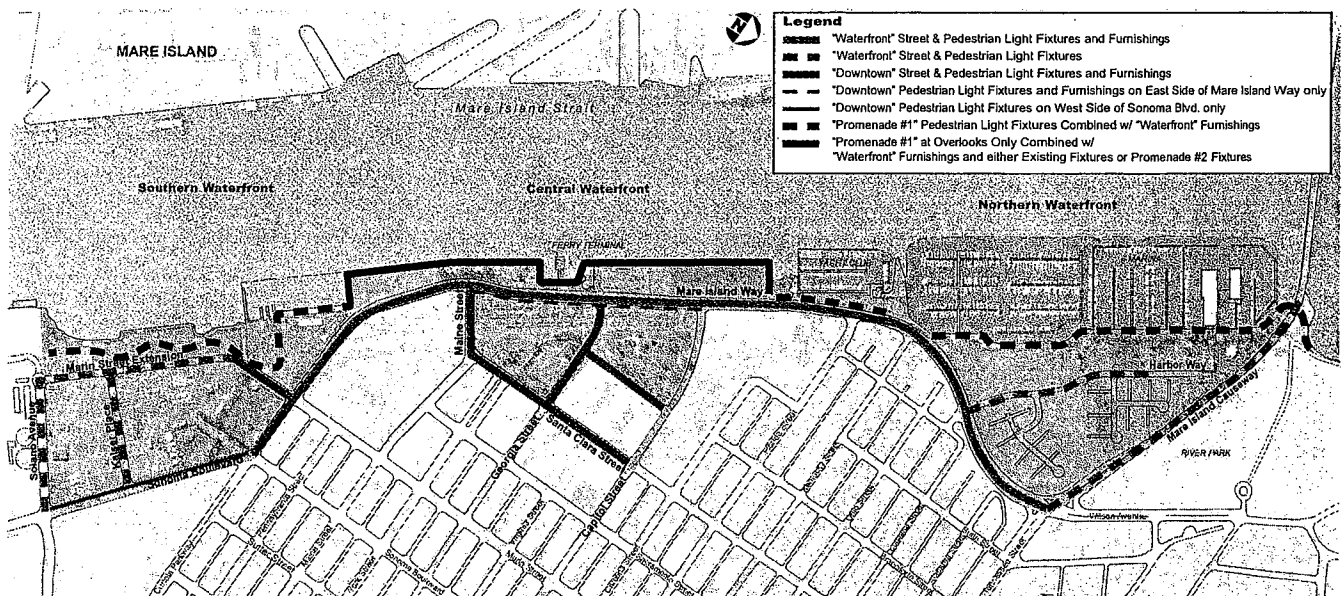


Figure 2.8: Street Furnishing and Light Fixture Concept Diagram



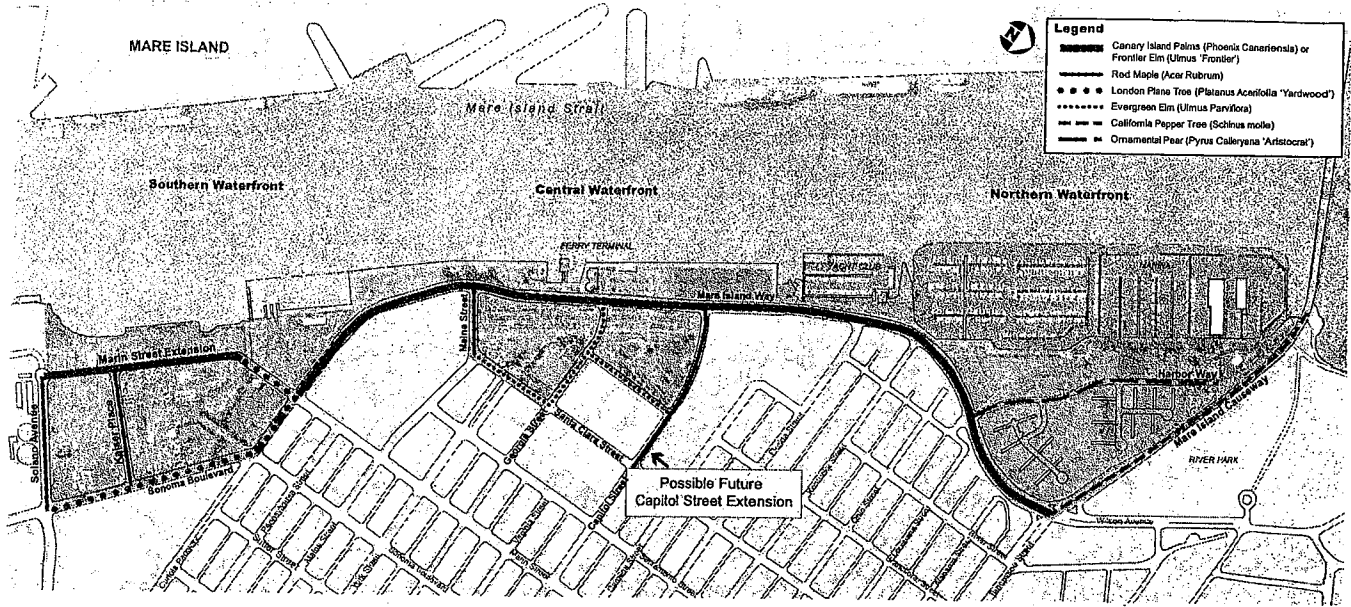


Figure 2.19: Diagram of Street Trees selection within the Waterfront

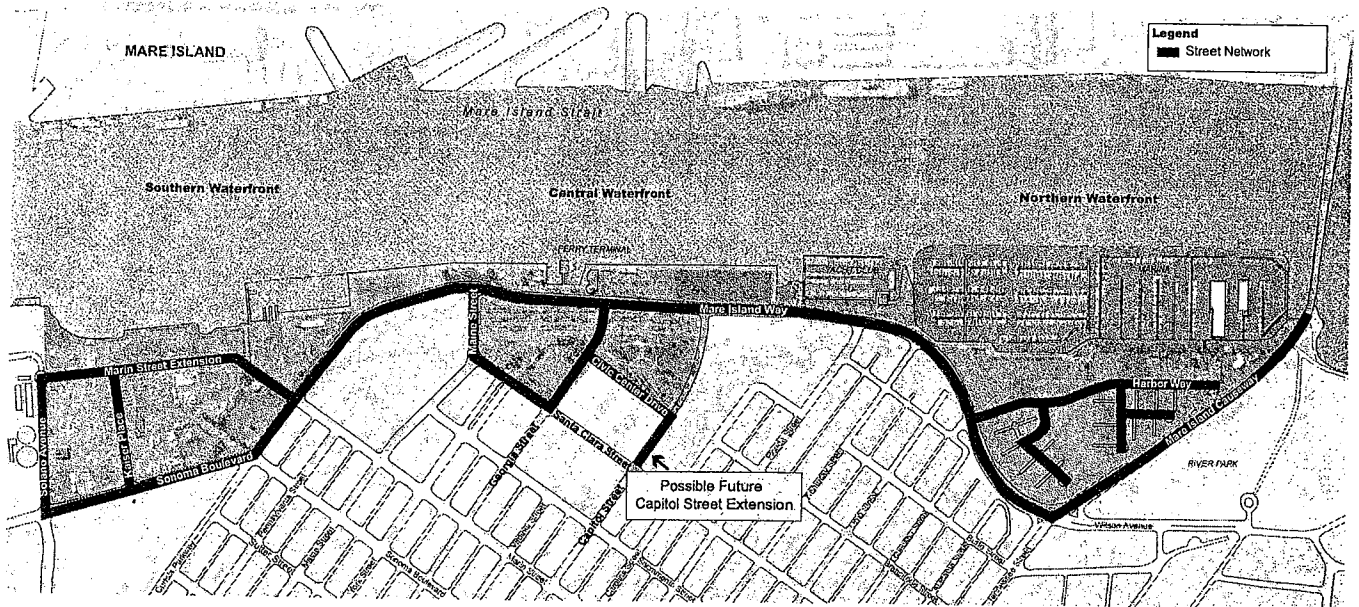


Figure 2.20: Diagram of existing and proposed streets addressed in these guidelines

## **B. Southern Waterfront District**

### **1. District Character and Context**

The future character of the Southern Waterfront District will be determined largely by future new development rather than its current context, with exception of the existing maritime uses (public boat launch). As with all Waterfront Districts, the most critical assets of the District are its exceptional views of Mare Island Strait and the opportunity for creating a public park along the waterfront with direct pedestrian, bicycle, and vehicular linkages between this portion of the waterfront and the Downtown (via Marin Street) as well as other parks and segments of the Promenade located in the Northern and Central Waterfront Districts. (Figure 3.B.1)

The character of this District will be less intensive compared with the Central Waterfront, but contain a similar mix of uses. However, uses will be mixed horizontally rather than vertically. From north to south the District will transition from a mixed-use commercial and public character to residential and then to a more industrial character at its southern end; where sites for research & development/light industrial buildings and a postal facility provide a transition to the heavier industrial uses farther to the south outside of the planning area (see Figure 3.B.2).

Residential frontages along Sonoma Boulevard (State Route 29) and Curtola Parkway will have strong landscape edges to offset the development from the higher speeds and volumes of traffic on these roads, while providing views into and potentially through the site from the intersection of Sonoma Boulevard and Curtola Parkway. Overall, residential and other uses are strongly oriented towards the new waterfront park and the Marin Street extension, which provides a strong linkage between the District and the Downtown. The linkage to the Downtown is also signified by the mixed-use (retail/office) building at the corner of Marin Street and Mare Island Way.

The District will not have as much pedestrian traffic as the Central Waterfront, because of the lower intensity of development both in the District and around it. This will result in a “quieter” environment and support the Design Guideline’s approach of creating a more naturalistic design for its open spaces. The public open space program also includes a public boat launch and a bait shop, which cater to recreational fishing and boating activities.

### **2. Public Realm Guidelines**

#### **2.1 Waterfront Promenade, Parks, and Open Space Guidelines**

This section provides guidelines for these important public spaces and also includes several concept sketches that are illustrative of the intent of the guidelines.

##### **2.1.1 Waterfront Promenade Design Elements**

Overall, the Waterfront Promenade in the Southern Waterfront is envisioned as less formal in character as compared to the “hard edged” seawall section of the Promenade in the Central Waterfront, which does extend into the northern portion of the Southern Waterfront District up to the boat launch. In the riprap-edged section of the Southern Waterfront the path does not have to simultaneously form an edge against the water, a condition that lends itself to defining the Promenade more as a path in the park. This is supported by the recommended more naturalistic landscape design for the Southern Waterfront Park, and may include the use of more native plants than other landscaped areas in the Waterfront. At the same

time, visually strong connections should be provided between park and Promenade and development east of the Marin Street extension.

Figure 3.B.4 illustrates a prototypical cross section for the Promenade in the Southern Waterfront, which, at 14 feet width, can be used as an informal multi-purpose trail that also serves bicyclists. The sense of safety for Promenade users should be raised by locating the “Promenade #1” pedestrian-scale fixture alongside the path at approximately 40 on center. Furnishings, such as trash receptacles and benches should be selected from the “Waterfront” palette described in *Chapter II – Unifying Elements*.

### **2.1.2 Parks and Open Space**

This section of the Guidelines provide specific guidance for the design of key open spaces within the Southern Waterfront District. It includes improvement diagrams and key guidelines give direction regarding the critical aspects of future improvements, as well as sketch concepts of sample improvements as they might result from the guidelines.

#### **Southern Waterfront Area A**

This area is located between the Promenade and Mare Island Way, the parking lot for the new mixed-use commercial development, and the boat launch (Figure 3.B.5) is currently fenced-off and inaccessible from the Promenade as it is a private use. Improvements in this area should create an open green space with a focal point at its center while providing pedestrian access from both the Promenade to the adjacent parking lot. (Figure 3.B.6) The existing bait shop in this area should be relocated to one of two potential locations further south, in Area B, as discussed below.

#### *Guidelines*

1. Create an area at the center of Area A as a focus to the open space. This can be achieved using features such as special paving, planters clusters of small columnar trees or a relatively small gazebo or other structure. If a structure is used it should be designed with an open, visually permeable exterior to avoid blocking views.
2. Seating should be provided within the focal feature or just adjacent to it, as shown in the conceptual design illustrated in Figure 3.B.7. The seating should provide views of the waterfront, which may be achieved through light berming of the ground plane or otherwise built-up seating areas.
3. Provide crosswalks with special paving within the parking lot adjacent to Area A at the locations indicated in the diagram.
4. Create internal pedestrian circulation routes through Area A that connects through the adjacent parking lot from the central focal area and the Promenade to the pedestrian circulation adjacent to the new mixed-use building.
5. Pedestrian paths within the park should be aligned with pedestrian crosswalks and Overlooks along the Promenade.
6. Provide buffer landscaping along adjacent surface parking lots in accordance with guidelines in Section 3.1.4 Off-Street Parking Areas. Buffer landscaping should include small trees along the southeast edge of Area A.

7. Provide a visual buffer consisting of low shrubs and plantings along the northeast edge of Area A, between it and Mare Island Way.
8. Use the standard "Waterfront" light fixture and street furnishings along Mare Island Way, and the standard "Promenade #1" light fixture and "Waterfront" furnishings along the Promenade.
9. Maintain unobstructed views along the western edge of the Promenade.

### ***Southern Waterfront Area B***

Area B currently consists of a surface parking lot, a public boat launch and attendant parking areas, and vacant land. (Figure 3.B.8) In this area, the waterfront Promenade terminates where the public boat launch creates a barrier to pedestrian circulation along the water's edge. Open space improvements for this area should specifically address pedestrian circulation that provides a continuation of the Promenade at appropriate widths and an additional circulation option across the boat launch area, as illustrated in Figure 3.B.9. The design of the Promenade in this area needs to be coordinated with the proposed future mixed-use building at the corner of Mare Island Way and the Marin Street extension and the parking lots associated with the mixed-use building, the boat launch, and the relocated bait shop.

### ***Guidelines***

1. Create a primary pedestrian connection through Area B and around the boat launch area as illustrated in Figure 3.B.10.
2. Create a secondary pedestrian connection directly along the Waterfront and across the boat launch facility. This connection should include a specially paved or marked area along the edge of the boat slips to warn pedestrians of potential conflicts with boats and trailers at the water's edge.
3. Provide buffer landscaping along adjacent surface parking lots in accordance with guidelines in *Sections 3.1.4 Off-Street Parking Areas*. Buffer landscaping should include rows of trees on either side of the Promenade where it runs in between the surface parking lots of the mixed-use building and the boat launch.
4. Install a feature, such as public art, in the center of the proposed traffic circle (if this option is chosen over the three-way stop intersection) at the boat launch entrance on the Marin Street extension. This feature should be visible to both pedestrians and motorists and should draw attention to the vehicle and pedestrian access to the Waterfront at this location.
5. The existing bait shop should be relocated from its current site in Area A to one of two alternative locations in Area B. Both potential locations are illustrated in Figure 3.B.9. The proposed relocation of the bait shop will enhance the area by either marking the "deflection" of the Promenade away from the water's edge (Alternative 1), or by anchoring the beginning of the more naturalistic and meandering portion of the Promenade to the south (Alternative 2).
6. Enhance viewing opportunities from the area by creating a platform at the end of the existing pier.
7. Promenade and secondary paths of the Waterfront Park south of the line indicated in Figure 3.B.9

should be surfaced with decomposed granite as opposed to concrete or asphalt.

8. Use the standard "Promenade #1" light fixture and "Waterfront" furnishings along the Promenade. Discontinue use of other fixtures along the Marin Street extension where this street's sidewalk and the Promenade coincide.

### ***Southern Waterfront Area C***

In the future, when residential and commercial uses occupy the Southern Waterfront District, safe crossings of the Marin Street extension and direct access to the amenities of the park should be provided for residents and employees. The character of the Waterfront in these locations is intended to be less formal than in the Central Waterfront. The concepts expressed in Figure 3.B.12 can be applied to any of the mid-block crossings along the Marin Street extension, and, with some modifications, the future intersection of this street with Kaiser Place. In general, the intent is to create visible extensions for pedestrian access and views to the Waterfront from key pedestrian access point along the Marin Street extension.

#### ***Guidelines***

1. Create safe and highly visible pedestrian crossings at key mid-block locations and the intersection of Kaiser Place and the Marin Street extension. These improvements should include bulb-outs on the east and west side of the Marin Street extension crosswalks with special paving.
2. Provide a distinct entry into to the Park at these locations. This may include the use of special paving and/or distinct planting.
3. A direct pedestrian path and view corridor from the crosswalks and entry areas to the Waterfront and a focal point should be provided. The focal point could consist of a thin vertical element, public art, or other special design features that is not an impediment to the view but that is visible as one walks along the Marin Street extension.
4. Rows of street trees planted along Kaiser Place or trees along pathways coming from the residential area out to the Marin Street extension should be extended on both sides of the pedestrian path through the park; these need not extend all the way through the Park. This will increase the visibility of the connection from the waterfront path and the street while framing views of the water from Solano Avenue.
5. Create a focal point and informal viewing spot located where the Promenade and access path intersect. The focal point should align with the crosswalks on the Marin Street extension. A focal point may consist of special paving, clusters of trees, or distinct landscaping (see conceptual plan in Figure 3.B.13).
6. Informal, secondary paths may branch off of the direct pedestrian connection between the focal point and crossings at the Marin Street extension, as illustrated in Figure 3.B.12.
7. Use the standard "Promenade #1" light fixture and "Waterfront" furnishings along the Promenade.

## 2.2 Circulation Guidelines

### 2.2.1 Street Guidelines

The following sections describe the design concepts for the streets in the Southern Waterfront, both new roads and existing roads that will be improved. The street trees that have been identified for use on these streets are described in *Section B.2 – Trees for Waterfront Streets in Chapter II – Unifying Elements and Linkages*.

#### 2.2.1.A The Marin Street Extension

*[This text has been relocated from Section II Unifying Elements and Linkages]*

The guidelines for the Marin Street extension are provided in *Chapter II – Unifying Elements and Linkages*.

The proposed Marin Street Extension not only provides access to new residential, retail, and industrial/research & development uses, but also to marina facilities, such as boat launch, and future open spaces and the Promenade extension in the Southern Waterfront District. Through the link to Solano Avenue at its southern end, uses along the Marin Street Extension can also be accessed from areas to the east of Highway 29.

High levels of pedestrian activity are expected on this street, because of its linkages to future waterfront destinations as well as new and existing residential areas. The waterfront destinations also create “desire lines” for pedestrian travel across Marin Street Extension in several locations. It is therefore critical that the travel speed of vehicular traffic is kept appropriately low (at 25 mph) and that high-visibility pedestrian crossings with curb extension be included in the street’s design.

Figures 2.45 through 2.47 illustrate the proposed sections for Marin Street Extension. The roadway between the curbs is consistently configured to accommodate trucks with boat trailers in tow and the on-street parking needs of such vehicles. The design of the street section beyond the curbs, however, changes according to the adjoining land uses. *[Figure number reference to be updated]*

- Along residential uses, a setback of 33.5 feet between the face of curb and residential buildings provides a pleasant and comfortable walking environment that includes a landscape strip along the edge of the street as well as a landscaped front yard that is separated from the sidewalk by a low wall with a trellis or a low fence. This setback also provides a good balance between the desired privacy for ground level residences, maintaining high-quality views from the residences’ porches to the park and Mare Island Strait, and providing an element of safety for the area with “eyes-on-the-street” and park (Figures 2.45 and 2.46);
- Along the proposed mixed-use building at the Curtola Parkway intersection a more urban sidewalk of 20-foot width, including the area for landscaped tree wells, and streetscape is provided to accommodate pedestrians entering and exiting ground-level shops and walking to an from the parking lot behind the building. (Figure 2.45);
- Towards the southern end of Marin Street extension adjacent to the research and development area, the cross section of the street remains consistent with the residential area with an 8-foot wide landscaped strip and 6-foot wide sidewalk. But the building setback is a 16 foot “build-to-

line” with the area used for landscaping between the building and sidewalk; this provides for a visual linkage between activity in the building and the street and park. (Figure 2.47); and,

- Along the frontage of future park areas in the Southern Waterfront an 8-foot sidewalk is provided to accommodate pedestrians strolling at the park’s edge. An 8-foot landscape strip provides for street trees and a landscaped buffer between the sidewalk and the street. (Figures 2.46 and 2.47).

It is critical to ensure that travel speeds of vehicular traffic along Marin Street extension remain low (at 25 mph), and that pedestrians can cross the road safely in locations where key connections exist between the residential development on the east side of the street and the waterfront park and Promenade on the west side. Therefore, it is highly recommended that a roundabout or a three-way stop intersection be provided where the road bends adjacent to the entry to the boat launch parking lot.

A possible roundabout configuration of the street is illustrated in Figure 2.49, which integrates the entry into the boat launch parking lot and provides the opportunity to accommodate a highly visible landscape or public art feature in the center of the circle. The roundabout’s geometrics would be designed to slow traffic to the desired speed level while accommodating all vehicle movements required for this area, including trucks with boat trailers. The pedestrian crossings would include well marked crosswalks and refuges, as per “best practices” recommended by the Federal Highway Administration (FHWA).

As an alternative to the roundabout, a three-way stop signed intersection could be provided as illustrated in Figure 2.50. This would also achieve the goals of providing safe pedestrian crossings and slowing vehicular travel speeds. Similar to the roundabout, this configuration also integrates the entry to the boat launch parking. Curb bulb-outs should also be provided to shorten crossing distances and to visually reduce the width of the roadway, a common traffic-calming technique. Compared to the roundabout option, the three-way intersection does not take up as much space, but provides a less of an opportunity for inclusion of art work or other design feature as a landmark for the Southern Waterfront District.

*[Figure number references to be updated]*

### **2.2.1.B Kaiser Place**

Kaiser Place is a new street in the Southern Waterfront District that provides access to residential uses along its north side, and to the future U.S. Postal Service facility and the light industrial/research & development area on the south side of the street. The street will also give residents and employees direct access to the Southern Waterfront’s open space.

Similar to the Marin Street extension, Kaiser Place will have a 40-foot wide roadway, with residential buildings set back from the curb by 35 feet (Figure 3.B.15). The street is designed to provide a transition from the residential uses on the north side to the light industrial uses on the south side. Sidewalks on both sides are sized for residential-level use, however a 24-foot wide landscaped berm between the southern sidewalk and adjacent light industrial uses provides a buffer for pedestrians on the street and more of a visual separation between the residential and light industrial uses. Both sidewalks are separated from the street by a tree-lined landscape strip, which enhances the overall residential character.

The light fixtures along Kaiser Place will match the Waterfront theme to reinforce the close connection between the uses along the street and the nearby Waterfront parks.

### **2.2.1.C Solano Avenue**

The parking lots of the light industrial businesses and the U.S. Postal Service facility front onto Solano Avenue and the existing sewer treatment plant on the far side of the street. Although it is not expected that high volumes of pedestrians will be traveling along this street, there still is a need for a streetscape that

appropriately buffers the north side sidewalk from the adjacent parking lots. Additionally, a landscaped buffer on the south side of the street will visually separate the sewer plant from the Southern Waterfront.

Figures 3.B.17 and 3.B.18 illustrate two alternative ways to buffer the sidewalk from the parking lots. Alternative 1 provides a buffer with a wider landscape area, Alternative 2 creates a similar effect by screening parked cars from view behind a berm that terminates in a low wall. While both approaches will be effective, the latter requires less space and may therefore provide more flexibility for pedestrian-friendly improvements internal to the parking lots.

Figure 3.B.18 also illustrates the otherwise compact design of the actual roadway, which provides lane widths sufficient to accommodate the larger vehicles that access the treatment plant as well as on-street parking along the north side of the street. The on-street parking provides a buffer between the sidewalk and the traffic on the street.

### **2.2.1.D Curtola Parkway**

The Curtola Parkway constitutes Mare Island Way's extension to the Sonoma Boulevard intersection, and is therefore an important gateway to the Vallejo Waterfront Districts. The Guidelines propose to modify the southern edge of the street to provide a better walking environment for pedestrians adjacent to the new residential neighborhood and to provide an appropriate edge and buffer between the street and the new homes.

Figure 3.B.20 illustrates the relationship between the roadway and the new residential buildings in the Southern Waterfront, which are set back from the curb edge by a total of 35 feet. Within this landscaped setback an 8 foot sidewalk is provided, which is buffered from the street by a 9 feet - 6 inch wide landscape strip. This separation is critical as there is no on-street parking on Curtola Parkway, and therefore a lack of additional buffering of pedestrians from the traffic on the street.

The light fixtures along Curtola Parkway will match those on Mare Island Way to provide a continuation of the Waterfront theme out to the primary entry point to the Waterfront Districts at the Sonoma Boulevard intersection.

### **2.2.1.E Sonoma Boulevard**

Sonoma Boulevard is a major artery of traffic in Vallejo that connects the Downtown with significant parts of the City and the region beyond. It is also State Route 29, and is under the jurisdiction of the State Department of Transportation (Caltrans). While these Guidelines do not propose any changes to the roadway cross-section of Sonoma Boulevard, similar to Curtola Parkway, improvements to the area beyond the curb are necessary in order to provide an appropriate walking environment along the west side of this wide and relatively high-speed and highly traveled street.

Figure 3.B.23 illustrates the proposed improvements, which would reconfigure the westernmost 16 feet-6 inches of the existing Sonoma Boulevard right-of-way. Very similar to the improvements described above for Curtola Parkway, the residential buildings will be separated from the roadway by a total of 35 feet, and a sidewalk that is buffered from traffic by a 10 foot tree-lined landscape strip.

The existing cobra-head type light fixtures should be supplemented by pedestrian-scale fixtures of the Downtown theme between the Sonoma Boulevard intersections with Solano Avenue and Curtola Parkway. This is intended to reinforce the sense of arrival for all modes of traffic as travelers approach the Downtown from the south on Sonoma Boulevard.



### **2.2.1.F Mare Island Way at Mixed-Use Building North of Marin Street Extension**

*[This text has been relocated from Section II Unifying Elements and Linkages]*

The Marin Street Extension will provide access to a variety of uses in the Southern Waterfront District, including: housing, industrial, research and development, as well as a variety of Waterfront open spaces. It is therefore important to provide a recognizable entry where this street intersects with Mare Island Way. The proposed retail/office mixed-use building at the intersection of Mare Island Way and Marin Street Extension provides the opportunity for establishing a recognizable land use in this location with direct relationship to both streets.

The (at average) 20-foot deep distance from edge of traveled-way to the mixed-use building and Mare Island Way is proposed to be utilized for accommodating on-street retail parking in parking pockets and a sidewalk of urban character, with street trees in tree wells covered by tree grates (see Figure 2.36). The character and design of the streetscape elements in this area is the same as the Mare Island Way improvements discussed earlier. This consistent use of design elements serves to tie together the different sections of Mare Island Way.

## **2.3 Gateways**

Figure 2.51: Diagram of Primary and Secondary Gateways within the Southern Waterfront *[see revised figure attached – figure numbers will be revised to correspond with this section’s figure numbering sequence]*

### **2.3.1 Primary Gateway**

*[This text has been relocated from Section II Unifying Elements and Linkages]*

The primary southern gateway is located at the intersection of Curtola Parkway and Sonoma Boulevard. This gateway has some of the same challenges as the northern gateway given the size of the streets that intersect here and the skewed geometry of the intersection.

This gateway should be highlighted by landmark streetscape or monument features at the southwest and northwest corners of the intersection. These features would frame the entry towards Mare Island Way as one approaches the intersection along north or south bound Sonoma Boulevard or west bound Curtola Parkway. Alternatives for the gateway treatment include:

- Use of street trees to highlight the gateway. Depending upon the street trees that are selected for Mare Island Way, either more closely spaced palms or elms could be planted along the first 40 to 60 feet of the street moving west from the intersection. An additional highlight could be provided by planting flowering plums closer to the intersection.
- Built landmarks could be used to highlight the gateway. These could be either public art pieces or architectural monuments.

### **2.3.2 Secondary Gateway**

The Secondary Gateway in the Southern Waterfront is located at the intersection of Mare Island Way and Marin Street. This intersection will connect the Downtown to the Southern Waterfront residential development and open space through the proposed Marin Street Extension. Use of streetscape, landscaping, or built landmarks is recommended for marking the Secondary Gateway to the Waterfront.

### 3. Private Realm Guidelines

This section includes district-specific guidelines that define the particular character of the Southern Waterfront District as a mixed-use residential/commercial area that is distinct from the character of the Central Waterfront. Where uses in the Central Waterfront are more varied and tend to be mixed within blocks, residential and commercial uses in the Southern Waterfront are accommodated in separate buildings and blocks. The exception being the building at the corner of Mare Island Way and the Marin Street extension, which combines ground-floor retail with office uses above.

#### 3.1 Site Design and Building Orientation

The Southern Waterfront District includes a diverse range of buildings and uses. Parking required for residential uses will be accommodated in structured parking underneath the units, while the parking related to retail, office, and other uses will be in surface parking lots. Because of its direct relationship to the surrounding open spaces rather than an orientation towards the public streets in the District, the bait shop building is discussed in *Section 2.1 – Waterfront Promenade, Parks, and Open Space Guidelines*.

##### 3.1.1 Relationship of Buildings to Streets and Open Spaces

Similar to development in the Central Waterfront, the residential buildings in the Southern Waterfront will create nearly continuous frontages along adjacent streets with breaks to provide semi-public open spaces and allow for pathways into the development’s interior. These openings also provide views into the development’s landscaped courtyards.

Deeper landscaped areas between buildings and the streets create a less urban character as compared to the proposed Central Waterfront development. The frontages of the Marin Street extension and Kaiser Place will be treated as front yards to create a more direct relationship between residential buildings and the District’s public open spaces. Similar to conditions in the Northern Waterfront, it is important to create a mutually enhancing relationship between buildings and landscaping/open spaces. The frontages along Curtola Parkway and Sonoma Boulevard provide a visual separation between the traffic along these streets and the residences and post office within the Southern Waterfront.

The mixed-use building at the corner of Mare Island Way and the Marin Street extension provides an opportunity to extend the character of Downtown to this location. Although only two stories tall, it will create a recognizable landmark that has a more urban relationship to the street.

The research & development/light-industrial building and postal facility between Kaiser Place and Solano Street are seen as a transition to the existing sewer treatment plant and heavier industrial uses located beyond the District’s southern end. The Guidelines capitalize on particular contributions that these buildings and their landscaping can make to the public realm.

##### 3.1.1.A Building Setbacks – Residential Buildings

1. Residential buildings should be set back from the back of adjacent sidewalks/the face of curb according to the following table.

Street	Distance from Back of Sidewalk	Distance from Face of Curb
The Marin Street extension and Kaiser Place	19 feet	33.5 feet

Solano Street	18.5 feet	35 feet
Curtola Parkway	17 feet	35 feet

### 3.1.1.B Building Setbacks – Non-residential Buildings

1. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: The Mare Island Way and the Marin Street extension frontages of the mixed-use building should be built directly abutting the sidewalk along these two streets. This will emphasize Marin Street’s relationship to the Downtown by anchoring the street corner in the same way a building in the downtown would. In addition, the direct relationship between first floor retail uses and the sidewalk will increase the visibility and connection between activity in the buildings and pedestrian activity on the streets.
2. Research & Development/Light Industrial Buildings: Buildings on the research & development/light industrial site should be set back 16 feet from the back of sidewalk along the Marin Street extension. Locating parking areas between buildings and the sidewalk is strongly discouraged in order to anchor this southernmost block along the Marin Street extension, and to focus human activity onto the street and the Waterfront Park across the street.

Along Kaiser Place, the parking area of the R&D/light industrial buildings should be separated from the adjacent sidewalk by a 24-foot landscape buffer. An 11-foot landscaped buffer should separate parking area and sidewalk along Solano Street (also see *Section 3.1.4 – Off-Street Parking Areas*).

3. Postal Facility: The setback of the postal facility’s main building should match that of the residential buildings to the north (18.5 feet) to maintain a visually consistent frontage along the street. The setback should be landscaped with ornamental landscaping of a more formal character, reflecting the civic nature of the post office.

Along Kaiser Place, the parking area of the postal facility should be separated from the adjacent sidewalk by a 24-foot landscape buffer. An 11-foot landscaped buffer should separate parking area and sidewalk along Solano Street (also see *Section 3.1.4 – Off-Street Parking Areas*).

### 3.1.1.C Building Frontage – Residential Buildings

1. Residential buildings along the Marin Street extension, Kaiser Place, Curtola Parkway, and Sonoma Boulevard should primarily form continuous, uninterrupted frontages of up to a maximum of 250 feet in length.
2. At a minimum, provide a break in the continuous building frontage every 250 feet. The break should be a minimum of 30 feet in width and provide views into and out of landscaped plazas and courtyards internal to the residential development.

3. If continuous frontages beyond 250 feet in length are desired along Curtola Parkway and Sonoma Boulevard, an open passageway should be provided through the first one or two floors of the building at maximum distances of 250 feet. Such passages should receive architectural emphasis through treatment of the building's façade articulation, rooflines treatment, and architectural detailing. The passages should also provide views into and out of the landscaped plazas and courtyards internal to the residential development.
4. Residential buildings should front streets, public, and semi-public (located on private property but made accessible to the public) open spaces with porches and stoops to individual unit entries, lobbies to upper-story units, living rooms, and dining rooms.

### **3.1.1.D Building Frontage – Non-residential Buildings**

1. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: In order for the building to successfully anchor the corner of Mare Island Way and the Marin Street extension it is critical that the primary façades of the proposed buildings directly relate to both streets with entries, windows, and engaging architectural detailing. Loading and service areas should be on the sides or rear of the building, or remote portions of the rear parking lot.
2. Research & Development/Light Industrial Buildings: Office uses and employee amenities, such as cafeterias and recreational facilities, associated with research & development/light industrial uses should be located along the Marin Street extension and Kaiser Place (across from the residential development). This will provide a more immediate relationship between more frequently populated portions of the building and adjacent open spaces and streets. Entries, windows, and engaging architectural detailing should be utilized to further enhance the façades along the Marin Street extension and Kaiser Place. Loading areas, roll-up doors, and other service areas of the development should be located away from and visually buffered from the Marin Street extension and Kaiser Place.
3. Postal Facility: The postal facility's main building should directly relate to Sonoma Boulevard and address this street with entries, windows, and a strong architectural presence. This will enhance the street's urban character a building frontage that reflects the proximity to Downtown Vallejo. Along Sonoma Street and Kaiser Place, the postal facility building may be separated from the street by surface parking areas and buffer landscaping.

### **3.1.2 Building Entries and Access**

Locating main entries on the street-facing side of buildings will create a strong relationship between the private realm and the public realm in the Southern Waterfront, with primary retail entrances relating directly to adjacent sidewalks; office, industrial, and post office entries oriented towards small landscaped plazas adjacent to streets, and residential entries of first floor units connecting to sidewalks via entry paths through landscaped front yards.

#### **3.1.2.A Residential Entry Orientation Guidelines**

1. First-floor residential units along the Marin Street extension and Kaiser Place should have individual entries that directly relate to these streets.

2. Lobby entries to upper floor units and units within the interior of the development along the Marin Street extension and Kaiser Place should also be oriented toward the street. Where buildings and lobbies are located interior to the residential block, lobby entries should be oriented towards the primary pedestrian circulation system within the block and whenever possible be visible from a public street.
3. Along Curtola Parkway and Sonoma Boulevard, any building entries that are provided from these streets should be through lobbies that are directly visible from these streets and accessed from landscaped entry plazas accessible from the public sidewalk.

### 3.1.2.B Non-residential Entry Orientation Guidelines

1. Every non-residential use should have its own entry directly from or connecting to a publicly accessible sidewalks, walkway, or plaza space.
2. Entries to retail spaces, restaurants, and cafes should be recessed to increase circulation space available to pedestrians who are entering and exiting the business.
3. At secondary building entries oriented towards parking lots, where sidewalk space is limited due to constraints of parking lot layout, recessed entry plazas should be provided to increase circulation space available for people accessing the building.
4. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: Primary entries into businesses and offices should directly relate to the adjacent sidewalks on Mare Island Way and the Marin Street extension. Secondary entries may be provided on the parking-lot side of the building.
5. Research & Development/Light Industrial Buildings: The main entries to the R&D/light industrial buildings should be integrated into façades facing the Marin Street extension. This will further the intended concentration of pedestrian activity along this route through the Southern Waterfront and give primacy to an “address” fronting onto the park (see Figure 3.B.25). Secondary entries may be provided on the parking-lot side of the buildings.
6. Postal Facility: The main pedestrian entry to the postal facility should relate to Sonoma Boulevard to focus pedestrian activity associated with this civic facility onto the street. The entry may be located at the southeast corner of the building to provide access from both Sonoma Boulevard and an adjacent parking lot. Secondary entries may be provided on the parking-lot side of the building.

### 3.1.2.C Entry Spacing Guidelines – All Buildings

1. Entry spacing for various uses should follow the guidelines below given for predominant ground-floor use. Entries for upper floor uses may count towards requirement.

Land Use	Maximum Distance	Minimum Average Distance
Residential	42 feet	36 feet

Retail	60 feet	40 feet
R&D / Office	120 feet	None

Table 3.B.2: Entry Spacing Guidelines

### 3.1.3 Visibility of Ground Floor Activity in Mixed-use Buildings

Visibility of ground floor activity is particularly important for the mixed-use buildings at the corner of Mare Island Way and the Marin Street extension and for the research and development/light industrial buildings at the southern end of the District. This will create an engaging pedestrian environment along the Marin Street extension, the major pedestrian route in the District, and fronting onto the Southern Waterfront Park.

1. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: Clear windows should dominate the façades along all street frontages of the mixed-use building to provide direct visual connection with interior activities in retail establishments and cafés.
2. Research & Development/Light Industrial Buildings: Office uses and employee’s amenities, such as cafeterias and recreational facilities, associated with research & development/light industrial uses should be located along the Marin Street extension and Kaiser Place to allow for some views of activities in these buildings. Clear windows should dominate the facade along the Marin Street extension.

### 3.1.4 Off-Street Parking Areas

Parking for non-residential uses in the Southern Waterfront District will occur in surface parking lots, while residential parking will be accommodated in parking structures underneath the residential buildings and internal open spaces. It is critical to achieving desired District character that all surface parking lots are well buffered from residential uses, and pedestrian routes of adjacent streets and open spaces. As most visitors to non-residential buildings in the area will arrive in one of the parking lots, it is important to provide high quality pedestrian circulation within the parking area to surrounding buildings. Finally, because of their large paved areas, surface parking lots can negatively impact the microclimate in their surroundings and create large amounts of stormwater run-off unless care is taken in the design of the parking lots. The following guidelines, which supplement those in *Section A. Overall District Guidelines*, address how this can be achieved.

#### 3.1.4.A Surface Parking Design – General Guidelines

Parking screening and landscaping is required to both provide a spatial and visual buffer for pedestrians walking adjacent to surface parking areas and to provide an area that helps to counter-balance the negative impacts of large impermeable surfaces.

1. Where surface lots abut sidewalks and pedestrian routes, parking screening and landscaping is required to provide a buffer for pedestrians walking along adjacent streets, protect pedestrians from car headlights in the evening, and to provide a shaded and comfortable microclimate. Buffers also reduce the sense of auto-orientation and communicate that the Central Waterfront affords priority to pedestrian access.

2. Buffers should include a combination of trees, shrubs, vines, low walls, berms, or landscape structures that create a visual and physical separation, and an attractive frontage onto sidewalks, parks, and other adjacent areas.
3. The landscape buffer should be a minimum of 6-feet wide if a hedge is used and 8-feet wide if trees and shrubs are used. Where widths are constrained, less than 5-feet in width, a low wall may be used in place of shrubs and hedges. Greater separation and articulation may be achieved with a visually permeable landscape structure such as trellises (please also refer to the next section "*Surface Parking - Location-specific Guidelines*" for buffer widths and treatments along Kaiser Place and Solano Street).
4. Shrubs, hedges, and low walls should not be more than 3 feet tall. Landscape structures should be no more than 6 feet tall.
5. If a low wall is used, vines or other landscaping should be used to soften the appearance of the wall from the street.
6. Buffers should be protected from car fenders with wheel stops or a 6 inch curb. If a 6 inch curb is used, low ground covers should be located within the area 18 inches from the face of curb.
7. Parking lots greater than 24 stalls (approximately one quarter acre) should provide a tree canopy that will cover 50% of the lot at time of the trees' maturity (approximately 10 years). Spacing of trees will depend upon the species and their growing habits. To effectively achieve this coverage, trees should be planted "orchard style" (i.e., evenly spaced throughout the parking lot) (see Figure 3.B.26).
8. Additional landscaping within the interior of parking lots should comprise a minimum of 15% of the total net parking area exclusive of the perimeter planting strip used for screening purposes.
9. Landscape elements, such as trees, plants and structures, within a parking lot and along pedestrian pathways should be utilized to reduce the perceived size of the lot and create a more pleasant microclimate for pedestrians.
10. Walkways running parallel to the parking rows (perpendicular to parked cars) should be provided for every four rows, and walkways running perpendicular to the parking rows (parallel to parked areas) should be no further than 20 parking stalls apart. Walkways should also be provided at the edges of parking lots and structures.
11. The number of driveways into surface parking lots should be minimized. The driveways' width should not exceed 20 feet and be designed to create minimum interference with pedestrian traffic flows.
12. The Marin Street extension: Limit the number of driveways into parking lots off the Marin Street extension to one per lot.
13. Kaiser Place and Solano Street: Surface parking lots along these streets may have up to two

driveways per lot.

14. Driveways should be located away from pedestrian crosswalks, residential lobbies, and primary entries into retail and R&D buildings.

### 3.1.4.B Surface Parking – Location-specific Guidelines

1. Waterfront Promenade at Parking Lots: Where the Waterfront Promenade is located between or adjacent to parking areas for the Mixed-Use Building and the Boat Launch 10 foot minimum width landscape buffers should be provided. These buffers should include single rows of small-scale trees and taller shrubs (also see *2.1 Waterfront Promenade, Parks, and Open Space Guidelines – Diagram X*).
2. Boat Launch Parking Lot: It is recommended to incorporate the single entry into the boat launch parking lot into either a roundabout or three-way stop intersection (also see *Section 2.4.1A The Marin Street extension*).
3. Research & Development Buildings/Light Industrial and Postal Facility:

**Along Kaiser Place:** Provide a 24 foot wide landscaped and bermed buffer between the southern sidewalk of Kaiser Place and adjacent parking areas.

**Along Solano Avenue – Alternative 1:** Provide an 11 foot landscaped buffer between the northern sidewalk of Solano Avenue and adjacent parking areas that includes a 3.5-foot tall hedge (see Figure 3.B.27).

**Along Solano Avenue – Alternative 2:** Provide a 6 foot bermed landscaped buffer between the northern sidewalk of Solano Avenue and adjacent parking areas that includes a low wall along the head of the parking stalls.

### 3.1.4.C Parking Structures

It is anticipated that the parking structures for the residential development in the Southern Waterfront will be fully under ground. However, adverse soils conditions or a high water table may require portions of a parking structure to be exposed above ground level. The following guidelines will help to create a high-quality and pedestrian-friendly environment in locations where exposed portions of parking structures may be visible from the public realm.

1. If it is necessary to construct podium parking or parking garages under residential units that partially rise above the ground plane, the building frontage along the Marin Street extension and Kaiser Place should:
  - a. Include units that line the edge of the internal podium parking and conceal it from view of passersby on adjacent streets and landscape areas (see Figure 3.B.28). In addition, the units should front streets and landscape areas with porches raised from the ground plane by a few steps;  
or,



- b. Provide porches and stoops that access individual residential entries located on the floor above the partially exposed parking structure. The combination of the porches, stoops, stairs, and landscaping should conceal the face of the garage structure from view (see Figure 3.B.29).
2. The number of driveways into structured and underground parking should be minimized. The driveways' width should not exceed 20 feet and should be designed to create minimum interference with pedestrian traffic flows.
3. The width of entry openings into structured and underground parking should not exceed 20 feet. Entries should be incorporated into the building facade design by setting them back within and integrating them with the articulation of the façade.
4. Avoid locating entries to structured and underground parking in portions of a façade that terminate views from pathways and other significant view corridors.

### **3.1.5 Off-Street Loading and Service Access**

It is important that off-street loading and service areas are well sited in order to screen these areas from surrounding areas, particularly in locations where side and rear building facades are exposed to adjacent active areas. In addition to the guidelines outlined in *Section A. Overall District Guidelines*, the following guidelines are applicable in the Southern Waterfront District.

1. Appropriate screening strategies include evergreen shrubs and trees, vine-covered walls or fences, and trellises.
2. Planting and overhead features such as trellises and arbors should accompany hardscape features such as curbs and low walls which are used to define the boundary between loading and off-street parking circulation.
3. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: Loading and service areas should be consolidated and located facing the parking lot in the rear of the building.
4. Research & Development Buildings: Loading and service areas should be consolidated and located along the eastern building façade, where they will face the postal facility. If well screened, service areas may also be located on the south side of the buildings towards Solano Avenue.
5. Postal Facility: Loading and service areas should be consolidated and located in the building's western façade, where they will face the R&D buildings. If well screened, service areas may also be located on the south side of the buildings towards Solano Avenue.
6. Residential Buildings: Building elements, such as garbage receptacles, utility meters, and mechanical equipment, should be accommodated within the building envelope to the extent possible. If such elements must be outside of the building envelope, they should be screened from view of pedestrians. Such screening should occur in ways harmonious with the overall building design.

## **3.2 Human Scale and Building Contribution to the Public Realm**

Massing, scale, and form of buildings in the Southern Waterfront are mostly critical with respect to the future residential buildings throughout the District and the mixed-use building at the corner of Mare Island Way and the Marin Street extension. The research & development/light industrial buildings should be scaled to fit well within the surrounding context of public open spaces.

Residential buildings within the Southern Waterfront and their massing, height, proportions, fenestration, and other architectural features will combine to create a new primarily residential district that capitalizes on and directly relates to the excellent views and high-quality open spaces in the area, and provides a human-scaled development for the District's residents, workers, and visitors.

The mixed-use building should be similar in quality of design and detail to that found in the architecturally significant buildings of Downtown Vallejo to convey the buildings' proximity to the Downtown retail area and to help define the intersection of the Marin Street extension and Mare Island Way as a gateway to the Waterfront and the Downtown to the north.

### **3.2.1 Building Form**

The Southern Waterfront District is currently a largely vacant area with the exception of a few ancillary buildings sited throughout the area. The building form for future residential and non-residential buildings should therefore be guided by the assets of the site, such as the exceptional views across Mare Island Strait and the close relationship to future Waterfront open spaces, the proximity of portions of the District to the Downtown, and by high quality examples of similar types of development throughout the Bay Area.

#### **3.2.1.A Scale of Building Massing and Height Guidelines**

As per the PDMP height standards for the area, residential buildings may be up to 55 feet high and commercial buildings up to 45 feet. It is recommended that the Mixed-use building at the corner of Mare Island Way and the Marin Street extension take advantage of this height limit to provide corner element that will anchor this important site. The massing of residential buildings should maximize views of the Mare Island Strait and form a network of internal open spaces and pathways that allow visual connections to public open spaces along the Waterfront and into adjacent streets.

1. The massing of buildings should reflect and make visible the use and activity within the building. For example, the use of bays should reflect an interior change of use or function such as a dining room or a private office.
2. Buildings should avoid an overly horizontal look. Where the overall massing of buildings is horizontal, elements of building form (e.g., bay windows, stairs, elevators, and major entrances) and architectural detail should provide vertical articulation. See also *Variations in Building Façade* for blank wall guidelines.
3. Building massing and articulation should respond to the views and surrounding context of the District by stepping and varying heights of the residential buildings. Building heights (number of stories) should be relatively higher along Curtola Parkway and Sonoma Boulevard as compared to the Marin Street extension. These changes in massing create a transition in scale as people move from Sonoma Boulevard through the Waterfront along Mare Island Way; as well as opportunities to maximize views from within the residential development towards the Mare Island Strait and Mare Island

beyond.

4. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: This building should create a well-defined corner statement providing a visual landmark. For this reason, it is strongly encouraged to define the corner with a taller building element that meets the height limit of 45 feet for commercial buildings, set by the Planned Development Master Plan (PDMP).
5. The building's street frontage on Mare Island Way should be designed as multiple facades to relate to the scale of similar retail buildings in the Downtown and to reflect changes in interior usage. For example, the profile of the façade should correspond with changes in ground-level storefronts of the building.
6. Research & Development Buildings/Light Industrial: the height limit of 45 feet established in the PDMP would allow for office uses that are part of the R&D buildings to be up to 3-stories fronting onto the Marin Street extension. This would allow for views from the office spaces towards the Mare Island Strait and define a stronger edge to the Southern Waterfront Park.

### 3.2.1.B Façade Scale and Variation Guidelines

#### Floor-to-Ceiling Heights

1. Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension: Ceiling heights for ground-floor commercial spaces should be similar to those proposed for the downtown area, 16 feet. This is important as downtown development in the future may extend to the Mare Island Way, along the east side of the street. See *Overall District Guidelines* for minimum floor-to-ceiling requirements per land use.

#### Variations In Building Façade

The larger-scale massing of the residential buildings within the Southern Waterfront requires more refinement in terms of the human-scale of the buildings through the use of variations in façade elements, such as bays, recesses, overhanging, eaves, corner elements etc. that provide interest and scale to the facades of the buildings.

1. Buildings with a frontage greater than 30 feet should make use of bays, recesses, overhangs, and other façade elements to create a human-scaled character to the building. The use of changes in plane as small as 6 to 18 inches in depth can be used in combination with architectural detailing, materials, and color to satisfy this guideline (see Figure 3.B.32).

#### Corners and Landmark Features

The mixed-use building at the corner of Mare Island Way and the Marin Street extension should anchor the intersection of these two streets and serve as a landmark at this gateway to the Southern Waterfront District (also see Figure 1.2 Waterfront framework plan).

1. Use scale and façade articulation to provide a corner element that enhances the design of this building as landmark that gives emphasis to the intersection of Mare Island Way and the Marin Street

extension (see Figure 3.B.33).

2. Provide an architectural “companion” gateway feature, such as a well articulated tower element, as part of the residential building on the other side of the Marin Street extension, .

## Rooflines

1. **Residential Buildings:** The rooflines of residential buildings in the Southern Waterfront should be coordinated with the building’s overall massing. Rooflines should be designed to give emphasis to corner elements, pathways that lead through buildings into the interior of the development, and major changes in façade plane. Secondary roof element may be used for smaller scale building elements such as porches and bays. However, these may not have a “tacked-on” appearance and need integrate with the overall design of the building (see Figures 3.B.34 and 3.B.35 for good and bad examples).
2. **Residential and Research & Development Buildings:** Rooflines and variations in roof orientation should be integrated with the building façade articulation to breakdown the scale of longer building frontages.

### 3.2.2 Building Articulation

All façades with high visibility from key pedestrian routes such as the Waterfront Promenade and opens spaces as well as streets with predominantly residential frontage should provide a level of architectural detailing that responds to human scale in order to create an environment that will be attractive, interesting, and inviting (for additional guidelines applicable to all buildings refer to *Section A. Overall District Guidelines – Building Articulation.*)

#### 3.2.2.A Architectural Detailing – Scale and Ornamentation

##### Building Materials and Finishes

1. **Mixed-Use Building at the corner of Mare Island Way and the Marin Street extension:** A variety of building finishes and materials are desirable in creating pedestrian-supportive architecture and that reflects what is used in Downtown. Acceptable façade materials include: tile (ceramic or clay), masonry (stone or brick), stucco and stone cladding. Acceptable materials for architectural details include: pre-cast concrete and wood.

Other materials that are acceptable, but which should be limited in their use include: higher quality curtain-wall systems that provide shadow lines and scale through the use of mullions that contain relief, metal panels, synthetic details finished in stucco, concrete masonry units of varied colors.

Acceptable roof materials for visible, sloped roof areas include any high-quality material such as: slate, concrete or ceramic tile, and standing-seam metal.

2. **Residential Buildings:** Porches and stoops of residential buildings should include railings, columns, trellises, and other building elements of high-quality craftsmanship and materials. Materials and design details and patterns used for these building elements should vary along a building’s frontage to avoid visual monotony and provide a sense of uniqueness. Acceptable materials for porches and

stoops include painted wood, natural stone, stucco, terrazzo, and brick. Acceptable materials for railings and other detail elements include painted wood, glass and glass blocks, wrought iron, brass, and other high quality metals.

3. **Research & Development Buildings/Light Industrial**: It is strongly encouraged that the façades of R&D/light industrial buildings include variations in building materials to provide the required level of façade articulation and visual interest. This is particularly important for frontages along the Marin Street extension and Kaiser Place. Acceptable materials include high quality concrete, split-faced concrete block, corrugated metal siding, and brick.

### **3.2.3 Transition from Public Realm to Interior Space**

It is envisioned that the 16-foot deep landscaped front yards along the residential building frontage of the Marin Street extension and Kaiser Place, and the recommended use of stoops and porches will create a gradual and pleasant transition from the public realm of the streets and Waterfront to the private interior of the residential buildings. This will be enhanced by the incorporation of semi-public landscaped pathways and open spaces that reach into the residential development.

1. Residential Buildings along the Marin Street extension and Kaiser Place should front onto streets, public and semi-public open spaces with lobbies, porches and/or stoops to provide a semi-private, transitional space between the public and private realms.
2. The landscaping of semi-public open spaces at the edge and pathways into the residential development should be designed to create a transitional space along which the level of privacy increases with distance from the adjacent street and public open space.
3. Ground floor lobbies to upper floor residential units and research and development buildings should include a significant transparent glass element and directly face public sidewalks, or pedestrian routes through interior courtyards, and landscaped plazas. This provides a transition between the public and private realms and makes entrances easy to find. Meandering walkways to lobbies and entries should be avoided.

### **3.2.4 Fences and Low Walls**

Fences and low walls along public sidewalks of the Marin Street extension, Kaiser Place, Curtola Parkway, and Sonoma Boulevard help defining the edge of the residential development in the Southern Waterfront. Fences and low walls, if carefully designed, provide another opportunity for adding interest to the pedestrian environment.

1. Any solid portion of fences and low walls should be no taller than 3 feet above the adjacent sidewalk.
2. **The Marin Street Extension**: Fences and low walls along the Marin Street extension should be of a higher level of design than those located along Sonoma Boulevard and Curtola Parkway, (where significantly less pedestrian traffic is expected) and are encouraged to include lighting, trellises, and/or landscaping to create an attractive pedestrian corridors along this street.

### **3.2.5 Utilities and Mechanical Equipment**

Rooftop utilities on residential and research & development buildings in the Southern Waterfront district will be visible from the upper floor of some of the residential buildings and should therefore be screened from view.

1. Carefully screen rooftop utilities from exposure to views from Mare Island Way and elevated residential areas located toward the east. Carefully integrate such screens into the overall architecture of the building and roof design.

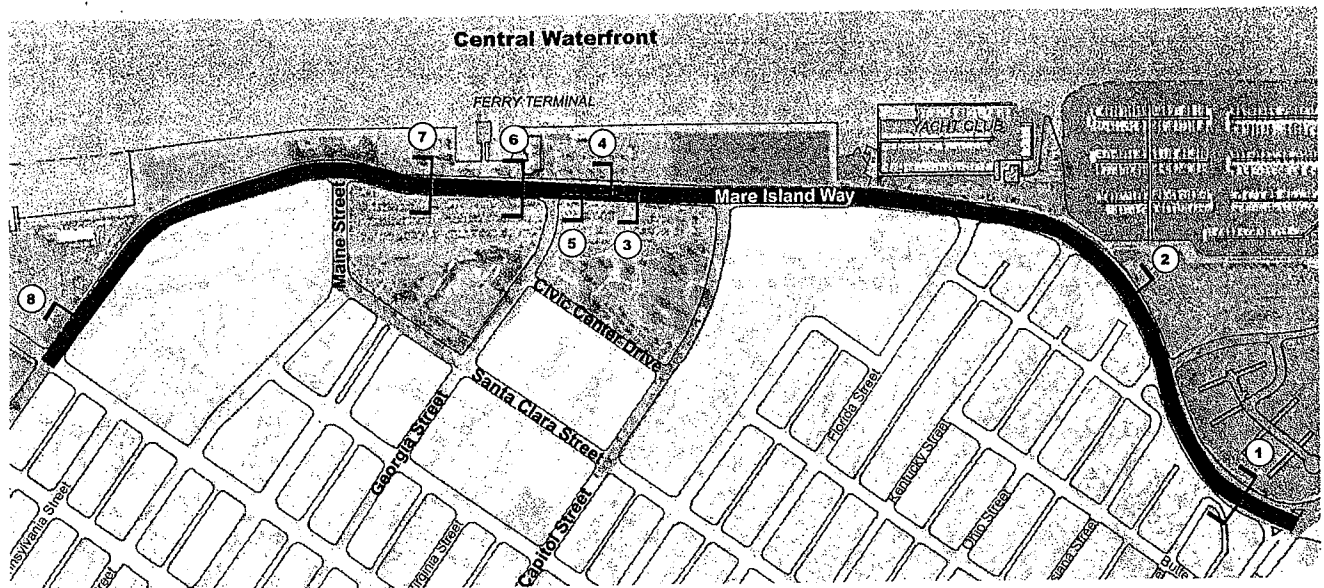


Figure 2.21: Mare Island Way and Section Location Diagram

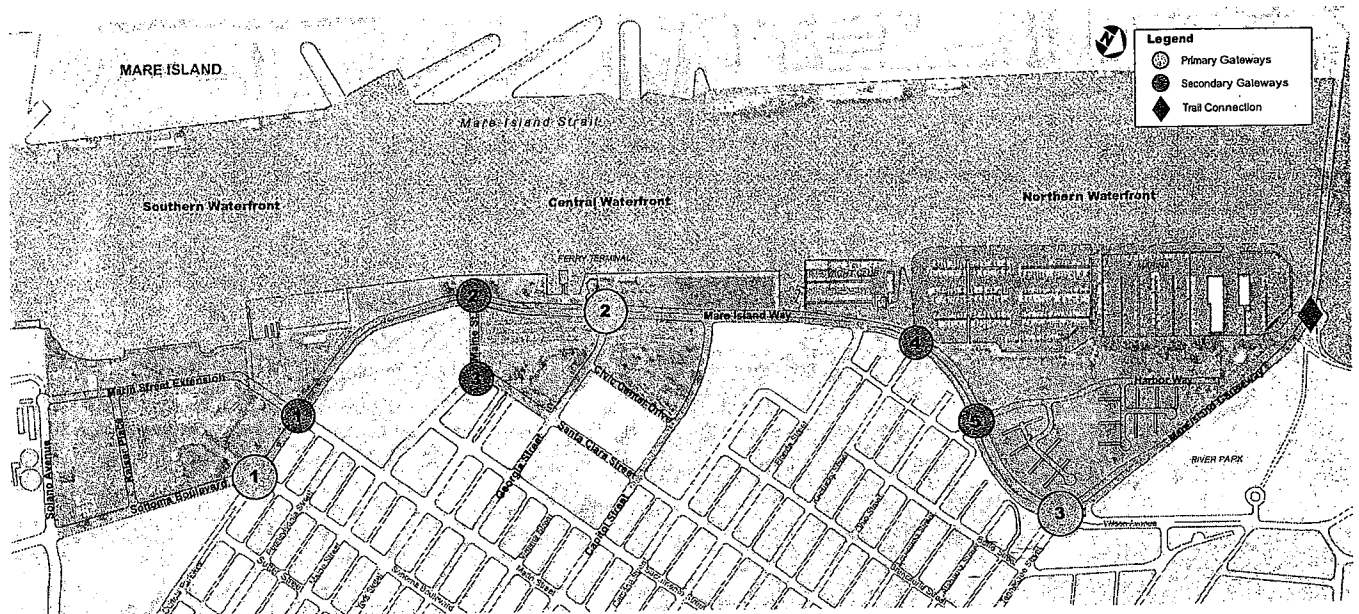


Figure 2.51: Diagram of Primary and Secondary Gateways

## C. Central Waterfront District

Guidelines for the Central Waterfront include guidance for the design and implementation of site plans, architecture, landscaping, streetscapes, open spaces, and parking. This section defines the more urban character of this District and its close relationship to Downtown Vallejo. The Guidelines for the Central Waterfront complement the *Downtown Vallejo Design Guidelines* and the intent of the *Downtown Vallejo Specific Plan*.

### 1. District Character and Context

The location of the Central Waterfront grants it great significance to the City of Vallejo. Not only does it act as a gateway to the city for ferry and bus passengers, but also has the potential of associating Vallejo's Downtown intrinsically with the Waterfront. The established character of Downtown Vallejo must have a natural transition to the Waterfront and vice versa.

The Central Waterfront will be the most active and dynamic of the three districts because of this relationship. It also contains the most active civic spaces of the three districts including Dr. Martin Luther King, Jr. Unity Plaza, the Festival Green, the Ferry Plaza and building, the grassy area improved by the Service Club Area, Independence Park, the large open space south of Independence Park, and the Bus Transfer Center. It is also in close proximity to the public library and City Hall.

The District's parks and open spaces need to accommodate a great variety of activities and programmed events from strolling and people-watching to concerts and markets. Its large open spaces will provide Vallejo with a place to hold city-wide festivals celebrating art, food, culture, and other sponsored activities. ~~However, they~~ There should also be places that provide intimate settings for smaller groups and individuals to relax and contemplate. Spaces should allow people to sit and have intimate conversations, read a book, and be protected from the sun and the elements.

To continue the character of the Downtown to the Waterfront, buildings should be more mixed in their uses and more urban in their character. Much like the Downtown, the ground floor of buildings will need to allow a higher level of interaction between the public and private realm. Buildings within the Central Waterfront District have the added burden of moderating between the mid-rise buildings (up to 7 stories) specified for the Downtown in the *Downtown Specific Plan* and creating a well-defined and distinct building wall-facade along the Waterfront, while at the same time, not overwhelm existing lower density residential uses surrounding and directly adjacent to the District. Finally, the specific role of the buildings in Vallejo Station in defining this important gateway into Vallejo will require an architecture that is distinct and creates a memorable placepositive impression.

In addition, Mare Island Way currently bisects the downtown-side where development will occur from the Waterfront parks, ~~and open spaces,~~ and the ferry terminal. Mare Island Way is a prominent feature that needs special attention to avoid creating a barrier and ~~encouraging the filtering of activity across the street~~ shall be encouraged. It is here that the design needs to consider the pedestrian as equal to all other modes of travel, if not primary. Pedestrians should feel as safe and as comfortable walking to and from both sides of Mare Island Way as they would within the Downtown and its streets.

### 2. Public Realm Guidelines

The public realm within the Central Waterfront will be the most actively used portion of the Vallejo's Waterfront. These areas will see a high level of pedestrian, recreational, and business activity. The



program for the open spaces will require a greater degree of structure in order to address and balance the varying needs and desires of visitors. This area will support a dynamic and wide-ranging set of activities that include spillover activities from the Downtown (e.g., farmers markets, festivals, concerts), the ferry operations (e.g., orientation and wayfinding, meetings, informal performances, food and beverage), and the residential-related uses (e.g., jogging, dog walking, bicycling, picnicking, strolling). For these reasons, the Central Waterfront open spaces will include a variety of both formal and informal spaces to satisfy accommodate these needs.

## **2.1 Waterfront Promenade, Parks, and Open Space Guidelines**

The City of Vallejo is just beginning a public process to review the programming and design of the Waterfront parks and open spaces. The following discussion and guidelines are intended as a suggested starting point for that process. The concepts, in general, have a relationship to the *Vallejo Waterfront/Downtown Master Plan for Public Spaces*, and the City's new process will provide the opportunity to consider both the suggestions of the previous Master Plan and those in these *Waterfront Design Guidelines*.

### **2.1.1 Promenade Overlooks**

Throughout the Waterfront in this District, promenade overlooks are proposed to be located at regular intervals along the water's edge. (Figure 3.C.4) The concept for the overlooks is an adaptation of the "floating lantern" concept developed in the *Public Spaces Master Plan*. The overlooks will provide a place that takes people out over the water and allows wider views towards the north to the causeway and the Napa River Bridge and south to the Carquinez Bridge. Overlooks will also create a more intimate gathering space for people to talk, rest, or fish. Light fixtures will accent the overlooks as well as create a punctuated design element that can be seen from afar and from the neighborhoods of Vallejo.

Two options for the overlooks have been developed. (Figures 3.C.5 and 3.C.6) Option 1 is a longer overlook with benches oriented to look across the Strait to Mare Island (See Figure 3.C.7 for a cross section of Option 1). Option 2 is smaller and has benches oriented towards each other and looking up and down the length of the Strait; this option provides the opportunity for a small group to enjoy the views together or for a family to spend some time fishing together. The options can be alternated along the length of the Promenade. Other options could also be developed from this theme including corner overlooks at the north and south ends of the Promenade in the Central Waterfront.

### **2.1.2 Parks and Open Space**

This section of the Guidelines provide specific guidance for the design of key open spaces within the Southern-Central Waterfront District. It includes improvement diagrams and key guidelines give direction regarding the critical aspects of future improvements, as well as sketch concepts of sample improvements as they might result from the guidelines.

#### **Northern End of Service Club Area (Area A)**

The Service Club Area is the large green space bordered by the Promenade on its west and north sides and Mare Island Way on the east and the expansion area for the Festival Green on the South. Currently the area serves as an open un-programmed recreational space and is covered in turf; this function is valued by the community and should remain. The improvements described below would improve views, provide for better integration with the areas around the park, and provide additional amenities for those strolling along the Promenade or recreating on the green. The corner next to Mare Island Way is an important point of arrival into the Central Waterfront District for people who are coming along the

Promenade from the north, which is also the most constrained area of the Promenade between the Vallejo Yacht Club parking lot and Mare Island Way.

#### *Guidelines*

1. Create a paved entry area on the northeast corner of the green space and focal point at the intersection of the Promenade and the sidewalk along the west side of Mare Island Way. This area could include a few picnic tables, seating for people who are watching others play on the green or taking a break from playing.
2. Verify feasibility of providing a crosswalk on Mare Island Way linking this area with the State Farm Building and the adjacent neighborhoods. This should be considered, because the existing crosswalks are 950 feet apart and this new crosswalk would be approximately at the mid-point between the existing crosswalks.
3. Create a corner overlook at the northwest corner of the Promenade to accommodate seating and to take advantage of the dramatic views to the northwest.
4. Maintain unobstructed views along the entire edge of the Promenade; with the exception of the buffer landscaping described in the next guideline.
5. Create a visual buffer to screen less attractive views directly to the north, into the service area of the Vallejo Yacht Club. The screening material could consist of a line tall thin trees that filter the view, smaller leafed varieties of eucalyptus could be appropriate as they are evergreen and would provide a visual linkage with the older established eucalyptus trees that line the existing Promenade in the Northern Waterfront District.
6. The color and patterns of paving materials should strongly relate to circulation patterns throughout the area and be used to visually enhance the locations of focal points and features.
7. Use the standard "Waterfront" light fixture and street furnishings along Mare Island Way, and the standard "Promenade" light fixture and other street furnishings along the promenade sides of the area.

#### **Service Club Area at Capitol Street (Area B)**

The large size of Service Club Area's green space currently creates a separation and at times a barrier to pedestrian access between Mare Island Way and the Promenade. The green stretches 800 feet from north to south, and if recreational activities are occurring in it pedestrians may be uncomfortable walking across the green. The Guidelines propose providing a narrow walk and landscaped area crossing through the middle of the green in-line with the intersection of Capitol Street and Mare Island Way. (Figure 3.C.11) This improves the accessibility between Mare Island Way and residents and workers on its east side to the Waterfront Promenade while maintaining open recreational green areas of approximately 400 by 200 feet and 300 by 200 feet.

#### *Guidelines*

1. Reduce the distance between access points from Mare Island Way to the Promenade for pedestrians and provide a bulb-out on the west side of Mare Island Way, where Capital Street Terminates, to

shorten pedestrian crossing distances and provide additional space for an entry plaza, described below.

2. Crosswalks with special paving should be installed to increase the visibility and safety of crossing locations.
3. Create a direct pedestrian connection between the Mare Island Way sidewalk and the Waterfront Promenade at the intersection of Capital Street and Mare Island Way, as illustrated in Figure 3.C.12. This connection should include a paved entry area and should be lined with seating integrated with rows of trees, aligned parallel to Capital Street to frame views of the Waterfront from the east. Seating and planting design should accommodate secondary, cross circulation patterns between the two green recreational spaces.
4. Provide a small, expanded plaza and landscaped entry between the enhanced crossing of Mare Island Way and the path across to the Promenade. This space will be an important gateway to the waterfront parks and open spaces.
5. Create a focal point with a special feature and paved area at the intersection of the pedestrian path and the Promenade. The feature should be visible from along the Promenade but not block pedestrian circulation. An overlook with seating should be created at the edge of the Promenade, as shown in Figure 3.C.13.
6. A plaza or slightly raised viewing area could also be provided between the Promenade and the green. This would provide a space for people to view across the Promenade to the Mare Island Strait from an elevated perspective, as well as a place for people to watch others playing on the greens.
7. Use the standard "Promenade" light fixture along the path connecting the Promenade and Mare Island Way.

### ***Park and Drop-off Area North of Ferry Building (Area C)***

The area on north side of the Ferry Building serves as an important circulation and activity node for the Central Waterfront. Design concepts for this area need to facilitate access to and from the Ferry Building's north entrance and provide visual cues and connections between Mare Island Way, Downtown Vallejo, Vallejo Station, and other areas of the Waterfront. While the Front Room restaurant and surface parking occupy much of the area today, the restaurant leases the facility from the City and the City's goal is to create an expansion of the Festival Green on this site. The program and amenities in the Festival Green expansion area should emphasize the relationship to the eastern Festival Green and the Ferry Building's prominent role as a local landmark and transportation hub.

#### ***Guidelines***

1. Create a kiss-and-ride drop-off loop on the north side of the Ferry Building. This facility should be configured in a U-shape and incorporate sidewalks and seating on its west side, as illustrated in Figure 3.C.15, to provide an outdoor area to wait for rides. The landscape treatment of the area should frame the views of people coming down Georgia Street towards the Mare Island Strait. The paving treatment in the loop area should be designed to visually integrate with the adjacent park space as the

loop may be periodically closed to facilitate celebrations and other activities in the Festival Green expansion area.

Figure 3.C.15: Guideline Diagram for Park and Drop-off Area North of Ferry Building (Area C) [see revised figure attached]

2. Frame the entry to the ferry terminal with a new, moderately scaled entry feature located between the Ferry Building and the kiss-and-ride loop.
3. Reduce the crossing distances for pedestrians crossing Mare Island Way at the Ferry Building by installing a bulb-out on the southeast corner of the intersection between Mare Island Way and Georgia Street (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.).
4. The museum building currently located on the east side of the Promenade, north of the Ferry Building should be removed. The Front Room restaurant located on the west side of the Promenade should be removed.
5. The open space in this area should be redesigned to create an active gathering space with seating and landscape treatments such as a fountain, or a raised platform that can be combined with a temporary band shell for musical and other performances. Considerations for the orientation of a platform or band shell should take into account the possible noise impacts from performances on residential areas in the Waterfront and adjacent residential neighborhoods. An orientation towards the water may contribute to the reduction of such noise impacts.
6. Preserve the open view corridor that extends the unobstructed views of the Waterfront from Georgia Street in the Downtown, as shown in Figure 3.C.15. To further emphasize the Georgia Street alignment, plant a row of trees as shown in Figure 3.C.16 to continue the row established on the east side of Mare Island Way. Create a vertical feature at the edge of the Promenade that is aligned with the center-line of Georgia Street.
7. Color and patterns of paving materials should strongly relate to circulation patterns throughout the area and be used to visually enhance the locations of focal points and features.
8. Use the standard "Waterfront" light fixture and street furnishings along Mare Island Way, and the standard "Promenade" light fixture and other street furnishings along the promenade side of the area.
9. The design of vehicular circulation through the kiss-and-ride loop located north of the Ferry Building should allow for vehicles in the inside driving lane to pass other vehicles stopped for drop-off along the outside edge of the loop. Lane dimensions and curb radii of the loop should be kept as compact as possible to keep vehicular speeds low, while accommodating efficient and convenient drop-off and pick-up.

### **Ferry Terminal Plaza (Area D)**

The Ferry Terminal Plaza, located south of the Ferry Building between Mare Island Way and the water's edge, is one of the most prominent and pivotal public open spaces along the Waterfront. (Figure 3.C.17). It constitutes the gateway for transit riders arriving and departing from ferries and buses, and accommodates a series of important pedestrian linkages between the Waterfront Promenade, the ferry terminal building, ferry and bus transit waiting areas, and pedestrian crossings across Mare Island Way to Vallejo Station, Georgia Street, and the Downtown. At the plaza's southern edge there is a small, existing office building, which is leased from the City. The City plans to remove the building in the future and replace it with an open space use providing an additional amenity for this important area. As with the other open space guidelines, the following guidelines are provided as a starting point for the City's open space planning process with the public.

#### *Guidelines*

1. Provide ample seating for transit riders waiting for the arrival/departure of busses and ferries.
  - a. The seating along Mare Island Way should be combined with or be integral to a landscaping area, such as raised planters, that provide a clear delineation between Mare Island Way and the Promenade while framing a plaza located on the axis of the pedestrian connection between the ferry terminal and the sidewalk of Mare Island Way. The provided seating should be associated with both bus stops and the ferry terminal.
  - b. The planters should be shaped to allow ferry riders to move easily from the entry to the ferry terminal pier to the bus stops and pedestrian crossings of Mare Island Way.
  - c. Select trees and other plants for the landscaping area that are compatible with the street trees along Mare Island Way.
  - d. Provide a minimum width of 16 feet between the curb edge of the bus bay and the edge of the seating/landscape area, and minimum 8 by 5 foot clear zones as per ADA requirements at each bus door location.
  - e. Provide a minimum width of 20 feet between the Promenade's railing and the edge of the ferry-side seating/landscape area.
  - f. Provide additional seating along the Promenade railing north of the entry to the ferry terminal pier for ferry riders to use when they "queue-up" while waiting for a ferry to load. The clear space between seating and railing should be 3 feet. The provided seating should consist of backless benches with armrests to allow people to sit facing either the Promenade or the water. (see Figure 3.C.18). However, intermittently benches with backs and armrest should be provided to the extent required by most recent ADA guidelines.
2. Color and patterns of paving materials should strongly relate to circulation patterns throughout the area and be used to visually enhance the locations of focal points and features.
3. Provide features such as information kiosks, small-scale structures or appropriately scaled public art

or monuments in the “Feature” locations identified in Figure 3.C.19. The most prominent of these features should be associated with the plaza on axis with the ferry terminal pier.

4. Frame the entry to the ferry terminal pier with a new, moderately scaled entry feature, such as a gated arbor.
5. Use the standard “Waterfront” light fixture and street furnishings along Mare Island Way, and the standard “Promenade” light fixture and other street furnishings along the promenade side of the area.
6. Maintain unobstructed views along the entire edge of the ferry basin.
7. Provide overlook seating areas that give definition to the outer northern and southern corners of the ferry basin; the concept for the overlook seating areas is described in *Section 2.1.1* of the *Central Waterfront District Guidelines*.

### ***Southern End of Independence Park (Area E)***

The area of Independence Park located south of the existing Cypress grove consists of a large open grassy area that is bordered by the Waterfront Promenade on its west and south sides and Mare Island Way to the east. Although this area is currently underutilized, it affords some of the best scenic views of Mare Island Strait and Mare Island especially from its southwest corner. Currently this part of the park is minimally developed. The guideline concept, as shown in Figure 3.C.21, informs the future design of this corner to take full advantage of views to the Strait, Mare Island, and the Carquinez Bridge to the south while retaining the open quality of the site and preserving views across the site from across the Mare Island Way.

#### ***Guidelines***

1. Enhance views across the Promenade from the southwest corner of Independence Park by creating a slightly elevated landscape feature that incorporates seating into its design. This feature could include a combination of earthwork, turf, paving, low retaining/ seat walls and/or planters that provide opportunities to sit and view the water from above the Promenade. This feature should not exceed 3 foot – 6 inches in height to maintain unobstructed views from Mare Island Way.
2. Create a special seating and viewing overlook to enhance views across Mare Island Strait from the corner of the Promenade at the southwest corner of the Promenade.
  - a. The special lookout/ seating area should be cantilevered out over the water and should differ in its shape and/ details from the other “typical” lookouts proposed along the Promenade. It should serve as a distinct and recognizable landmark for this special location along the Promenade.
  - b. Provide a minimum width of 3 feet between the Promenade’s railing and the seating. The provided seating should consist of backless benches without armrests to allow people to sit facing the water, the Promenade, or others seated in the overlook.

3. Provide bicycle and pedestrian access around the east and north sides of the elevated viewing area described in Guideline 1. This path should provide a more direct line of travel for bicyclists and pedestrians who ~~which to~~ cut through the green rather than stay on the Promenade. The "standard" overlook proposed along the Promenade north of the corner lookout described in Guideline 2, should be aligned with the terminus of the bicycle/ pedestrian path.
4. Enhance the existing pedestrian connection between the Promenade and the sidewalk along Mare Island Way at the southeast corner of Independence Park.
  - a. Replace the existing narrower path with a wide paved area of similar width as the Promenade, approximately 20 feet.
  - b. Install an entry feature at the junction of the bicycle/pedestrian path and the Promenade, where the Promenade forms a right-angle, shown in the guideline diagram, Figure 3.C.21. The feature could consist of a kiosk, public art, an interpretive sign, or lighting fixture.
  - c. Install a secondary feature along the western Mare Island Way sidewalk at the improved connection to the Promenade. This feature should direct pedestrian's attention to the connection to the Promenade and the Waterfront and may consist of special paving or plantings.

### **Vallejo Station Paseo Park (Area F)**

The Paseo Park in Vallejo Station provides a key link between the Waterfront, Vallejo Station, and Downtown Vallejo. The Paseo Park is located on top of the ferry parking garage that will be provided under Vallejo Station. The Park will be at the grade of Santa Clara Street. As the Paseo Park is raised a level above Mare Island Way there will be dramatic views to the north, including views of the ferry building, the waterfront parks, and open spaces, and Mare Island and the Strait.

As well as being an important public space in the Central Waterfront District, the Paseo Park is also an important open space for the residential and other uses of Vallejo Station that front onto it. So, it will need to provide a transition between public space and the entries to residential and commercial uses, and possibly provide some passive recreational use for surrounding residents.

It is possible that the Vallejo Station parking garage could be built in two phases. During the interim Phase 1, a three level parking structure would be built with the top level constructed with 250 parking spaces and a pedestrian path instead of the Paseo Park. The pedestrian path would be a minimum 18-foot wide paved surface connecting Santa Clara Street and the bus transfer center with Mare Island Way and the ferry and bus services. The ultimate development of the parking garage will implement Phase 2, which would remove the 250 parking spaces at ground-level available to ferry patrons to construct the Paseo Park. A total of 50 parking spaces would be included within the Paseo Park for short-term parking. This parking may also be constructed in two phases. Initially, 25 parking spaces would be built with the remaining 25 spaces to be constructed upon City determination they are necessary. In the interim, landscaping will be provided within this space as defined in the Design Guidelines.

#### *Guidelines*

1. The landscape treatment and special features within the Paseo Park should frame and leave open views from Santa Clara Street through to the Waterfront.

2. The north end of the Paseo should provide a viewing area out to the north and a special feature such as a trellis or open tower element.
3. The paving of drive aisles, parking spaces and the turn around should be of special materials, such as concrete pavers or colored concrete with highlights of stone, brick, or other special finishes to indicate to drivers that they are in a park space and to expect high levels of pedestrian activity.
4. The low-speed vehicular circulation environment within the Paseo Park needs to provide:
  - access to the parking for the residential building to the north;
  - short-term parking for visitors to the residences and other uses around the park, as well as for customers of the retail, restaurants, and other uses in Vallejo Station and the nearby parts of Downtown<sup>1</sup>; and,
  - emergency vehicle access, including access for fire trucks and ladders to the buildings that face onto the park and a turn around at the ~~north-west~~ end of the Paseo Park.

Figures 3.C.23, 3.C.24 and 3.C.25 illustrate three alternative approaches to achieving above circulation needs. If other solutions are explored during the design development for the final Vallejo Station buildings, they should follow the guidelines provided in this section.

Figure 3.C.23: Guideline Diagram for Vallejo Station Paseo Park (Area F) [see revised figure attached]

Figure 3.C.24: Sketch Concept for Vallejo Station Paseo Park (Area F) [see revised figure attached]

Figure 3.C.25: Sketch Concept for Vallejo Station Paseo Park (Area F) [see revised figure attached]

5. The sidewalks, paths, and plazas need to provide for pedestrians passing through the Paseo to uses on either end.
6. Vallejo Station Ferry Parking Phasing – During the period in which the parking garage includes 250 parking spaces at the ground level with Santa Clara instead of the Paseo Park, a minimum 18-foot walkway should be included on the northern end of the parking level. The walkway should be constructed of special decorative paving that differentiates this space from the remainder of the parking lot, with a raised curb six inches above the grade of the travel lane.
7. The interim 18-foot walkway should be landscaped with raised planters on the side adjacent to the travel lane to create a comfortable pedestrian space. Planters should contain medium-sized flowering trees to add color to this important connection and should be located no further than 20 feet on-center. Tree species could include Cape Myrtles (*Lagerstroemia x. 'Muskogee'*), *Tristania (Tristania laurina*

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<sup>1</sup> The City shall delay installation of the planned northern row of parking along the pedestrian Paseo until, in the City's determination, the conference center or other uses Parcel L4 (including the conference center) require such additional parking spaces. The City shall be responsible for the costs of installing such future parking spaces. If additional parking spaces prove not to be needed to serve uses on Parcel L4, the City should make improvements to integrate this area into the Paseo Park.



multi-trunk), or Flowering Pear (*Pyrus kawakamii*).

6. Paseo Park Short-Term Parking Phasing – During the period in which the northern row of parking along the drive aisle remains unused for parking, a combination of paved hardscape and landscaping in planters and/or pots should be provided to tie the area into the adjacent landscaped open space from both a design and functional standpoint. Seating could also be provided to further integrate the area with the open space.
- 6.7. Stairs need to provide connections from the Paseo Park down to the plaza at the parking garage entry and the east side of Mare Island Way. An elevator should also provide access between the Paseo Park, the plaza on Mare Island Way, and the parking garage under the Park.
- 7.8. A crosswalk with special paving should connect the Paseo Park across Santa Clara Street to the bus transfer facility that is planned on the Downtown block to the east.
- 8.9. The Paseo Park should include multiple pathways from Santa Clara Street to the north-west end of the Paseo that are and be designed to serve the various pedestrians that will be using the Parks such as— people rushing to catch the ferry, visitors to the residential guests, s and other uses fronting on the Paseo conference center/restaurant patrons; or people strolling through Vallejo Station to the waterfront parks and open spaces.
- 9.10. Use the “Downtown” traditional light fixtures and street furniture with Paseo Park to strengthen the relationship with Downtown.
10. ~~Tress~~11. Trees within the Paseo Park should include Evergreen Elms (*Ulmus parviflora*) if feasible given the parking garage structure. If Canary Island Palms (*Phoenix canariensis*) are the tree used on Mare Island Way these should also be used in the Paseo, particularly to highlight and frame views at the northern-western end of the Park. The use of flowering trees with fall color, such as Ornamental Pear (*Pyrus calleryana* ‘Aristocrat’), is also encouraged to highlight special areas in the Paseo Park.
- 11.12. The north and south sides of the Paseo parkPark are fronted onto by Vallejo Station buildings, including a conference center and center/restaurant, and a portion of the hotel located on the north side, and residential buildings on the south side. Both uUses should provide active frontages onto the Paseo Park. This includes such as outdoor dining and gathering spaces along the conference center and restaurant frontage, and retail storefronts, residential stoops or stairs to individual units, retail storefronts, residential lobbies, entries to residential internal courtyards that provide views of the interior landscape, and or entries to ground-level live/work units.

### ***Festival Green Extension South of Civic Center Drive***

1. Extend westward the double-row of trees and the rows of Downtown light fixtures already established in the Martin Luther King Jr. Unity Plaza area and maintain the same spacing of both elements. Place a 14-foot wide (min.) path, paved with ornamental paving, between the two rows of trees.
2. ~~Figures 3.C.26 – 3.C.29 illustrate two alternate approaches to the design of the public path and allee~~

~~along the northern edge of Festival Green. One addresses the desired condition along residential, the other along retail or live/work frontage.~~

~~**Residential:** 6-foot-wide access paths should be provided between the public path of the allee and the individual residential units (Figures 3.C.26 and 3.C.27).~~

~~Figure 3.C.26: Partial Cross Section of Residential Frontage along Festival Green [this figure will be deleted]~~

~~Figure 3.C.27: Plan View of Residential Frontage along Festival Green [this figure will be deleted]~~

~~Figure 3.C.28: Partial Cross Section of Retail frontage along Festival Green [see revised figure attached]~~

~~Figure 3.C.29: Plan View of Retail Frontage along Festival Green [see revised figure attached]~~

~~**Retail or Live/Work:** Under this scenario the path~~

~~2. The path between the buildings and the Festival Green would extend as a hardscaped surface from the edge along the lawn area to the edge of a continuous walk in front of the retail or live/work spaces storefronts (see Figures 3.C.28 and 3.C.29). Because of grade changes between change from Civic Center Drive and to Mare Island Way, some portions of this continuous walk along the storefronts will connect to the public walk by with continuous steps. The number of the required steps would increase with distance from Civic Center Drive, where no steps are necessary and handicapped access to the continuous walk can occur. At the Mare Island Way end of the public walk, a public plaza should be created. Elevator or ramp access to the continuous walk should become an integral part of the design of this plaza.~~

~~3. For additional guidelines see Section 2.2.1.B Civic Center Drive under 2.2 Circulation Guidelines.~~

### **Public Paseo Through Residential Block**

A public paseo should be included in the residential development between Civic Center Drive and Mare Island Way. This paseo should:

1. Be a minimum of 40 feet wide.
2. The north and south sides of the paseo should be fronted onto by residential buildings, which provide active frontages onto the paseo, including residential stoops or stairs to individual units, residential lobbies, and entries to residential internal courtyards that provide views of the interior landscape.
3. Incorporate high-quality landscaping that includes trees, shrubs, and groundcovers; and provides additional amenities such as pedestrian-scale light fixtures and seating.
4. Terminate at Mare Island Way by widening its dimension to create an inviting space with a concentration of amenities toward Georgia Street to the south. The space should have a strong presence within the Mare Island Way frontage. ~~Strong and~~ consideration should be given to the incorporation of public art in this location.

## 2.2 Circulation Guidelines

### 2.2.1 Street Guidelines

The guidelines contained in the following sections focus on the pedestrian realm and its relationship to adjacent development and uses.

#### 2.2.1.A Georgia Street Extension

*[This text has been relocated from Section II Unifying Elements and Linkages]*

~~The guidelines for the Georgia Street extension are provided in Section II Unifying Elements and Linkages, earlier in this document.~~

Georgia Street is the civic and main street connecting Downtown Vallejo and the Waterfront. On the Vallejo Station side of the street it will be lined by a mix of uses that may include retail; ground floor financial, insurance and real estate services; or hotel lobbies with hotel or office above office, live-work, and residential. Opposite, on the north side of the street, is the civic heart of Vallejo including the Public Library, City Hall, Dr. Martin Luther King, Jr. Unity Plaza, and the Festival Green where civic, cultural, and community events take place. Georgia Street also acts as the primary link between these uses and the Waterfront and its amenities, including the Ferry Terminal. Georgia Street will see large volumes of pedestrian activity and, as a result, the intersection of Georgia and Mare Island Way will become the most visible and visited corner of the Waterfront. In order to strengthen this link, the Guidelines treat this street as a continuation of the Downtown by extending the design specified for Georgia Street in the Downtown Specific Plan and Guidelines to this section of the street. In addition, the proposed treatment of the street builds on concepts discussed in the Downtown Specific Plan including the preservation of views from Georgia Street across the existing civic open space of Dr. Martin Luther King, Jr. Unity Plaza and the Festival Green, across the central waterfront to the waterfront along Mare Island. The long term goal of redeveloping the northern parking lot at the Ferry Terminal and of “The Front Room at the Wharf” restaurant will further strengthen the linkage between the Waterfront and Downtown.

Figure 2.41 illustrates the proposed section for Georgia Street. As in the Downtown, it includes an 18-foot sidewalk to accommodate the high amount of pedestrian traffic foreseen for this street and to provide sufficient room for shoppers to window shop, and restaurants and cafés to place small tables or chairs along their storefronts without obstructing the clear space for pedestrians moving along the street. Furnishings used along Georgia Street, such as benches, trash receptacles and light fixtures will all match those used in the Downtown portion of Georgia Street to further strengthen the linkage between Waterfront and the Downtown. This includes using the Downtown light standards on both sides of the street (*See Section II B for additional information on lights, furnishings and street trees*). *[Figure number reference to be updated]*

#### Georgia Street Extension Crossing Design

Safe and convenient pedestrian crossings are a critical component for the design of a successful main street. This is particularly true in an area with a mix of uses that provides visitors with the opportunity to link visits to multiple destinations into a single walking trip. Such an environment exists along Georgia Street west of the Downtown, which will not only attract shoppers but also people visiting one of the several civic buildings in the area, relaxing or playing on the Festival Green, congregating in Dr. Martin Luther King, Jr. Unity Plaza, traveling to and from the ferry, or visiting open spaces in other parts of the Waterfront while being in the area. High quality crosswalks are needed at the intersections of Georgia and Santa Clara, the proposed Civic Center Drive, and at Mare Island Way. The following guidelines apply to the crossings at intersections along Georgia Street.

### *Intersection of Georgia and Santa Clara Streets*

Crosswalks that include key design elements already exist at the Georgia at Santa Clara intersection.

Pedestrian countdown signals that indicate the remaining pedestrian signal “green time” should be considered for this intersection.

### *Intersection of Georgia Street and Mare Island Way*

To successfully implement the envisioned connection of the Downtown to the Vallejo Waterfront along Georgia Street it is essential that functional and safe crosswalks across Mare Island Way be provided which create strong visual linkages between both sides of the street.

Curb extensions should be provided on Mare Island Way to shorten the current considerable crossing distance (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.). The curb extension at the southeast corner can be integrated into the crosswalk on the south side of the intersection should be 20 feet wide to provide sufficient space for larger crowds crossing at times when departures or arrival of ferries occur. On the south side of the intersection a 4-foot wide pedestrian refuge at the end of the narrow median adjacent to the left-turn lane creates a refuge for pedestrians unable to complete crossing of Mare Island Way during a single pedestrian signal period. Pedestrian countdown signals should be provided for all directions of travel at this intersection to let pedestrians know how much time they have to cross the street and if they should wait for the next signal.

The surface of the Mare Island Way crosswalks should be given an artistic treatment that ties in with the design theme of future improvements around the ferry building and plaza, and the waterfront promenade in this area. This will enhance the visual integration of the Festival Green on one side of the street and the open spaces and Promenade on the Waterfront.

### **2.2.1.B Civic Center Drive**

The proposed Civic Center Drive constitutes an important addition to the street grid in the Central Waterfront District and establishes a new link for pedestrian, bicycle, and vehicular travel between Capitol and Georgia Streets. At its northern end, the street provides access to the City Hall parking lot as well as residential uses on the block on its western edge, which could include a parking structure serving uses located at its southern end. Civic Center Drive will define the eastern edge of the Festival Green as well as the western edge of Dr. Martin Luther King Jr. Unity Plaza. Highly visible crosswalks are critical at this non-signalized T-intersection.

Should Civic Center Drive be constructed to intersect with Georgia Street, removable bollards should be provided at both edges of the Festival Green such that through traffic to and from Georgia Street is prohibited during non-peak hours. However, pedestrian access to and from Georgia Street should be maintained at all times. Also, special paving should be installed at the intersection to visually continue the line of the Festival Green across Civic Center Drive (see Figure 2.43).

It is possible that Civic Center Drive could be built to not intersect with Georgia Street, but merely serve as an access street for parking and driveways for the residential development on Parcel J, City Hall and the library. In this case, the street could terminate in one of two ways: the street could end at the furthest point where a driveway would need access from either side of the street or it could terminate at the edge of the Festival Green. Driveways should not be located directly adjacent to the Festival Green terminus. Rather, storefronts should form the continuous frontage along the Festival Green. This would allow the Festival Green to become a continuous pedestrian-only open space from Santa Clara Street to Mare Island

Way. The allee of trees would form a continuous line down the park. Parking lots and access driveways should be designed to allow vehicles to use them as turn around space.

Figure 2.43: Georgia Street/Civic Center Drive Intersection [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]

Figure 3.C.31 illustrates how a landscaped setback on the east side of the street provides a buffer between the sidewalk and the proposed new public parking structure located in the former City Hall surface parking lot. On the west side of the street a 13-foot wide landscaped setback creates a transition area between the public realm of the sidewalk and street and the private realm of porches associated with the residential first-floor uses along this frontage of Civic Center Drive.

Sidewalks on both sides of the street should be 12.5 feet wide and include street trees that are planted in 6-foot square tree wells (see Figure 3.C.31).

Light fixtures and furnishings along this street will match those used in the Downtown. The Evergreen Elm (*Ulmus parviflora*) is the street tree proposed for this street to create a relationship between this street, Georgia Street, and Santa Clara Street.

### **2.2.1.C Santa Clara Street South of Georgia Street**

Future and existing first-floor retail uses anchor both street corners of Santa Clara Street just south of the Georgia Street intersection. The proposed mixed-use development of Vallejo Station establish an important transition and link between the future Transit Center located at mid-block on the east side of the street and retail destinations along Georgia Street. Two mid-block pedestrian crossings will link the Transit Center to the west side of the street, ~~and to Vallejo Station's Paseo Park, and through the Paseo Park to the Ferry Terminal and bus stops on Mare Island Way~~ (see Figure 3.C.33). Curb extensions are to be maintained or installed at the proposed mid-block crossing between the Transit Center and Vallejo Station and its Paseo Park. (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.)

There are three principal options for the design of Santa Clara Street south of Georgia Street. All three options achieve the sidewalk width for the Vallejo Station side of the street as called for in the *Vallejo Downtown Specific Plan* and *Design Guidelines*. The design options also provide for a parking arrangement that is similar to that described in the *Downtown Specific Plan* which includes diagonal parking on the west side of the street and parallel parking on the east.

**Option 1** achieves the desired sidewalk dimension of 14 feet on both sides of the street by moving the existing curbs toward the center of the existing roadway by 4 feet, see Figure 3.C.34. This is the design as illustrated in the *Downtown Specific Plan*.

**Option 2** achieves the desired sidewalk dimension of 14 feet on the west side of the street only by widening the existing sidewalk onto the Vallejo Station site and on top of the ferry parking structure; see Figure 3.C.35 This will maintain all existing curbs.

**Option 3** achieves the desired sidewalk dimension on the Vallejo Station side of the street by moving the curb 4 feet to the east, keeping the existing bulb-out at the intersection with Georgia Street; see Figure 3.C.36

The use of tree grates at all street tree locations provides a total sidewalk width of 14 feet from curb face to building fronts, which is appropriate for the expected levels of pedestrian volumes along this street. Light standards and street furnishings along Santa Clara Street will match those of the Downtown. As on

Civic Center Drive, the Evergreen Elm (*Ulmus parviflora*) is the street tree proposed for this street; this corresponds with the street tree for this street as identified in the *Downtown Specific Plan*.

### **2.2.1.D Santa Clara Street North of Georgia Street**

Figure 3.C.37 illustrates that the proposed new public parking structure on the west side of the street will be separated from the sidewalk by a 10-foot deep landscape buffer. The 14-foot width of the sidewalk matches the width proposed for Santa Clara Street south of Georgia Street. This sidewalk width is consistent with that illustrated in the *Downtown Vallejo Specific Plan*.

### **2.2.1.E Maine Street**

Maine Street is an important east-west link between residential areas in the vicinity of the Downtown and the Waterfront. The street provides access to an existing townhouse complex on the south side of the street as well as to the underground garage underneath the proposed condominiums on this side of the Vallejo Station development.

The topography of the Vallejo Station site, which includes a 9-foot drop along Maine Street between the Santa Clara/Maine Streets intersection and Mare Island Way, creates a condition where portions of the underground parking structure will be exposed above the sidewalk surface along much of the length of the street. This condition furthermore creates the need for stairs or stoops to access the entries of residential units facing the street. In order to counter-balance the visual impacts of an exposed parking garage on the pedestrian environment along Maine Street, Maine Street should be reconfigured. (Figures 3.C.39 and 3.C.40) The proposed reconfiguration will reduce the number of lanes from four to three and combine all left-turn movements in a continuous two-way left-turn-lane at the center of the roadway. This turn lane will serve all left turns occurring off of Maine Street (at the ends of the block onto Mare Island Way, Santa Clara Street, and within the block into the existing townhouse complex, and the proposed garage under the new Vallejo Station condominiums). On-street parking is provided along both the north side of Maine and around the corner on Mare Island Way to serve the retail commercial uses in the ground floor of the new building.

Figure 3.C.40 illustrates the cross-section that results from this reconfiguration of the street. The curb on the north side of the street is moved away from the buildings on the Vallejo Station site in order to create the space necessary to accommodate the stairs and stoops to the residential units, and a 6-foot wide landscape buffer between stair locations, as well as a wider sidewalk that provides space sufficient to accommodate the number of pedestrians expected along this street. The combination of entry patios, stairs, and landscaping will activate and buffer the edge of the parking garage to create an attractive "address" for the condominiums fronting onto Maine Street, as well as create a more comfortable environment for pedestrians walking along Maine.

The existing curb and landscape buffer along the townhouse complex on the south side of the street will be maintained in its current location.

### **2.2.1.F Capitol Street West of Civic Center Drive**

As illustrated in Figure 3.C.41 sidewalks along Capitol Street west of Civic Center Drive will be 12.5 feet wide. Like on Civic Center Drive, a 13-foot landscaped setback provides a transition between the public and private realm. Because of the changes in grade along the street between Civic Center Drive and Mare Island Way, portions of the frontage will include stairs to porches or stoops of the individual residential units. Central lobbies may also front the street.

East of Civic Center Drive, Capitol Street will be fronted on to by the proposed public parking structure. Here the sidewalk will continue at the same width as described above but be separated from the side of the parking structure by a landscaped buffer of 10 feet.

The traditional Downtown light fixture should be used on this street. Red Maple (*Acer rubrum*) is the designated street tree.

### 2.2.1.G Mare Island Way

Figure 2.21: Mare Island Way and Section Location Diagram [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]

[This text has been relocated from Section II Unifying Elements and Linkages]

#### *Mare Island Way from Kentucky Street to Capitol Street*

Improvements in this section of Mare Island will likely be minimal for the foreseeable future, as it was recently improved and little or no new development is planned in this area. Yet installation of pedestrian fixtures attached to the existing roadway fixtures and the planting of street trees to match the rest of the street would support the concept of Mare Island Way serving as a major linkage between the three Waterfront Districts. (Note: This section is repeated in III Waterfront Districts – Northern Waterfront 2.3.3.B due to overlap in district boundaries)

#### *Mare Island Way from Capitol Street to Festival Green*

Figures 2.24 and 2.25 illustrate the section of Mare Island Way at new residential development between Capitol Street and the future Extension of Festival Green. Figure 2.24 shows the proposed conditions for future improvements if the first floor uses include retail or live/work. Figure 2.25 shows proposed improvements if the building use along this frontage is solely residential. Both alternatives assume a parking structure to be built underneath the buildings, which, while at grade at Civic Center Drive, would be partially exposed along Mare Island Way.

Figure 2.24: Partial section of Mare Island Way at retail [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence] ③

~~First-floor Retail: or Live/Work Option:~~ In the case of retail or live/work Parcel J1 along Georgia Street and Mare Island Way, retail uses along the first floor frontage of the building ~~the proposed will include an arcade~~ (also see Private Realm Guidelines in Section C. Central Waterfront) ~~would be accessed by sets of stairs from an 18.5-foot wide sidewalk on Mare Island Way;~~ for Parcel J2 first-floor retail is an optional design. This sidewalk width is consistent with that proposed along the Vallejo Station frontage south of the parking garage entry. (see Section 3.1.1.B Building Frontage and Section 3.1.4 Parking Structures for guidelines on the desired treatment of exposed walls of the parking structures).

~~All First-Floor Residential Option:~~ Under this option ~~In the case of Parcel J2's frontage onto Mare Island Way,~~ residential units are set back from the street by 20 foot landscaped area and accessed via stoops from a 15.5-foot sidewalk along Mare Island Way.

Throughout this block, the Waterfront street light fixture (used along all of Mare Island Way) should be combined with the pedestrian-scale Downtown post top fixture to convey the sense of proximity to Georgia Street and its linkage into the Downtown area to the east. The Design Guidelines encourage the use of the Downtown light fixture as the pedestrian-scaled fixture on the east side of Mare Island Way from Capitol Street to Marin Street to define the relationship of the Central Waterfront and Downtown

Vallejo. Proximity to the important nexus of Georgia Street, Vallejo Station, and the ferry terminal should be further conveyed by the use of banners mounted to the Waterfront street lights in this area.

The section also illustrates how 5 foot bicycle lanes can be incorporated into the cross section of the street with out moving curbs. This is critical to the goal of providing bicycle lanes along the sections of Mare Island Way that currently lack this important element.

#### *West Side of Mare Island Way Adjacent to Festival Green to North End of Ferry Building*

**Planned Final Improvements:** It is the City's intention to redevelop the area that is currently to the north of the ferry terminal and across from the Festival Green into a continuation of the Festival Green to the Waterfront Promenade. When this occurs, the width of sidewalk on the west side of Mare Island Way and tree planting areas should be widened to 5 and 8 feet respectively, as is illustrated in Figure 2.26.

*Figure 2.26: Final Improvements along Mare Island Way at future extension of Festival Green [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence] ④*

**Interim Recommendations:** The existing "Front Room" restaurant north of the Ferry Building has a long-term lease, and when the Festival Green can be expanded into this area, as mentioned above, is not certain. In order to ensure that the pedestrian environment along the restaurant's parking lot is improved, the following interim streetscape and sidewalk design recommendations should be considered.

Improvements to the sidewalk are limited by the minimal available right-of-way in this location. Figure 2.27 illustrates how a significant improvement over the existing conditions can be achieved by placing trees in tree wells fitted with tree grates and by placing a 3.5-high landscape screen (hedge) between parking lot and sidewalk.

#### *East Side of Mare Island Way along Festival Green to Georgia Street*

Figure 2.28 illustrates the how Mare Island Way interfaces with the Festival Green north of Georgia Street. The addition of pedestrian-scale Downtown lights and banners to the Waterfront street lights is critical to the improvement of existing conditions. The row of Downtown fixtures along the sidewalk will demarcate the edge of the green along Mare Island Way.

A 29-foot setback of active open space uses from the face of curb along Mare Island Way should be observed according to requirements contained in the Noise Element of Vallejo's General Plan (see Figure 2.37 on page 31).

#### *Mare Island Way between Georgia Street and Maine Street*

The configuration of sidewalks and cross walks between and at the intersection of Georgia Street and Mare Island Way in the north and Maine Street and Mare Island Way in the south are critical given the high level of pedestrian activity in the area and the extent to which pedestrian activity will increase in the future. It is at these two intersections and along this block, where links to and from the ferry terminal, regional and local busses, waterfront open spaces, and retail and civic uses converge.

To successfully implement the envisioned connection of the Downtown to the Vallejo Waterfront along Georgia Street it is essential that functional and safe crosswalks across Mare Island-Way be provided which visually tie in with future improvements on the Waterfront side of the street. In addition, the Design Guidelines propose some adjustments to the existing curbs and striping on Mare Island Way between the Georgia Street intersection and the intersection with Maine Street which facilitate improved pedestrian crossings of Mare Island Way, see Figure 2.29.



Figure 2.29: Mare Island Way between Georgia Street and Maine Street [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]

### *Between Georgia Street and Entry to Parking Garage*

The cross-section for the segment between Georgia Street and Maine is illustrated in Figure 2.30. Benefits of this section include:

- The shortening of the pedestrian crossing distance through the use of curb extensions (bulb-outs) on both sides of Mare Island Way at pedestrian crosswalks (The final geometric design and feasibility of curb extension from a traffic flow perspective will be determined during the design development phase of future street improvements.);
- The crosswalk on the south side of the intersection should be 20 feet wide to provide sufficient space for larger crowds crossing at times when departures or arrival of ferries require the accommodation of larger pedestrian volumes;
- The creation of a pedestrian refuge at the now 4-foot wide median allowing those who do not make it across the entire street on one “signal cycle” to wait safely for the next pedestrian signal;
- Pedestrian countdown signals that indicate the remaining pedestrian signal “green time” should be provided for all directions of travel at this intersection;
- The surface of the Mare Island Way crosswalks should be given an artistic treatment that ties in with the design theme of future improvements around the ferry building and plaza, and the Waterfront Promenade in this area. This will enhance the visual integration of the Festival Green on one side of the street and the Promenade as well as open spaces on the waterfront side;
- The integration of bicycle lanes which can be connected to those already existing farther north on Mare Island Way;
- Generous sidewalk space along the Vallejo Station frontage, where a mix of pedestrian activities needs to be accommodated, such as the boarding and alighting of bus riders, potential outdoor seating, access to storefront entries, window shopping, and people walking to and from Vallejo Station’s Paseo as well as Georgia Street Extension and destinations in the Downtown; and,
- A clear definition of bus stop locations along bus bays on either side of the street.

Figure 2.31: Concept for Mare Island Way Streetscape along Vallejo Station between Georgia Street and entry to Ferry Parking [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]

In addition, the curb extension on the east side of the street creates additional space in front of the anchor building at the southeast corner of Georgia Street and Mare Island Way, which can be used to accommodate potential outdoor seating, bicycle racks, newspaper racks, and other streetscape elements that lend further prominence to this most important site. A building setback at this corner shall be provided to create a public open space area of no less than 1,900 square feet (measured to include the area between the curb of Georgia Street and Mare Island Way and the façade of the building), which may include outdoor seating (See Figure 2.33b).

Figure 2.33: Crosswalk Design for Mare Island Way at Georgia Street [see revised figure attached – figure numbers

*will be revised to correspond with this section's figure numbering sequence]*

Figure 2.33b: Corner Plaza Diagram [this is a new figure – figure numbers will be revised to correspond with this section's figure numbering sequence]

The design of the Georgia Street/Mare Island Way intersection and its crossings is an integral part of the reconfiguration of Mare Island Way in this location (See Figure 2.33). As these crossings are a further extension of Georgia Street, their design is further described in *Section 2. Georgia Street* of this chapter.

It should be pointed out that by maintaining the eastern curb of the existing median the proposed reconfiguration avoids the need for adjustments in the street's crown and therefore larger changes to the existing storm drainage system. Vehicular traffic will be unaffected by the proposed changes.

### *South of Entry to Ferry Parking to Maine Street*

The functional requirements for the proposed reconfiguration of Mare Island Way between the driveway into the ferry parking garage and the Maine Street intersection do not include the accommodation of bus bays, as current transit plans do not envision the need for buses to stop in this area. Instead on-street parking is provided in front of potential future retail uses along the building frontage on the east side of the street (see Figure 2.34). This parking provides convenience to shoppers wanting to stop for a quick errand, for visitors to the residential uses in Vallejo Station, and others needing a place to park for a short period of time. The sidewalks along this part of the block are, with 18.5 feet, still generous but reduced in width as compared to the segment north of the ferry garage driveway. This reduction is based on the lesser volumes of pedestrian activity expected to occur along this portion of Mare Island Way.

On the west side of the street the 15.5-foot wide sidewalk with trees in tree wells is separated from the adjacent parking lot by a landscaping strip of varying width. This guideline is provided as it is expected that this parking will continue to be used into the future for kiss-and-ride activities related to the ferry. The sidewalk is adequately sized to provide accommodation of pedestrians traveling to the Maine Street intersection on this side of Mare Island Way.

## **2.3 Gateways**

Figure 2.51: Diagram of Primary and Secondary Gateways within the Southern Waterfront [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]

### **2.3.1 Primary Gateway**

*[This text has been relocated from Section II Unifying Elements and Linkages]*

The central Primary Gateway within the Central Waterfront is located at the Georgia Street and Mare Island Way Intersection. This gateway needs no special gateway treatments in the public realm. The combination of the major public open spaces of the Festival Green at the northeast corner, the expansion area of the Festival Green on the waterfront side of the intersection, the adjacency of the ferry terminal building, and the special treatment of the crosswalks and bulb-outs at the intersection, along with the high-level of pedestrian activity in the area will do much to make this gateway a memorable place.

This is the one primary gateway that can be particularly enhanced by the design of adjacent private development. The new building that will be constructed as part of Vallejo Station at the southeast corner of the intersection needs to be designed and have ground-level activity that enhances the gateway as a memorable and special place. The guidelines for this location in Chapter III will work to achieve this goal by recommending a landmark architectural treatment of the building's corner and by encouraging the

development of ground floor retail or restaurant commercial use that opens onto the adjacent sidewalk and corner bulb-out.

### **2.3.2 Secondary Gateways**

The Secondary Gateways in the Central Waterfront are located at the intersections of Mare Island Way and Maine Street and Maine Street and Santa Clara. The importance of these gateways is set by their proximity to the bus transfer center at Santa Clara. Since this is a drop off point for bus riders coming into the area, these gateways should visually signal the connection along Maine Street between the transfer center and the Waterfront. Use of streetscape, landscaping, or built landmarks is recommended for marking the secondary gateways to the Waterfront.

## **3. Private Realm Guidelines**

Figure 3.C.42: Vallejo Station Public and Private Realm Diagram [see revised figure attached]

The Central Waterfront extends Downtown Vallejo to the Waterfront Promenade and Parks, and Vallejo's Ferry Terminal. The form of development in the area will be urban in character and activity, with a high level of interaction between the District's streets and open spaces and the buildings that front onto them. This section provides guidelines for the design of building orientation, frontages, massing, and scale, and detailing/articulation. It describes the design concepts and guidelines that apply to development unique to the Central Waterfront.

### **3.1 Site Design and Building Orientation**

The Central Waterfront District will see the greatest number of pedestrians due to its adjacency to Downtown Vallejo, its many public transit linkages and its civic open spaces. The District itself is also similar in density and intensity, as well as character, to the Downtown. ~~Because of this~~ Therefore, it is critical that the relationship of the buildings to the public streets and open spaces strengthens these linkages with supportive site design and building orientation that ~~enlivens~~ activates the area and creates creating a comfortable and attractive place for pedestrians. These guidelines describe the relationship between the buildings in the Central Waterfront and its public streets and open spaces.

#### **3.1.1 Relationship of Buildings to Streets and Open Spaces**

Building frontages in the Central Waterfront District will directly connect to the public realm and define a continuous building ~~wall~~ facade, just as buildings relate to the public realm in Downtown Vallejo. When buildings form a continuous frontage to public spaces, they provide a sense of enclosure and visual interest the buildings engage the passer-by and create a comfortable pedestrian-oriented street environment. ~~The~~ the increased activity and visual interest associated with continuous building frontages also gives the perception of a shorter walking distance for pedestrians. In contrast, stretches of streets fronted by parking lots, blank facades, or ornamental landscaping within deep setbacks, create spaces that offer little interest and activity for pedestrians. Maximizing active building frontages helps to make walking a more attractive mode of transportation.

The architecture in the Central Waterfront must be sensitive to the pedestrian scale and the nature of the waterfront experience. People arriving on the ferry, walking, or driving in from the surrounding areas should see highly articulated and well-defined architecture spanning the Mare Island Way street frontage from Capitol Street to Maine Street. Georgia Street is the retail commercial spine of the downtown and special care should be taken in defining the architectural treatment of this gateway to give it the emphasis it needs while maintaining an inviting and attractive appeal to the pedestrian.

### 3.1.1.A Building Design

1. Buildings should create a well-defined, visually interesting, and continuous building wall with few interruptions from parking lots, driveways, and inactive open spaces and landscape areas.
2. In order to support the pedestrian-oriented environment within the Central Waterfront District, building frontages onto streets and open spaces should be maximized, similar to existing Downtown (Figure 3.C.43). For Vallejo Station (the area within the block defined by Mare Island Way, Georgia Street, Santa Clara Street, and Maine Street) the minimum building frontage should be 90% of which 20% may be plaza space. The drive into the ferry parking structure should be used in making this calculation. Other streets in the Central Waterfront District should have a minimum building frontage of 85% with the exception of the "civic block" including City Hall and the Library.

### 3.1.1.B Building Frontage

1. To the greatest degree possible, active uses similar to those fronting onto Georgia Street and other downtown streets should occupy the ground-floor directly adjacent to the Festival Green. Uses that can activate and interact with the open space such as retail, restaurants and cafes are preferred, however, hotel and conference center lobbies may be included as part of the frontage. Upper story uses may include hotel rooms, other conference facilities, residential uses, or parking garages. ~~Though not a preferred frontage, hotel pools may face the Festival Green, but such frontages should be minimized and a great degree of care in the design should be taken to avoid creating a frontage that is unfriendly to such a public and civic space. See Section 3.1.6 Outdoor Recreation and Dining for additional guidelines.~~
2. The frontage at Dr. Martin Luther King, Jr. Unity Plaza should activate the plaza during the day and into the night. This may be done through the retrofit or reconstruction of the library or through new construction containing civic or commercial uses. If retrofit of the library occurs, efforts should be made to create a more transparent frontage. Interior uses could be redesigned to allow the front entrance, lobby and check out area to front directly onto the plaza. In addition, window walls should dominate all floors.
3. Where residential and/or live/work uses front onto streets and open spaces, such as the Paseo Park, ~~the Paseo through Residential, Civic Center Drive, Capitol Street, Mare Island Way, Maine Street, and Santa Clara Street, and Festival Green, and Festival Green~~ the elements of such uses that require less privacy or are semi-public should front onto these spaces. These elements include porches, stoops to individual unit entries, lobbies to upper story units, living rooms, and dining rooms, and the work portions of live/work units. (Figure 3.C.44)
4. The frontages of Georgia Street and Mare Island Way from Capitol to the ferry parking garage driveway should be considered as prime space for commercial uses that can take the greatest advantage of a high degree of pedestrian traffic. (Figure 3.C.45) The sidewalks for these streets should be fronted by uses that activate them at the ground-floor such as storefronts; restaurants; cafes; the work portion of live/work units; hotel, conference center and office lobbies; and the most active spaces within offices such as the front lobby. For ground-floor retail, active storefronts or display

areas should turn the corner for at least 50% of the façade along the Ferry parking garage driveway in order to activate this important pedestrian route.

Figure 3.C.45: The corner of Georgia Street and Mare Island Way should offer a dynamic and lively place that attracts people [see revised figure attached]

5. Parking structures should include active ground-floor uses, such as retail, to create a pedestrian-supportive interface with the surrounding sidewalk, particularly on more active street frontages such as Georgia Street, Santa Clara Street, and Mare Island Way. (Figure 3.C.46) On more minor streets, parking structures should, at a minimum, be buffered with landscaping if active ground-floor uses are impractical. Facades should be designed with equal attention to form and articulation as other buildings within the Central Waterfront. Parking structures may also be built to include ground-floor retail in the future with minor retrofitting.
6. Mixed use buildings with first-floor retail or live/work fronting onto Georgia or Mare Island Way should be treated as follows: A 12-foot (min.) deep, continuous arcade should be incorporated into the building along the first floor frontage of the building. The arcade should extend for the entire length of the retail frontage and should be accessed from the sidewalk on Georgia or Mare Island Way by periodic sets of stairs. Any portion of the exposed parking garage wall should be screened with landscaping or be treated with materials and detailing to provide interest and human scale (see Section C. Central Waterfront, Sub-section 3.1.4 for additional guidelines on Parking Structures). Site planning of the development and parking garage should minimize the exposure of parking garage edges on all adjacent streets to the greatest extent feasible.

### **3.1.2 Building Entries and Access**

~~Main entrances to buildings that are directly located along~~ fronting sidewalks, pedestrian routes and public open spaces should emphasize walking access to for those who arrive at the Waterfront by transit/ferry terminal, who have walked from the Downtown or surrounding neighborhoods, or who have parked once in the Waterfront or Downtown and are walking to their ~~between various~~ destinations in the area. Creating a strong relationship between the private realm and the public realm within the Central Waterfront, with Fronting primary entrances fronting directly onto publicly accessible spaces will create a strong relationship between the private realm and the public realm, and will provide continuity with the downtown streets, and This will encourage pedestrians to filter through the District between the Downtown and the Waterfront. (Figure 3.C.47)

#### **3.1.2.A Entry Orientation**

1. Entries should be encouraged to open onto the Festival Green and Dr. Martin Luther King, Jr. Unity Plaza in order to relate adjacent uses to these spaces and contribute to activity.
2. A primary entrance at or close to the corner of Georgia and Mare Island Way is strongly encouraged in order to activate and provide a prominent architectural feature at this important intersection.

#### **3.1.2.B Entry Spacing**

1. Entry spacing for various uses should follow the guidelines below given for predominant ground-

floor use. Entries for upper floor may count towards satisfying this guideline. (Figure 3.C.48)

Land Use	Maximum Distance (on center)	Minimum Average Distance (on center)
Residential	42 feet	36 feet
Retail or Live/Work	60 feet	48 feet
Office	120 feet	None

Table 3.C.1: Entry Spacing Guidelines

2. Pedestrian Entries to parking structures should be located at each corner of the structure. Parking structures greater than 90 linear feet should have more than one pedestrian entry.

### 3.1.2.C Commercial Retail Entries

1. Every retail establishment and live/work unit should have its own entry directly from or connecting to a publicly accessible sidewalks, walkway, or plaza space, such as the Paseo Park.
2. Entries to retail spaces, restaurants, and cafes should be recessed to increase circulation space available to pedestrians who are entering and exiting the business (see Figure 3.C.49 and 3.C.50).

### 3.1.2.D Residential Entries

1. Porches and stoops should have a clear space of no less than 5 to 6 feet in depth and 5 to 6 feet in lengthwidth.
2. Lobby entries to upper-floor units and units within the interior of the development should be oriented toward adjacent streets or the paseos. Where buildings and lobbies are located interior to residential blocks, these should be oriented towards the primary pedestrian circulation system within the block, and whenever feasible be visible from streets or paseos.

### 3.1.3 Visibility of Ground Floor Activity

Visibility of ground floor activity is particularly important within the Central Waterfront where greater pedestrian activity will occur throughout the day and into the evening. A high level of visibility between the public and private realms will encourage a dynamic environment and afford a greater sense of security. See *Section 2.2.3 – Visibility of Ground Floor Activity in Guidelines for All Districts*.

### 3.1.4 Off-Street Parking and Drop-off Areas

1. Parking requirements within the Central Waterfront should be minimized to account for shared

parking and transit accessibility.

### 3.1.4.A Parking Structures

As stated elsewhere in these Guidelines (3.1.1.A – *Relationship of Buildings to Streets and Open Spaces*, Guideline #7) parking structures should include active ground-level uses. A design as shown in Figure 3.C.51 should be avoided. ~~But it is understood that situations~~ Situations may arise where this is not possible given parcel sizes, topography, and the need to provide an extensive amount of parking for ferry riders within the Central Waterfront. The following guidelines will help to create a high-quality and pedestrian-friendly environment in locations where parking structures are exposed to the public realm of the Central Waterfront.

1. Parking structures that front onto a sidewalk, street or public open space should be designed to reflect the architecture of surrounding buildings as well as those of the Downtown.
2. The exterior of parking structures that are visible from public streets and open spaces should be designed to have facades that are articulated as standard buildings with openings similar to windows and detailing reflecting floor levels and other details that would be expected in the design of any residential or commercial building. (Figure 3.C.52)
3. Elevators and stairs should be designed to activate and articulate the façade of parking garages with balconies and railings, providing opportunities to glimpse pedestrian activity within the structure.
4. Visibility of any sloping floors and long horizontal openings should be avoided.
5. Where ground-floor parking and podium parking must abut sidewalks, parking facades should incorporate a high level of architectural detailing and articulation on facades and screening elements.
6. At a minimum, screening should include landscaping, landscaped planters, decorative architectural detailing such as metal and grill work, or changes in materials and colors. Planters that are too tall should be avoided (Figure 3.C.53) See *Architectural Scale and Detailing* section for additional landscape planter guidelines, Section 3.2.2.

### 3.1.5 Off-Street Loading and Service Access

Due to the ~~intensity-density~~ of building within the Central Waterfront, the location and design of off-street loading and service areas will be a critical feature to consider such that they do not detract from the pedestrian aesthetic that will need to be established in this district. In addition to the guidelines that are outlined in *Section A. Overall District Guidelines*, the following guidelines are applicable in the Central Waterfront District.

1. Loading and service areas for such uses as a hotel, offices, and conference center should be consolidated and located within the interior of the block. Access should be either from Capitol Street or Civic Center Drive, Santa Clara Street or Georgia Street into the parking lot for Parcel L2.
2. Loading and service areas for the office/retail parcel in the Vallejo Station block should be located away from Georgia Street and towards the interior of the block.

3. Loading and service areas for the retail/live-work and residential buildings in the Vallejo Station block should be located within the building envelope. Short-term loading and service may happen within the Paseo Park during off-peak hours.
4. Service areas for residential uses should be located within the parking structure serving the units.

### **3.1.6 Outdoor Recreation, Dining and Display**

Uses that activate sidewalks and open spaces are desirable along building frontages in the Central Waterfront, particularly if they can activate these spaces by “spilling out” from the building to create a dynamic pedestrian realm. Typically, these include outdoor dining and display. (Figure 3.C.54) Semi-private uses such as hotel pool facilities and private dining that is not open to the public are less desirable since they typically require greater visual and physical separation from public spaces. If semi-private uses must front onto public spaces, they should be carefully designed to avoid creating uninviting frontages and instead create a positive visual relationship between activities.

1. Private and semi-private, outdoor and recreational uses, such as hotel and pool facilities and plazas where private events will be held, should not be located adjacent to public sidewalks and open spaces. Such uses are often walled off, creating an uninviting frontage. Instead, these facilities should be located within the interior of the block.
2. If semi-private uses associated with the hotel and conference center must be located next to a sidewalk or public open space, they should be designed and buffered in a way that adds to the quality and activity level of the public spaces.
3. Such uses will require more separation along their more public frontage. Landscaping and/or a visually screening fence or wall, up to 6 feet tall, may be used. However, these uses should mitigate the need for privacy with the need to create an inviting frontage, therefore, some visual transparency should be maintained and a high level of articulation should be used. Fences or walls should match the design of the primary building they are associated with.
4. **Storefront Expansion Zone:** Subject to approval by both the Development Services and the Public Works Departments, retailers in the Central Waterfront District may use sidewalks as part of their presence on the street. A storefront expansion zone of approximately 2 feet wide may be identified along the building facades that will be available for retailers to extend their merchandising past the building facade plane. This space can be occupied by constructed projections, such as bay windows or a series of doors that open to the sidewalk during warmer months. Other elements may include benches or pots with flowers or shrubbery. These elements should reflect the quality and identity of the retailer or restaurant but should not obstruct pedestrian flow.

## **3.2 Human Scale and Building Contribution to the Public Realm**

Buildings within the Central Waterfront should take their architectural cues from, though not directly mimic, buildings within Downtown Vallejo in order to physically extend the Downtown and its pedestrian-friendly qualities to the Waterfront. That is massing, height, proportions, rooflines, composition, rhythm, fenestration, and other architectural features should be similar in quality of design and detail to that found in the architecturally significant buildings of Downtown Vallejo. (Figure 3.C.55)



Achieving human scale of buildings is not related to the height of a building, but more so to how the height and massing of the building are modulated and the detail of the architectural design of the building. Figure 3.C.49 illustrates how the visual appearance of the 7-story building to the right can be broken down through stepping back its upper floors. Another key factor in achieving human scale is the use of facade detailing that includes smaller, human scale buildings details and building materials that provide interest if viewed up close at pedestrian level or from across the street. Figure 3.C.65 illustrates how the addition of Juliet Balconies adds to the interest of the facade of this building and reduces its apparent height while providing an element that has a recognizable scale to pedestrians walking along the street.

### 3.2.1 Building Form

The significant architectural buildings within Downtown Vallejo are relatively complex in detail, yet fairly simple in form. Although their form and articulation can create a dynamic façade that is appealing to pedestrians, ~~at the same time they~~ also act as a backdrop to activity on the street and ~~to~~ frame streets and views without overpowering the landscape with overly complex massing. Their relative consistency in height, façade, ~~and~~ roof elements, and massing all contribute to creating a building ~~wall~~ that is orderly and comfortable. New development should also be of a scale that ~~is comprehensible~~ can be easily comprehended by a pedestrian. This requires building form and massing that provides a comfortable ~~scale~~ balance of enclosure and openness to frame vistas to key views of Mare Island, the Strait, ~~and to the~~ Downtown and surrounding neighborhoods. The following guidelines define building form for new development that is compatible with ~~what is found in the~~ Downtown.

#### 3.2.1.A Scale of Building Massing and Height Guidelines

The Vallejo Station and other new buildings in the Central Waterfront District have the unique opportunity to create a strong linkage between the Waterfront and the development across the Mare Island Strait. The height and massing of buildings should contribute to bridging the Waterfront and the Downtown (with the new development occurring there) and take advantage of the topography in the area, to maximize the spectacular views across the Strait and to Mare Island. In general, ~~building~~ massing of buildings on the Vallejo Station site should relate to what is found in the Downtown in order to maintain a continuity of ~~building walls~~ and the sense of pedestrian scale.

1. The corner of Georgia Street and Mare Island Way should be defined by a building that creates a well-defined gateway and becomes a landmark feature as visitors arrive by various modes of transportation. For this reason, defining this corner with a 3-story building that still meets the height limit set by the Planned Development Master Plan (PMDP) height of ~~5-045~~ feet is strongly encouraged at this ~~important~~ intersection (see photo simulation of a sample building in Figure ~~X~~-3.C.56).

Figure 3.C.56: Example of building massing and scale that provides definition to the corner of Georgia Street and Mare Island Way. [see revised figure attached – revised image to come]

Modified Type V Building Type Sidebar [this sidebar to be deleted]

2. Single buildings with long street frontages greater than 72 linear feet should be designed as multiple facades to relate to the scale of surrounding downtown buildings. However, multiple facades should also reflect changes in interior usage. For example, façade changes should occur with changes in storefronts within one building. (Figure 3.C.57)

3. Articulation and terracing of building massing shall be the primary ways to achieve the necessary architectural variation in massing. Emphasis shall be placed on designing highly articulated (both horizontally and vertically) and well-detailed buildings fronting all streets in the Central Waterfront and. The primary goal of terracing and articulation is to avoid blank, minimally articulated building walls fronting Mare Island Way, Georgia Street, Santa Clara Street, and Maine Street and to avoid building facades on Mare Island Way that have only one continuous minimum setback without terracing of the building massing. This articulation shall apply to all levels fronting on all streets in the Central Waterfront area, regardless of building height. The articulation and terracing in the building massing should be large enough to allow the residential or office uses on the upper floors to use this space as an outdoor terrace when appropriate for the associated use, in order to increase activity along these important building facades. Curvilinear buildings are not appropriate in the Central Waterfront area, although curvilinear design features such as turrets and window details are acceptable.

### ***Transition in Scale from Downtown to Waterfront***

A central goal for development in the Central Waterfront District is to link the Waterfront with the Downtown. The Downtown Specific Plan defines a maximum height limit of 7 stories and 85 feet which is higher than that allowed in the Central Waterfront by the PDMP requirements. In order to reinforce the relationship between the Downtown and the Waterfront it is important to provide a smooth an appropriate transition in scale and building height between these areas. Using a preliminary site plan as a basis, the axonometric in Figure 3.C.59 illustrates an approach to building massing supported by the guidelines of this section.

Figure 3.C.59: Building Massing and Height Diagram for Vallejo Station *[see revised figure attached]*

1. Building massing and articulation should respond to the topography of the site and street by stepping and varying heights. This will create a massing that reflects existing site characteristics and maintain an appropriate scale as people move through the Central Waterfront.
2. Buildings should be taller in height along Santa Clara Street and step down by 1 to 2 stories towards the Waterfront in order to be compatible with buildings heights proposed across Santa Clara Street, as well as maximize views from residential units to the Waterfront, the Strait and Mare Island. (Figure 3.C.58)
3. Building massing and scale should be compatible with existing buildings and the building standards for sites across the street from the building that is being designed, in order to harmonize frontages on both sides of the street. Taller buildings should be modulated or designed to step back where they exceed the height of buildings across the street and adjacent buildings. This setback should happen only above the third floor or higher of the taller building. This can be achieved by stepping back buildings facades, changing rooflines and/or incorporating terrace balconies.

### **3.2.1.B Facade Scale and Variation Guidelines**

Variations in façade articulation should be compatible with the rhythm and scale of the existing architecturally significant buildings in the Downtown and as specified within the *Downtown Vallejo Specific Plan* and accompanying Guidelines, particularly for new development along Georgia Street,

Santa Clara Street and the blocks of Mare Island Way between Georgia and Maine Streets. This will reinforce the notion of connecting the Downtown with the Waterfront and the ferry building as a main gateway into the center of the city. (Figure 3.C.60)

### ***Integrate into the Overall Fabric***

When viewed individually, the buildings of Downtown Vallejo may be significant in their architectural style and detailing, yet as part of the whole they act as a backdrop that provides enclosure and a level of comfort in their consistency. That is, they contribute to the aesthetic environment without fighting for center stage as landmark buildings would.

1. Buildings should take into account the urban environment of the surrounding Downtown. They should integrate into the overall fabric and should not stand out as landmarks. Rather, landmark buildings should be reserved for significant civic buildings, such as a performing arts center, and buildings associated with City Hall and the library.
2. Buildings should create architectural relationships with surrounding buildings. That is, building heights, massing, form, and façade composition (i.e., fenestration, cornices, rooflines, etc.) should not mimic, but should relate to surrounding buildings.

### ***Floor-to-Ceiling Heights***

1. Ceiling heights for ground-floor commercial spaces should be similar to those proposed for the downtown area. (Figure 3.C.61) This is particularly important along Georgia Street and Santa Clara Street. See *Overall District Guidelines Section 2.3.1.B* for minimum floor-to-ceiling requirements per land use.

### ***Setbacks and Recesses***

1. Building setbacks can vary in order to create a more dynamic street wall. However, setbacks and recesses greater than 5 feet in depth should be reserved for store or lobby entries, outdoor seating, dining, and/or display.
2. Recesses and setbacks less than 5 feet should not span a length greater than one "bay" (approximately 16 to 20 feet) along the building frontage.

### ***Variations In Building Façade***

The larger-scale massing and height of the buildings within the Central Waterfront can be further related to Downtown Vallejo and provide more refinement in terms of the human-scale of the buildings through the use of massing and facade elements, such as bays, recesses, overhanging, eaves, etc. that provide interest and scale to the facades of the buildings. (Figures 3.C.62 and 3.C.63)

1. Buildings with a frontage greater than 30 feet should make use of bays, recesses, overhangs, and other massing elements to create a human-scaled character to the building. The use of changes in plane as small as 6 to 18 inches in depth can be used in combination with architectural detailing, materials, and color to satisfy this guideline.

### **Corners and Landmark Features**

1. The southeastern corner at Mare Island Way and Georgia is an important intersection that acts as a gateway to the city. The building at this intersection should directly address the street corner with a primary entrance, a vertical element such as a tower feature, and/or other building or urban design elements. Elements should be proportioned to account for the average height of the building and the span of the intersection.
2. Corner of Mare Island Way and Festival Green: An active retail use ~~or~~ restaurant should be located here if feasible to take advantage of this prominent location. A small plaza should be provided in association with this ground-floor use. ~~If retail or live/work continue~~ As retail continues along the Mare Island Way and ~~or festival Green frontage(s)~~, Festival Green frontages, ramp or elevator access should be provided to the proposed arcade and continuous walk ~~should be provided~~ from this location and designed as an integral part of the plaza.

### **Rooflines**

The Central Waterfront is visually prominent from the Downtown, the Waterfront Promenade and Parks, surrounding neighborhoods, Mare Island, and particularly for those who arrive by ferry. As buildings climb up the slopes to Downtown their rooflines should be a distinctive and memorable feature.

1. The rooflines of buildings in the Central Waterfront should reflect the character of the Downtown and the Downtown Specific Plan where buildings are in close proximity to the Downtown.
2. The profile and form of building rooflines may transition to a more distinctive architectural expression moving away from the Downtown towards Mare Island Way.

### **3.2.2 Building Articulation**

The historically significant buildings within Downtown Vallejo are defined by simple forms, but compensate with rich architectural features and the use of quality materials. They provide definition of human-scale and interest, particularly at the street level. This is indicative of buildings that were built when pedestrians were the primary focus when creating places. Buildings within the Central Waterfront will provide continuity by including architectural detailing that responds to a human scale in order to create an environment that will be attractive and interesting.

#### **3.2.2.A Architectural Detailing – Scale and Ornamentation**

Articulation can create a level of interest for pedestrians that supports an active and transit-oriented environment in the Downtown and ferry terminal area.

1. Façade articulation and detail should be in harmony with that of other buildings within the Downtown and the Waterfront. Towards Mare Island Way and the Waterfront Parks and Promenade the architectural style and detailing may take on a more unique characteristic, but should still provide an appropriate human-scale and quality.
2. Elevated planters that act as buffers where podium or structured parking abuts a sidewalk along street frontages should not exceed 4 feet in height and should not be more than 20 feet in length without a

change in plane. Planters should not be less than 3 feet nor exceed 8 feet in depth. The planter wall should be well articulated with materials that are complementary to the associated building façade.

3. Juliet Balconies (i.e., balconies with a flush or minimal depth) are encouraged as they strengthen the relationship between activities on upper floors and the public realm. (Figures 3.C.64 and 3.C.65) They should have a minimum 8 foot wide door opening connecting the balcony with the interior. This allows the balcony to function as an extension of the room.
4. With the exception of Juliet Balconies, balconies should be a minimum 6 feet clear in depth. Balcony railings should not consist of ~~solid~~ fully opaque walls. They should be visually permeable with horizontal or vertical railings.

### ***Building Materials and Finishes***

1. Materials selected should create an architectural character in keeping with significant historic buildings in the Downtown and significant regional architectural traditions, relate to the architectural character of adjacent neighborhoods and buildings, and convey a sense of durability.
2. A variety of building finishes and materials are desirable in creating pedestrian-supportive architecture and that reflect what is used in the Downtown. Acceptable façade materials include: tile (ceramic or clay), masonry (stone or brick), stucco and stone cladding. Acceptable materials for architectural details include: pre-cast concrete, ~~and wood,~~ cultured stone and green building materials that are of wood type.
3. Other materials that are acceptable, but which should be limited in their use include: higher quality curtain-wall systems that provide shadow lines and scale through the use of mullions that contain relief, metal panels, synthetic details finished in stucco, concrete masonry units of varied colors.
4. Acceptable roof materials include any high-quality material such as: slate, concrete or ceramic tile, and standing-seam metal.

### ***Wind and Weather Protection***

1. Consideration of the potential for building massing and form to create a “wind tunnel” effect should be considered in the design of buildings within the Central Waterfront.
2. Generally speaking, given the height and massing of buildings in the Central Waterfront, and if the buildings implement the guidelines for building articulation, such as facade variation, bay windows, etc. there should not be a significant wind tunnel effect.
3. ~~In addition,~~ implementation of the streetscape and open space guidelines will also serve to ameliorate potential wind impacts through the use of trees and the orientation of public gathering and seating locations with a variety of orientations to the prevailing wind direction from the west to southwest.

### **3.2.3 Transition from Public Realm to Interior Space**

1. A conference center or a hotel lobby should either front directly to the sidewalk of a public street or be fronted by a plaza that creates a public frontage where people feel that they are invited into the space. Plazas should include amenities such as seating, landscaping, lighting and weather protection. Plazas should not be a part of the driveway or drop off area for the hotel.

### **3.2.4 Utilities and Mechanical Equipment**

Rooftop utilities will be particularly visible from Mare Island Way and the Waterfront with the increasing height towards the Downtown, which creates even more visible roof area. The rooftops of buildings in the Central Waterfront will also be highly visible from taller buildings allowed in the Downtown. Also, given the layout of the buildings, in particular in the Vallejo Station block, there is little or no “back” for the buildings where outdoor utilities and equipment can be located.

1. Utilities and mechanical equipment should be integrated into the building. Where rooftop utilities and equipment are required they should be screened with building elements including grills that are integrated with the roofline and roof design of the building.

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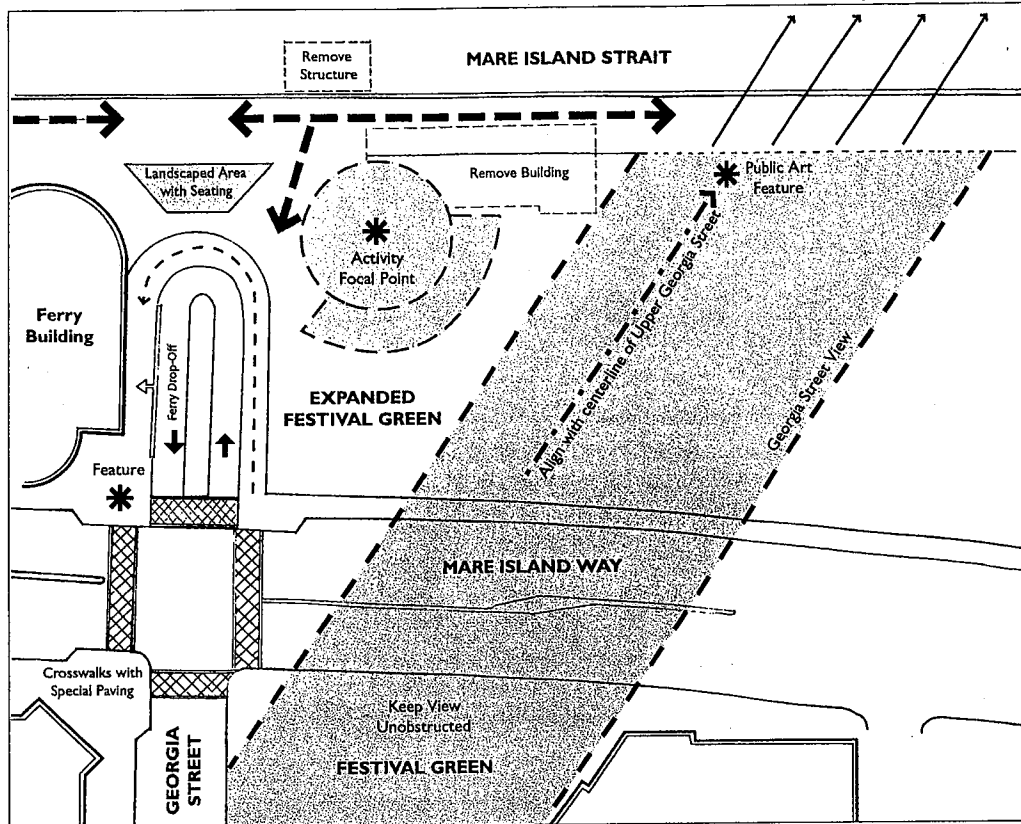


Figure 3.C.15: Guideline Diagram for Park and Drop-off Area North of Ferry Building (Area C)

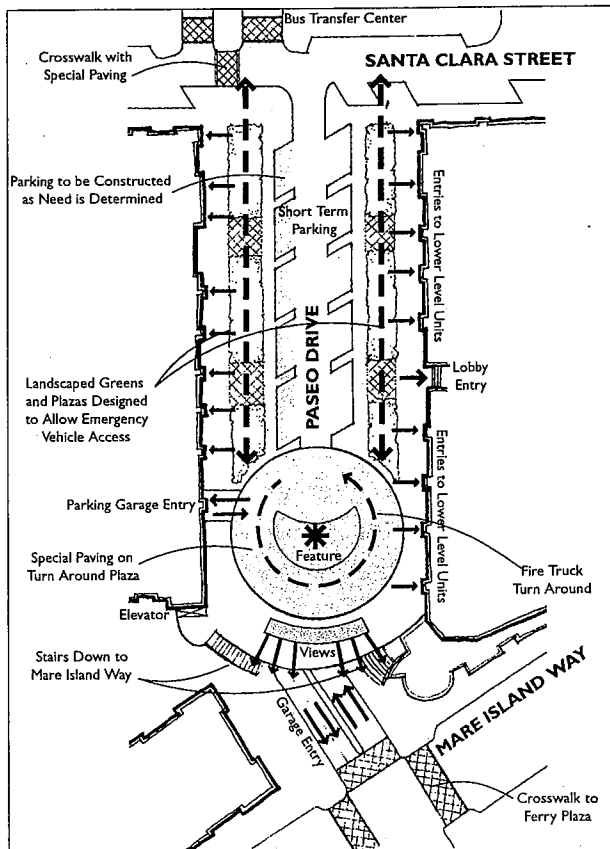


Figure 3.C.23: Guideline Diagram for Vallejo Station Paseo Park (Area F)



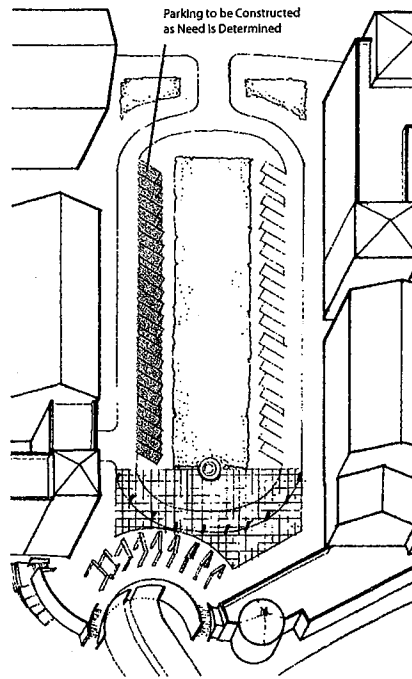


Figure 3.C.24: Sketch Concept for Vallejo Station Paseo Park (Area F)

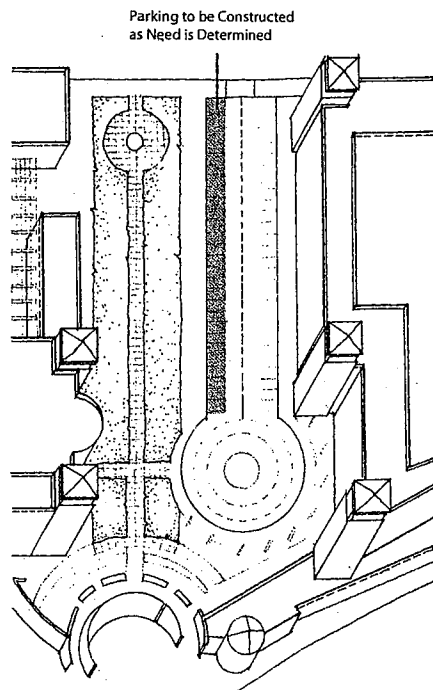


Figure 3.C.25: Sketch Concept for Vallejo Station Paseo Park (Area F)

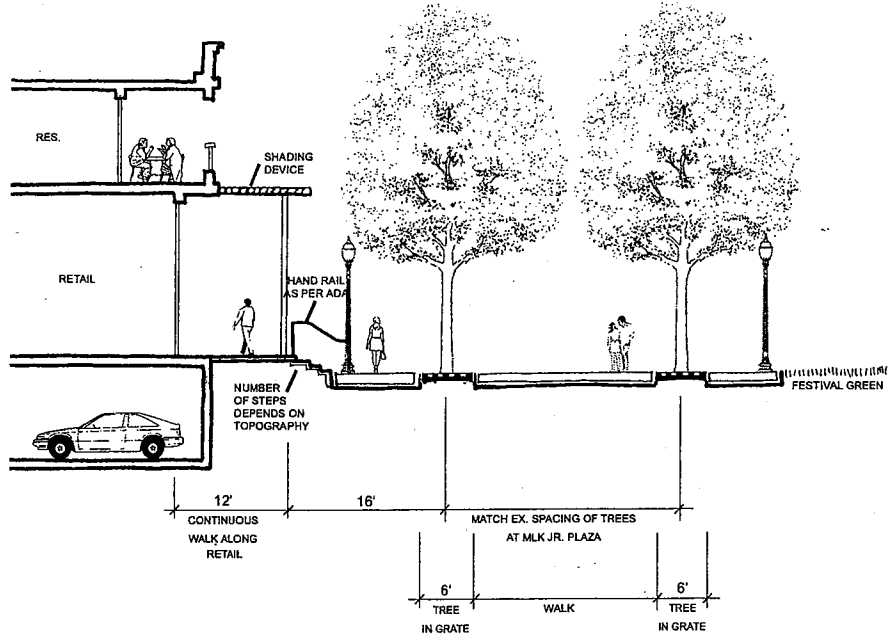


Figure 3.C.28: Partial Cross Section of Retail Frontage along Festival Green (5)

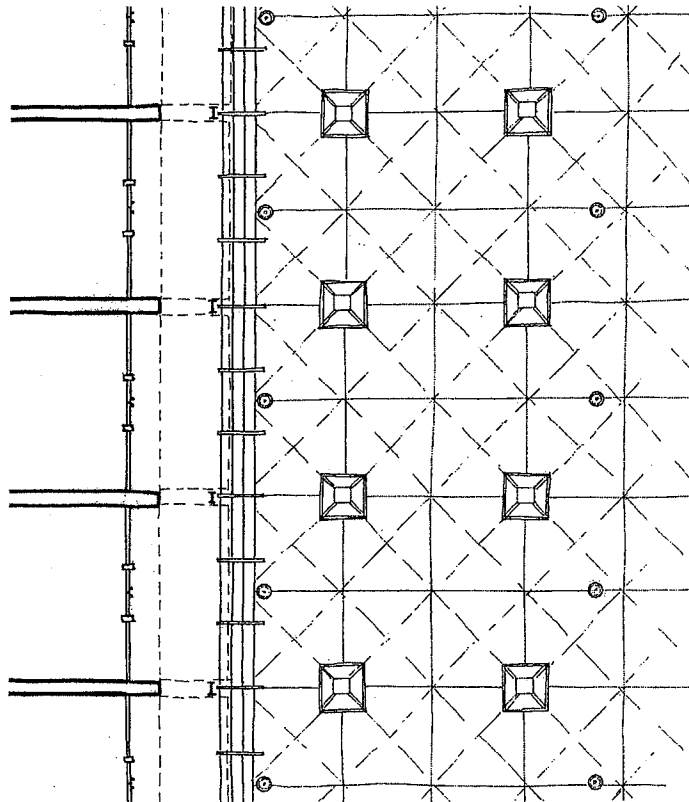


Figure 3.C.29: Plan View of Retail Frontage along Festival Green

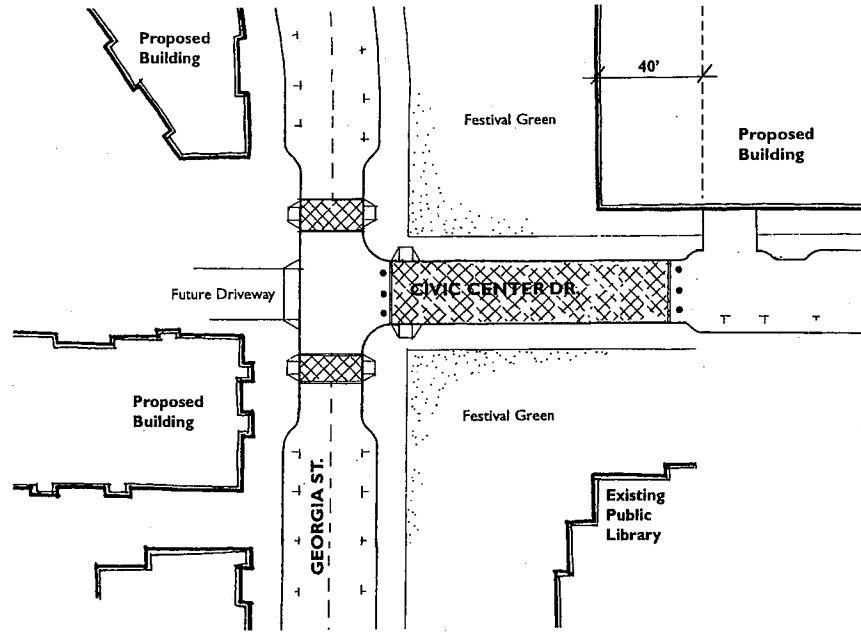


Figure 2.43: Georgia Street/Civic Center Drive Intersection

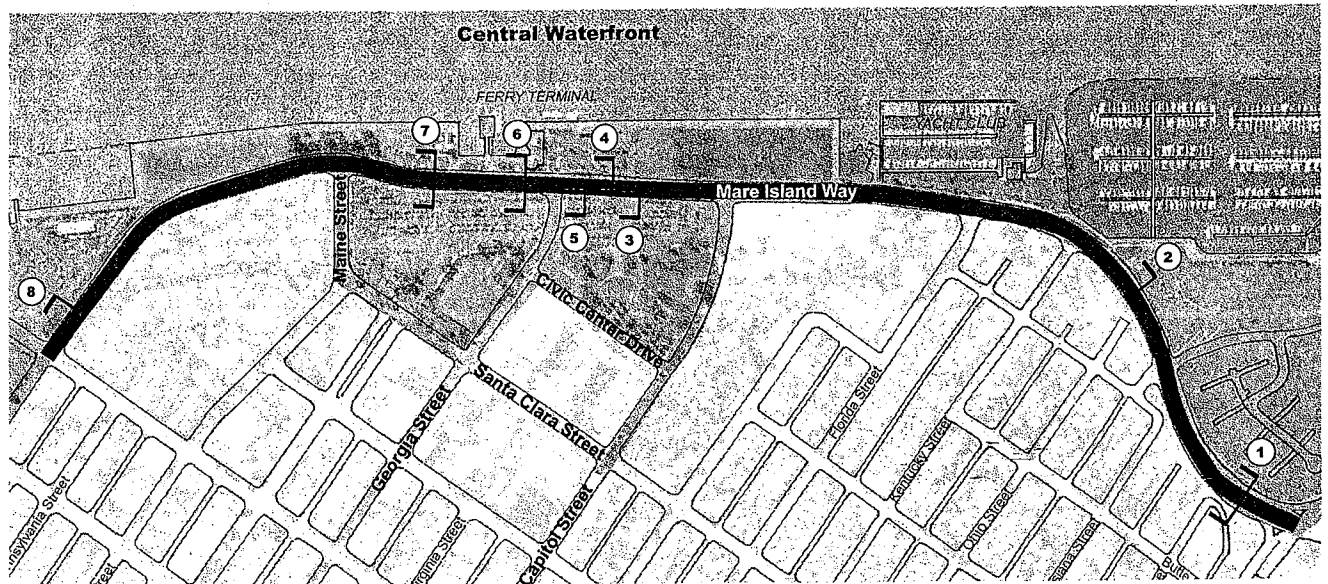


Figure 2.21: Mare Island Way and Section Location Diagram

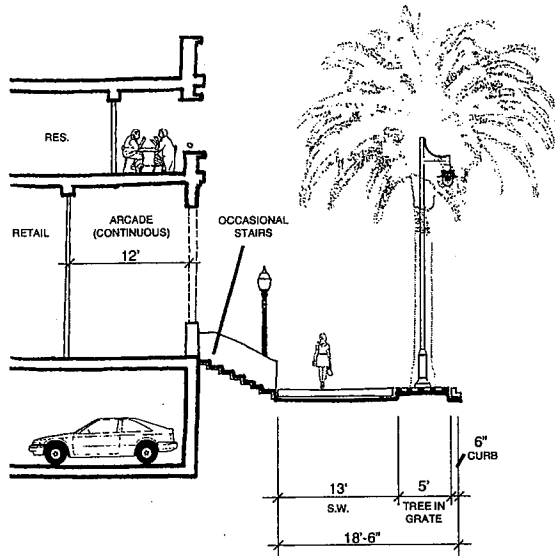


Figure 2.24: Partial section of Mare Island Way at retail ③

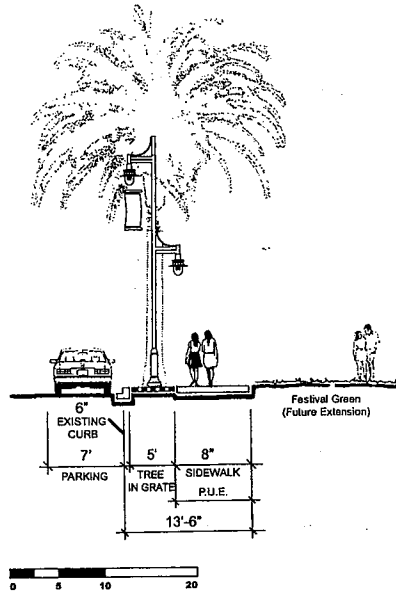


Figure 2.26: Final improvements along Mare Island Way at future extension of Festival Green ④

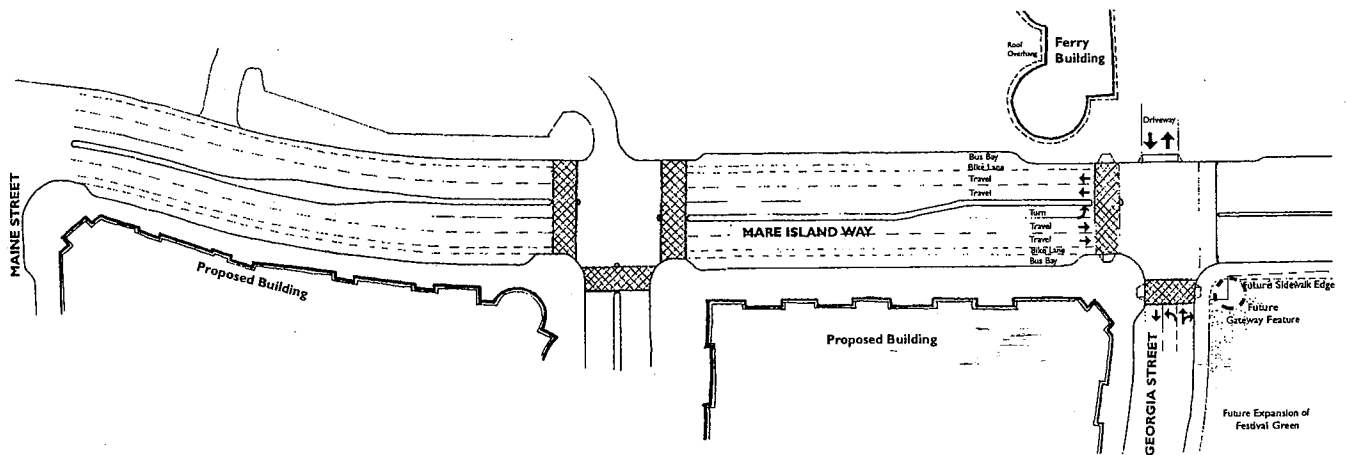


Figure 2.29: Mare Island Way between Georgia Street and Maine Street

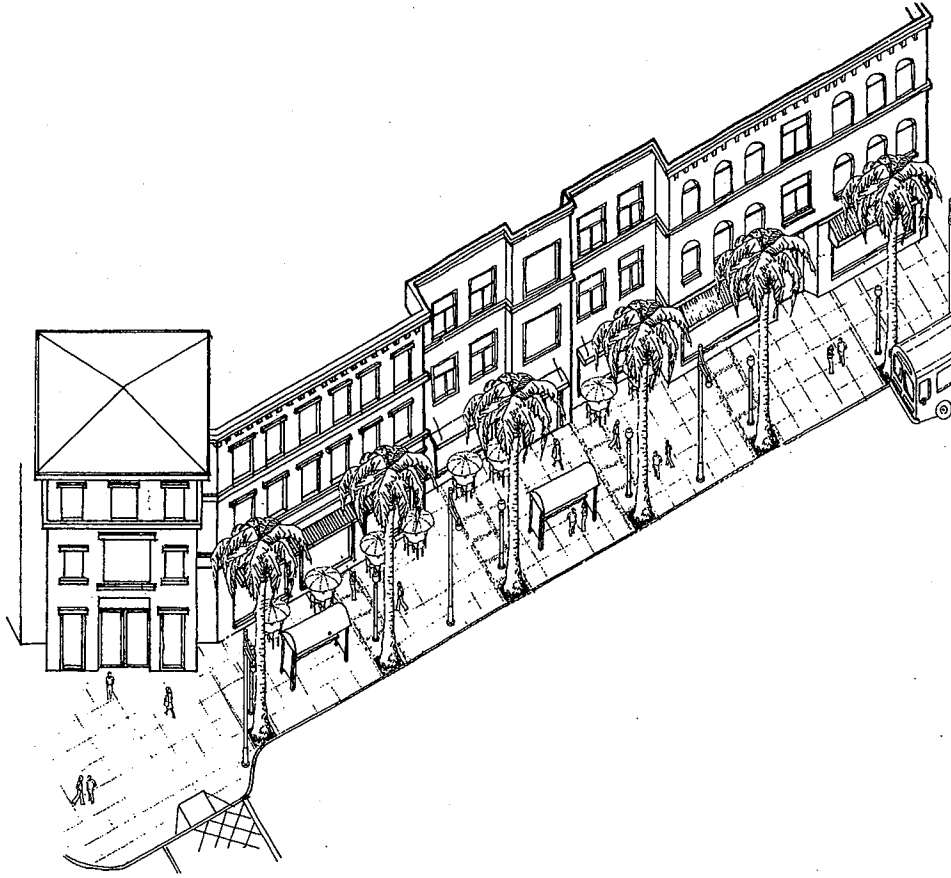


Figure 2.31: Concept for Mare Island Way Streetscape along Vallejo Station between Georgia Street and entry to Ferry Parking

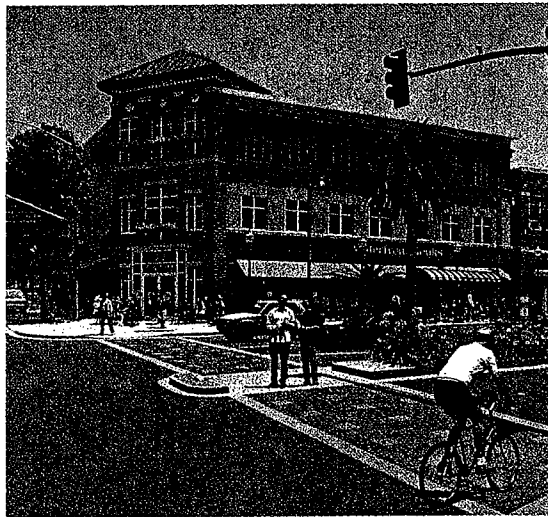


Figure 2.33: Crosswalk Design for Mare Island Way at Georgia Street

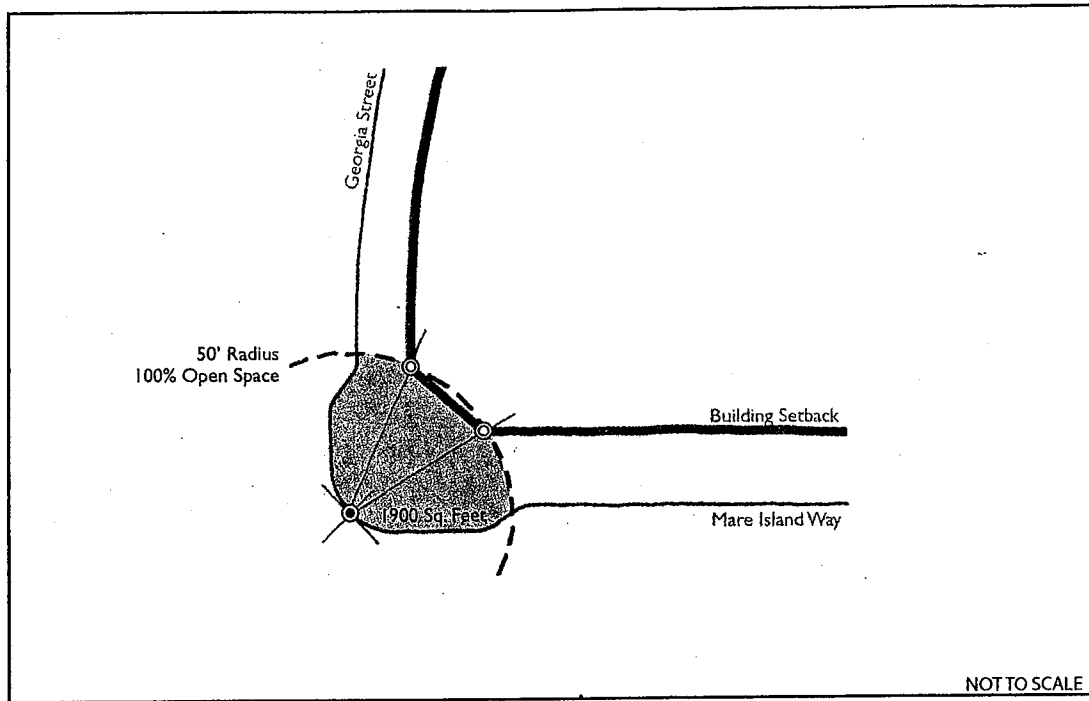


Figure 2.33b: Corner Plaza Diagram, Mare Island Way & Georgia Street

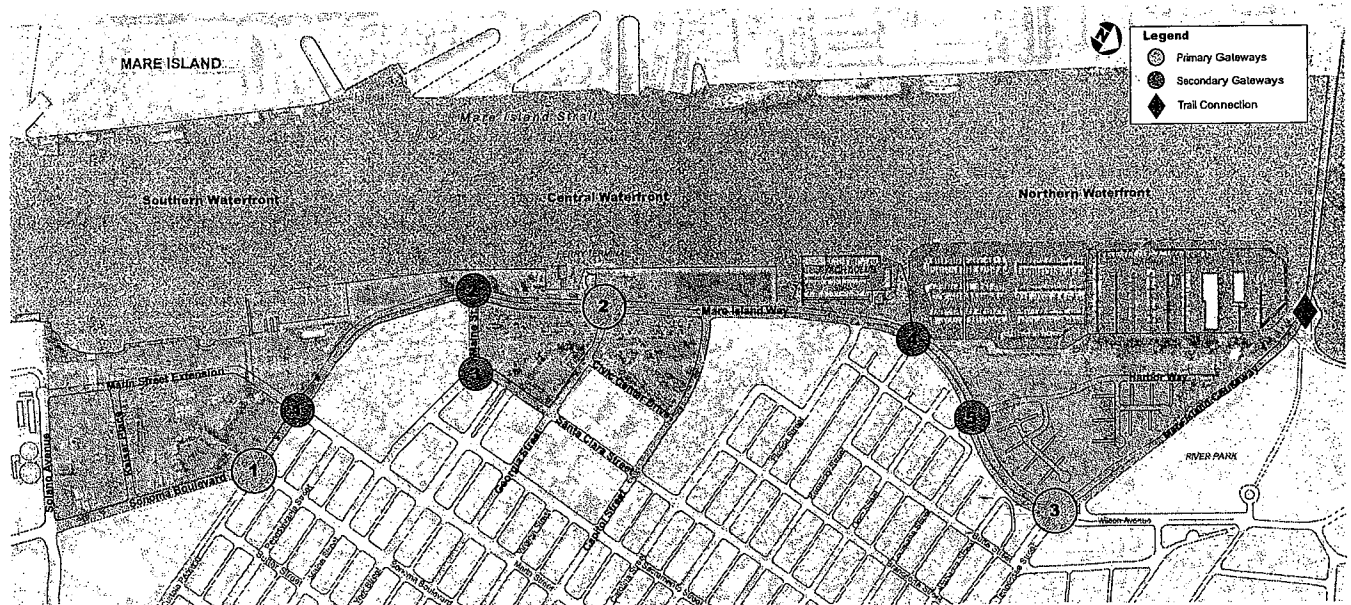


Figure 2.51: Diagram of Primary and Secondary Gateways

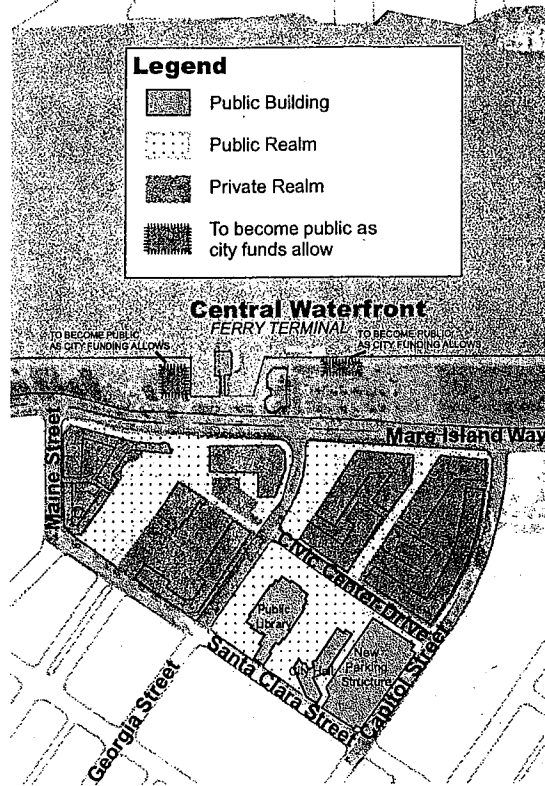


Figure 3.C.42: Vallejo Station Public and Private Realm Diagram



Figure 3.C.45: The corner of Georgia Street and Mare Island Way should offer a dynamic and lively place that attracts people



Figures 3.C.56: Example of building massing and scale that provides definition to the corner of Georgia Street and Mare Island Way

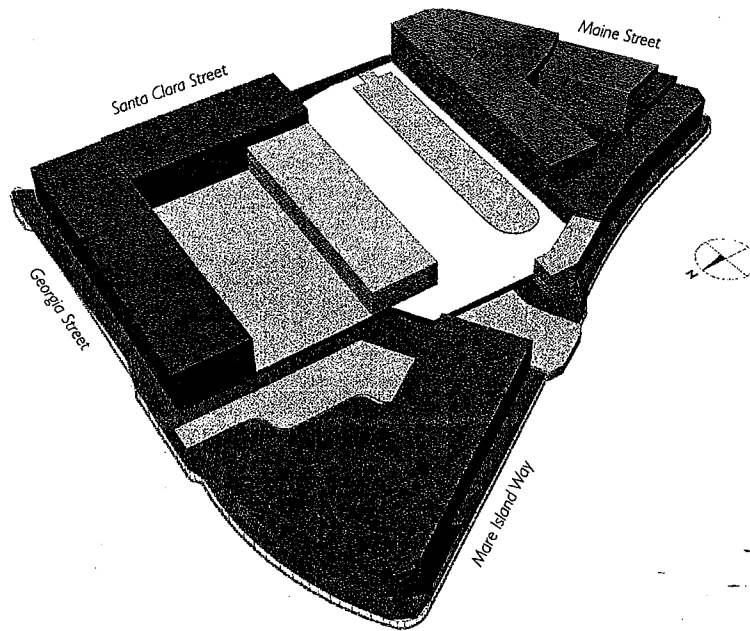


Figure 3.C.59: Building Massing and Height Diagram for Vallejo Station



## D. Northern Waterfront District

### 1. District Character and Context

Figure 3.D.1: Northern Waterfront District Location [see revised figure attached]

The character of the Northern Waterfront District is to a great degree determined by the existing development in the District, including:

- **Development at the Waters Edge:** The existing marinas and Promenade, including the significant eucalyptus grove of trees (see Figure 3.D.2) along the northern portion of the Promenade determine the visual relationship between the District and the water. The presence of the marinas somewhat limits this visual relationship between the District and the Mare Island Strait and Mare Island as views are mostly filtered through the masts of the boats in the marinas.
- **Commercial and Industrial Development:** In addition to the existing Harbor Master building there are a variety of commercial and light industrial marine oriented businesses in the central and northern portions of the District that are accessed off of Harbor Way and served by existing and redeveloped surface parking lots. The character of these developments includes the marine-style design of the Harbor Master's building and other marina structures; the somewhat residential character of the Water Barge restaurant; and Restaurant; and the simple, industrial style of the Vallejo Boatworks, the Coast Guard Station, and other development in the area.
- **Open Space & Parks:** As already mentioned the existing Promenade and eucalyptus grove do much to establish the current character of the District. People from the local community and from farther away do come to this part of the Promenade to stroll and exercise. Visitors often take the Promenade to the north under the Causeway structure to River Park. The existing Jazz Festival Green is an important waterfront park (see Figure 3.D.4), is used both for casual recreation and picnics, and for special events including the Jazz Festival that currently occurs in this park one weekend a year. These activities could move to the new Promenade Park or Festival Green in the Central Waterfront to link them with the revitalization of Downtown Vallejo and Vallejo Station.

The envisioned future character of the Northern Waterfront District will complement the character of much of the development that exists today. The Mariner's Cove proposed development project will develop the vacant lands within the Northern Waterfront District with residential, retail, and recreational uses to complement the existing (see Figure 3.D.3) Harbor Master and marina uses. Mariner's Cove will also include tree-lined streets, ample two large parks, and other landscape areas, as well as provide improvements to the Waterfront Promenade. The central section of Harbor Way will be realigned toward the east in order to create a larger land area for Waterfront Park, the District's major new public open space, more area for the Promenade Park, which will provide new casual active recreation and picnicking opportunities with direct access to the Waterfront Promenade and views of the adjacent marinas.

Figure 3.D.3: Mariner's Cove – Proposed Open Spaces, Streets and Development [see revised figure attached]

East of Harbor Way, Mariner's Cove will be characterized by residential development consisting of three and four plexes, which front onto internal the new Wetland Park, centered between two residential streets and open spaces. The residential townhomes arranged around a series of shared open spaces and Northern Waterfront streets. The residential townhome buildings are complemented by a network of internal landscaped walkways, neighborhood-oriented open spaces, and landscaped buffers around the edges of the site. The future character of areas west of Harbor Way is largely determined by the new Promenade Park, the retail and restaurant buildings, and the surface parking lots to either side of the park. The redesign of the surface parking lots in this sub-area of the District provides parking for both existing and new uses, parking lot and open space frontages, which alternate along the length of Harbor Way and form the context for two retail buildings and a restaurant at the Waterfront Promenade including parking for the marina. The guidelines in this section are intended to guide the integration of streets, buildings, parking lots, and new and existing open spaces, as well as the promenade, in a way that mutually enhances the experience for both, building occupants, the users of the marina facilities, and those who use the parks, open spaces, and the promenade along the entire waterfront.

## 2. Public Realm Guidelines

As discussed in previous Public Realm sections of the Guidelines, the City will be undertaking a public planning process for the open spaces and parks along the Waterfront. These guidelines serve to inform that process and provide it with a starting point.

### 2.1 Promenade Guidelines

The Waterfront Promenade will be a key destination not only for the new residents of Mariner's Cove, but will remain a key destination for visitors from adjacent neighborhoods and other parts of Vallejo. While some portions of the existing Promenade will be incorporated, in their existing condition, into the overall concept for improvements of the Promenade in this District, there are other sections that will require a more extensive enhancement to meet the needs of nearby residents and Vallejo's citizens at large. The Promenade in the Northern Waterfront can be broken down into the following four key segments (see Figure 3.D.5).

Figure 3.D.5: Promenade Segments in the Northern Waterfront [see revised figure attached]

1. **Northern Extension:** The currently relatively undeveloped segment from the Causeway Bridge to the Coast Guard facility;
2. **Allee of Eucalyptus Trees:** The allee of Eucalyptus trees from the Coast Guard facility to the area south of the Harbor Master building;
3. **Waterfront Promenade Park Frontage:** The segment from the south of the Harbor Master Building to the location of the proposed new restaurant; and
4. **Mare Island Way Connection:** The segment from the future restaurant to Mare Island Way.

#### **Northern Extension**

This area of the Promenade is relatively undeveloped with an asphalt path, a fence along the water's edge, informal landscaping along the slope leading up to the Mare Island Causeway, and a dirt path under the Causeway to the River Park. There are dramatic views from this area back across the Marina and of the Causeway Bridge and Mare Island (Figure 3.D.6). Guidelines for improvements in this area are provided in the *Section 2.3.4 - Secondary Gateways and Trail Connections* of the Northern Waterfront District Guidelines.

### ***Allee of Eucalyptus Trees***

The allee segment of the Waterfront Promenade is viewed by a large number of people in the community as an important local landmark and amenity (see Figure 3.D.7). It should therefore become an integral part of the overall concept for improvements along the Promenade.

Figure 3.D.8: Promenade along the Promenade Park [see revised figure attached]

1. Maintain the allee of Eucalyptus trees in its current condition.
2. Enhance the Promenade path with amenities such as pedestrian-scale lighting, benches, and trash receptacles ("Promenade #1" light fixture combined with furnishings from the "Waterfront" palette). The pedestrian-scale light fixtures should be spaced at about 40 feet on center to provide an appropriate level of lighting.

### ***Waterfront Promenade Park Frontage***

Large portions of this segment of the Promenade will be ~~fronted onto by the new Waterfront connected to the new Promenade Park~~ and the outdoor patios associated with the proposed restaurant. The Promenade in this segment will be rebuilt as an integral part of the ~~Waterfront Promenade Park~~ and the restaurant patios. Figure 3.D.8 shows an illustrative design plan for the Promenade, along ~~Waterfront Promenade Park~~. Pathways ~~to from~~ Harbor Way establish critical pedestrian connections from Harbor Way and the residential development to the Promenade. The final design and programming of the park and this portion of the Promenade will be determined through the public process that will be conducted by the City.

Along the Park frontage the Promenade widens to create a waterfront plaza area. Key elements of the plaza area include:

1. An interactive focal element, such as a fountain or sculpture, which celebrates the Vallejo Waterfront location (see Figure 3.D.9).
2. A space with multiple opportunities for seating, gathering, and people watching.
3. A low seat wall, which defines the edge of the park while providing unobstructed views of park activities.
4. Limited use of trees in the plaza to leave open views of water from adjacent areas.
5. Rows of columnar trees will be used to define major pedestrian connections between the Promenade and Harbor Way (Figure 3.D.11).
6. A comfortable transition should be provided between the restaurant dining patios and the Promenade through the use of landscape, paving patterns, and other design elements.

### ***Mare Island Way Connection***

This segment of the Promenade will be improved to enhance pedestrian movement and activities while preserving existing features, particularly in the southern portion of the segment. Figure 3.D.12 illustrates a typical cross section for the Waterfront Promenade in this segment.

1. Widen the existing Promenade from its current width of about 9 and 10 feet to 14 feet. This will provide a more comfortable accommodation for different activities and the expected increase of pedestrian travel in both directions.
2. Enhance the Promenade path with amenities such as pedestrian-scale lighting, benches, and trash receptacles (“Promenade #1” light fixture combined with furnishings from the “Waterfront” palette). The pedestrian-scale light fixtures should be spaced at about 40 feet on center.

## 2.2 Parks and Open Spaces Guidelines

### 2.2.1 New Waterfront Park Wetland Park

This new 4.0 acre park will be located between the two residential neighborhoods and will extend from the Mare Island Causeway to Harbor Way. Several trail connections through the park will connect residents from outside the neighborhood and within the Mariner’s Cove neighborhood to the waterfront. Interpretive signage will educate visitors on the wetland habitat and its function as well as provide a viewing area into the wetland across Harbor Way, to the Promenade Park and Mare Island Straight. The transition from the built environment of the Mariner’s Cove neighborhoods to the more natural, informal open space environment of the wetland will be softened by berms and landscaped paseos. The berms will also act as a buffer between the private residences and the more public space of the Wetland Park, as well as enhance the natural setting for the wetland.

Figure 3.D.New.a: Example of Wetland Park [this is a new figure – see attached]

Figure 3.D.New.b: Example of Wetland Park [this is a new figure – see attached]

Figure 3.D.New.c: Location of proposed Wetland Park [this is a new figure – see attached]

Figure 3.D.New.d: Illustrative Site Plan of proposed Wetland Park [this is a new figure – see attached]

1. The Wetland Park will connect visually and functionally with the surrounding residences and the Promenade Park. The surrounding residences will be connected to the open space by greenways or landscaped paseos. Evergreen planting and berms will screen the townhouse neighborhoods to offer residents greater privacy.
2. The park’s seasonal wetland will be surrounded by meadows, usable for informal or passive recreation, and connected by a network of paths and bridges.

Figure 3.D.New.e: Example of Wetland Park path [this is a new figure – see attached]

Figure 3.D.New.f: Example of Wetland Park bridge [this is a new figure – see attached].

3. The Wetland Park will include emergency vehicle-only access constructed of grasscrete or similar material and will be located as depicted in Figure X. [cross reference to be updated]

Figure 3.D.New.g: Proposed emergency vehicle-only access at Wetland Park [this is a new figure – see attached]

4. The surrounding residences will be connected to the open space by greenways or landscape courts.

5. Planting will include trees, shrubs and grasses along the swales, informal clusters of canopy trees edging the meadows, evergreen screening, and street trees along Mare Island Way, Harbor Way, and the internal streets of the residential neighborhoods.
6. The Wetland Park and the Promenade Park will be connected via landscaping and paving features to create a visual corridor from the Mare Island Causeway to the Mare Island Strait.

Figure 3.D.New.h: View Corridor through Wetland Park [this is a new figure – see attached]

### **2.2.2 New Promenade Park**

Figure 3.D.13: Location of Future Promenade Park [see revised figure attached]

The ~~2.6-acre Waterfront~~ 3.5-acre Promenade Park is the major new public space of the Northern Waterfront area (See Figure 3.D.17).

Figure 3.D.17: Illustrative Site Plan of Promenade Park [see revised figure attached]

1. To enhance the communities' awareness of the park the street trees along the western side of Harbor Way should be located to provide unobstructed views into the park and the waterfront beyond.
2. Cluster of palm trees are used to highlight edges of the park along Harbor Way and frame views from Harbor Way to the Waterfront.
3. A themed children's play area could be provided to accommodate both tot and advanced play activates. Play area should include a comfortable area for parents to view activities. Play area should be visible from park but separate from the primary circulation to provide a level of security.
4. The park should include a large multi-purpose lawn area to accommodate a variety of informal sports uses. Lawn should be gently dishd to provide ball control.
5. The park is well integrated into the overall pedestrian/-bicycle system by the Promenade and two pedestrian connections along the north and south edges of the park; (refer to Section 2.3.1 of the Northern Waterfront Guidelines for information regarding the crossing of Harbor Way between the Promenade Park and the Wetland Park)
6. An enclosed dog park could be provided to allow "off-leash" area for dog owners to socialize.
7. Terrace lawn areas could provide areas for picnicking and also act as an informal amphitheater.

Figure 3.D.18: Location of Restaurant Patios at Promenade [see revised figure attached]

### **2.2.2.2.3 Restaurant Outdoor Patios**

Uses that activate sidewalks and open spaces are particularly desirable along the promenade in the Northern Waterfront. The proposed restaurant toward the southern end of the Northern Waterfront District has particular potential to significantly enliven this stretch of the promenade and the adjacent new open space (see Figure 3.D.19).

1. Provide a direct spatial relationship between outdoor seating areas associated with the restaurant and the Waterfront Promenade. While the use of landscaping is encouraged it should be located so as to frame views from outdoor seating areas to and from the Promenade and not to delineate a visual barrier between the two areas. Overall, outdoor seating areas should feel like an extension of the promenade rather than being separate from it.
2. If wind screening of the patios is deemed necessary it should be clear and not block the visual connection between the patio spaces and the Waterfront Promenade.
3. Activities along the Promenade and in ~~Waterfront~~ Promenade Park should be visible from patio areas. The pedestrian connections between the Promenade and Harbor Way should be located adjacent to outdoor patio spaces.

#### **2.2.32.2.4 Walls and Fences**

1. No walls or fences should be used to close off the Mariner's Cove residential development from adjacent streets. However, low linear landscape features up to a height of 18 inches may be used to delineate the border between the private and public realms in the area.
2. In order to facilitate a character of openness and accessibility, any vertical, linear landscape feature such as the one described above, should include openings that allow for paths to pass through. Figure 3.D.20 illustrates the suggested approximate location of such passage points. Consideration should be given to enhancing the most prominent passage points by adding a vertical landscape feature such as a trellis or arbor framing the pass through.

Where this feature is used to also function as a retaining wall and buildings side onto it, steps should be provided to allow for adequate access of side yard areas.

Figure 3.D.20: Approximate Location of Passages Through Vertical Landscape Features [see revised figure attached]

3. Where grade differences exist between sidewalks and adjacent landscape or other areas, the installation of safety railings may be required by building or other codes. Such railings may be installed at any height required by applicable codes. It is expected that conditions that require the installation of railings are likely going to occur along portions of the sidewalk along the Mare Island Causeway. Railings should be designed as artful visual enhancements of the adjacent pedestrian realm rather than as utilitarian features.

### **2.3 Circulation Guidelines**

The following provides design guidance for different segments of Harbor Way, the principal access street of the Northern Waterfront, a typical street of the residential development east of Harbor Way, and for sidewalks along Mare Island Causeway.

### 2.3.1 Harbor Way

Harbor Way is the primary street that will access all future and existing uses in the Northern Waterfront area, including new and existing retail uses, the Mariner's Cove residential neighborhood on the east side of the street, the Coast Guard, Harbor Master, and marina facilities as well as a new restaurant at the Waterfront Promenade. In order to appropriately serve these diverse uses the design of the street's edge conditions adjust to the particular conditions and requirements of adjoining uses. ~~The design of the roadway portion (curb to curb) is held constant at 40 feet width. Twelve-foot travel lanes were selected over 11-foot lanes to accommodate the types of vehicles and trailers associated with the marina related uses.~~

Figure 3.D.21: Harbor Way and Section Location Diagram [see revised figure attached]

Figure 3.D.New.i: (Option A – Preferred) Harbor Way Cross Section at Existing Restaurant Parking Lot with Tree Lawn and Separated Sidewalk [see revised figure attached] ①

Figure 3.D.New.j: (Option B) Harbor Way Cross Section at Existing Restaurant Parking Lot with Monolithic Sidewalk [see revised figure attached] ①

Figure 3.D. New.k: Harbor Way Cross Section at Parking [see revised figure attached] ②

Figure 3.D. New.l: Harbor Way Cross Section at Promenade Park and Wetland Park [see revised figure attached] ③

Figure 3.D.New.m: Harbor Way Cross Section at Special Pedestrian Crossing [see revised figure attached] ④

Figure 3.D.New.n: Harbor Way Cross Section at Residential [see revised figure attached] ⑤

Figure 3.D.New.o: Harbor Way Cross Section at Intersection [see revised figure attached] ⑥

Figures 3.D.22 through 3.D.24, 3.D.New.i through 3.D.New.o illustrate the relationship of the street to adjacent uses, such as different surface parking (3.D.22), conditions (3.D.New.k), parks (Figure 3.D.23), 3.D.New.l and 3.D.New.m) and residential buildings (Figure 3.D.24) (Figure 3.D.New.i 3.D.New.j and 3.D.New.n).

Figure 3.D.New.i and 3.D.New.j illustrate two alternatives for the northernmost end of Harbor Way fronting the Mariner's Cove development. The re-grading of the site for drainage purposes could result in a higher elevation at the northern end of the development, which would raise the finish floor elevations of the buildings above the grade at Harbor Way. The options above demonstrate two alternatives for resolving this issue. Option A is preferred as it maintains the character and configuration of the pedestrian realm in a consistent manner to the rest of Harbor Way by keeping the tree lawn between the sidewalk and the curb. Option B moves the sidewalk adjacent to the curb creating a monolithic sidewalk condition.

Figure 3.D.New.m illustrates the design concept for the special design treatment for the pedestrian crossing between the Wetland Park and the Promenade Park. The on-street parking that is provided along the majority of Harbor Way is eliminated on both sides of the street in order to shorten the crossing distance for pedestrians. When combined with special concrete paving (e.g., colored and/or textured concrete) within the roadway, this enhances the quality and safety of the crossing encouraging traffic to slow and bringing the pedestrian crossing to the attention of drivers.

~~The latter condition occurs along Harbor Way west of Figure 3.D.25. Figure 3.D.26 illustrates the street as it transitions from the intersection at the Jazz Festival Green-Mare Island Way where a center turn lane is provided, to a more residential and pedestrian-oriented street. Parking is eliminated on either side of the street to preserve views into the open space and waterfront.~~

~~Figure 3.D.25 also 3.D.26 also illustrates the street's configuration close to the intersection with Mare Island Way. Here, on-street parking is discontinued to allow a designated left turn lanes out onto Mare Island Way and into the retail parking lot.~~

The Ornamental Pear (*Pyrus calleryana* 'Aristocrat') is the proposed typical street tree for Harbor Way. Along park frontages and the entry greens at Mare Island Way, however, Southern Live Oak (*Quercus virginiana*) and the Evergreen Elm (*Ulmus parviflora*) will be used to reflect the larger landscaped character of these open space and park frontages.

### **2.3.2 Mariner's Cove Residential Streets**

~~Figure 3.D.26: Mariner's Cove Residential Street and Section Location Diagram [see revised figure attached]~~

#### **2.3.2.A Typical Residential Street**

The overall width of the public right-of-way of a typical residential street within Mariner's Cove is 53 feet. Roadway and sidewalk widths of this street are as compact as possible to increase the depth of landscaped front yards and to reduce the amount of impervious, paved surfaces. In order to achieve this goal travel lanes are 11 feet wide and parking lanes are 7-foot wide (see Figure 3.D.27). Sidewalks of 4-foot width provide accessibility... [continues with no change]. Accessibility for pedestrians, who may also use the pathways connecting the residential courts and those along the Wetland Park to move around the neighborhood. A tree-lined landscape strip between roadway and sidewalk provides a visual delineation and separation between the roadway and adjacent residential buildings, and enhances the residential character and pedestrian-supportive nature of the street. Pedestrian-scale light fixtures will also be located in the landscape strip. The Ornamental Pear (*Pyrus calleryana* 'Aristocrat') is the proposed typical street tree for the Mariner's Cove residential streets.

~~Figure 3.D.27: Mariner's Cove Residential Street Cross Section (Typical) [see revised figure attached] ①~~

#### **2.3.2.B Residential Street with Residences on One Side**

~~[This condition no longer applies]~~

~~In locations where residential uses front on only one side of the street with open space or landscaping on the other, the overall right of way of the street narrows to 45 feet. A sidewalk is provided only on the residential side of the street. Other elements and dimensions are the same as in the typical residential street.~~

~~Figure 3.D.28: Cross Section of Typical Residential Street with Residences on One Side [this figure to be deleted]~~

#### **2.3.2.C 2.3.2.B Typical Private Court Roadway**

Private courts provide access to garages located in the rear of the residential buildings in the Mariner's Cove development. Garages internal to the buildings are typically accessed via a 4-foot concrete drive, which is separated from the curbless roadway by a 6-inch wide concrete band. Drainage occurs through a 3-foot wide, concrete valley gutters located at the center of the 20-foot wide roadway (see Figure 3.D.29). The compact layout of the private court promotes slow driving and careful maneuvering.



Figure 3.D.29: Cross Section of Typical Private Court Roadway [see revised figure attached] ②

### **2.3.2.D2.3.2.C Typical Private Entryway at 'T' Court Road**

In locations where private residential courts are not directly accessed from a loop road, a short street segment provides a connection from the street to the private court road. ~~These segments~~ This segment should typically be fronted by residences with a wrapped porch fronting both the 'T' Court Road and the adjacent street. The configuration of such a street segment is illustrated in Figure 3.D.30. While sidewalks have the same width as along the typical residential streets, they are not separated from the roadway by a tree-lined landscape strip and through a curb and gutter, but rather a continuous concrete band that is not raised above the surface of the roadway. Instead, a 6-inch wide concrete band creates a visual separation between the edge of the sidewalk and the adjacent travel lane. Drainage is achieved through 3-foot wide, concrete valley gutters located at the center of the 28-foot wide roadway. Parking is not permissible along this type of street.

Figure 3.D.30: Cross Section of Typical Private Entry at T-Court [see revised figure attached] ③

### **2.3.3 Mare Island Way and Mare Island Causeway Edges**

#### **2.3.3.A Mare Island Causeway Edge**

Figure 3.D.31: Mare Island Causeway and Section Diagram [see revised figure attached]

Figure 3.D.32 illustrates the typical sidewalk improvements that could occur in this section of Mare Island Causeway between the bridge and the western end of the new development. The proposed improvements include an 8-foot wide landscaped and tree-lined buffer that provides a separation between pedestrians and moving traffic. The addition of pedestrian-scale fixtures along the entire length of the street is intended to increase the visibility of pedestrians and their sense of safety.

The northeastern portions of the Mariner's Cove residential development directly abut the Mare Island Causeway. A grade difference of about 5 feet exists where the internal residential street parallels the Causeway and its sidewalks. This condition will become even more constrained with the pending addition of a second right-turn lane on Mare Island Causeway, which will further reduce the width of the landscaped area between these two streets and creates the need for a retaining wall. These conditions limit the opportunity for providing wider sidewalks and a substantial landscape buffer along the Causeway similar to those proposed for the segment between the causeway structure and the edge of the new development (illustrated in Figure 3.D.32). However, it is expected that the volumes of pedestrians that will be using this route for travel to destinations in other parts of town will be limited. This will particularly be the case if the new path connection from the Causeway to the Promenade below is implemented (see sub-section 2.3.4 - *Secondary Gateways and Trail Connections* below).

Figure 3.D.33 illustrates the typical section for the sidewalk along this constrained segment of the southern edge of the Causeway. Where the future widened Causeway and the new residential street are located in close proximity to one another a retaining wall will make up some of the grade difference. A railing atop the retaining wall will be provided where this is necessary to ensure pedestrian safety.

Figure 3.D.33: Mare Island Causeway (constrained) – Partial Cross Section ② [figure numbers will be revised to correspond with this section's figure numbering sequence]

### 2.3.3.B Mare Island Way

*[This text has been relocated from Section II Unifying Elements and Linkages]*

The guidelines for Mare Island Way are provided in *Section II Unifying Elements and Linkages*, earlier in this Guidelines document.

The following series of cross-sections illustrate how specific conditions along a segment or in a particular location on Mare Island Way in the Northern Waterfront should be reflected in the design of the cross-section of the entire street or, ~~like in most cases,~~ the street's edge condition.

Figure 2.21: Mare Island Way and Section Location Diagram *[figure numbers will be revised to correspond with this section's figure numbering sequence]*

The following sections are organized by location beginning at Mare Island Way's northern end.

#### *Mare Island Way between Mare Island Causeway and Harbor Way*

Figure 2.22 illustrates the current configuration of Mare Island Way near Alabama Street, with the exception of the shown palm trees and pedestrian-scale light fixtures, which represent proposed additions to the existing streetscape in order to provide consistency with future improvements along other segments of the street. Here, pedestrians on the west side of the street are buffered from traffic by a substantial landscape buffer of varying width. The sidewalk essentially has the character of a trail. This is appropriate as there are no existing or future uses that directly address the street and no destinations which pedestrian access would need to be provided to. On the east side of the street, pedestrians are somewhat buffered by the bike lane on Mare Island Way, however, it is anticipated that relatively few pedestrians would use this side of the street for longer travel along the busy arterial. *[Figure number reference to be updated]*

The addition of trees and pedestrian-scale light fixtures are the only changes proposed for this segment of Mare Island Way. Widening of the roadway may occur based on potential future improvements at the Tennessee Street/Mare Island Way intersection.

#### *Mare Island Way from Harbor Way South to Kentucky Street*

Figure 2.23 illustrates how the pedestrian environment can be significantly improved by widening the sidewalk to 8 feet and by introducing a tree-lined landscape strip that acts as a buffer between pedestrians and moving traffic on Mare Island Way. The landscape along the back of the sidewalk provides a visual screen and buffer toward the proposed parking lot. *[Figure number reference to be updated]*

#### *Mare Island Way from Kentucky Street to Capitol Street*

Improvements in this section of Mare Island will likely be minimal for the foreseeable future, as it was recently improved and little or no new development is planned in this area. Yet installation of pedestrian fixtures attached to the existing roadway fixtures and the planting of street trees to match the rest of the street would support the concept of Mare Island Way serving as a major linkage between the three Waterfront Districts. (Note: This section is repeated in III Waterfront Districts – Central Waterfront 2.2.1.G due to overlap in district boundaries)

### 2.3.4 ~~Secondary Gateways and Trail Connections~~

*[The discussion on Secondary Gateways has been consolidated within the new Section 2.4 Gateways]*

The Northern Waterfront area is the location of one secondary gateway and one trail connection (also see Figure 1.2 Waterfront Framework Diagram in *Section II Unifying Elements and Linkages*).

- ~~1. Secondary Gateway:~~ this is the entry into the Northern Waterfront District at the intersection of Mare Island Way and Harbor Way.
- ~~2. Trail Connection:~~ this is the Mare Island Causeway Promenade Connection at the eastern end of the Mare Island Causeway structure.

#### ~~2.3.4.A Secondary Gateway at Intersection of Mare Island Way and Harbor Way~~

~~The intersection of Mare Island Way and Harbor Way is the principal vehicular access and entry point into the Northern Waterfront. All vehicular traffic as well as pedestrians and bicyclists approaching from across and along Mare Island Way will pass this gateway. (No. 5 in Figure 1.2) Therefore, this location should have visual emphasis through the use of ornamental landscaping and landscape structures on either side of Harbor Way and in close proximity to the corner of Mare Island Way. The landscape areas between sidewalks and buildings should compliment the ornamental landscaping around the entry features (Figure 3.D.35 illustrates an example of this condition in plan view).~~

~~To provide views from Mare Island Way into the Waterfront Park area, the northern edge of the intersection is envisioned as an open lawn area. A low linear landscape feature, whose height is not to exceed 18 inches, and ornamental tree planting would define the edge of the lawn area. A sign, which may be taller than 18 inches, could be integrated into the linear landscape feature.~~

#### **2.3.4.BA Mare Island Causeway Promenade Connection**

This new trail connection will provide direct and convenient access for pedestrians and bicyclists into the Northern Waterfront. This location is an important, yet currently poorly functioning, access point to Gateway Park to the north and the Waterfront Promenade to the south of the Causeway. Two related sets of improvements are necessary to create a safe and functional gateway in this location (see Figure 1.2):

- 1. Promenade Extension:** Improving the existing north-south trail connection underneath the Causeway structure to become an extension of the Waterfront Promenade, which should include the installation of a Focal Point in the form of an overlook and seating area as well as pedestrian-scale lighting and landscaping.
- 2. Multi-purpose Trail Ramp:** Providing direct access between the southern sidewalk of Mare Island Causeway and the existing trail adjacent to the water's edge, located 10 feet below.

#### **Promenade Extension**

The Promenade should be extended from the end of the existing improvements near the Coast Guard facility as an 18-foot wide, multi-use path that accommodates pedestrians and bicyclists. The Promenade extension should provide a connection under the Causeway to connect with the path system in the River Park to the north of the Causeway. The sketch plan and perspectives in Figures 3.D.36 - 3.D.38 illustrate how the trail connection under the overpass can be improved with lighting, railings, attractive planting, and seating (focal point with overlook and seating is not shown). Pedestrian light fixtures (Promenade Standard #2 – also see *Section II Unifying Elements and Linkages*) should be added along both, the ramped path from the Causeway to the trail and along the trail itself.

### ***Multi-purpose Trail Ramp from Causeway to Promenade Extension***

A 10-foot wide path can provide the desired connection between the sidewalk of Mare Island Causeway and the Promenade extension below. The ramped trail should be designed to allow pedestrians, bicycles, and those in wheelchairs to safely make the connection between the Causeway and the Promenade extension. The opportunity to provide seating along the ramp so that people can stop to enjoy the view should be considered. An aboveground sewer line traverses the area between the Causeway and the Promenade, and its location and the details of crossing it should be addressed as the design for the access ramp is further developed. The ramp should be lighted with the Promenade Standard #2 fixture (see *Section II Unifying Elements and Linkages*) to provide consistency with lighting along the Promenade (see Figure 3.D.38 and Figure 3.D.39)

## **2.4 Gateways**

*[This text has been relocated from Section II Unifying Elements and Linkages]*

*Figure 2.51: Diagram of Primary and Secondary Gateways within the Northern Waterfront [see revised figure attached – figure numbers will be revised to correspond with this section's figure numbering sequence]*

### **2.4.1 Primary Gateway**

The northern gateway is located at the intersection of Mare Island Way with Mare Island Causeway, Tennessee Street, and Wilson Avenue Intersection. This is the most challenging gateway to the Waterfront, because of the scale of the intersection and because the four roadways that intersect here provide access to distinct areas of Vallejo and in some cases important regional transportation connections. The southwest corner of this intersection is visible for those who are approaching the Waterfront from either Wilson Avenue or Tennessee Street. The improvements to Parcel A in the Northern Waterfront District include this corner and propose to construct an accent wall and landscaping in this location. In addition, the street trees and general streetscape improvements that are proposed for Mare Island Way could be used to frame the proposed accent features to highlight this point as a major gateway to the Waterfront. Similarly, street trees and other elements of the streetscape improvements could be used in the park space at the south-east corner of the intersection to frame this gateway.

### **2.4.2 Secondary Gateways**

The Northern Waterfront area is the location of one secondary gateway and one trail connection (also see Figure 1.2 – Waterfront Framework Diagram in *Section II Unifying Elements and Linkages*).

Secondary Gateways within the Northern Waterfront are located at the intersections of Mare Island Way and Harbor Way and Mare Island Way and Kentucky Street. The intersection of Mare Island Way and Harbor Way is the principal vehicular access and entry point into the Northern Waterfront. All vehicular traffic as well as pedestrians and bicyclists approaching from across and along Mare Island Way will pass this gateway. (No. 5 in Figure 1.2) Therefore, this location should have visual emphasis through the use of ornamental landscaping and landscape structures on either side of Harbor Way and in close proximity to the corner of Mare Island Way. The landscape areas between sidewalks and buildings should compliment the ornamental landscaping around the entry features (Figure 3.D.35 illustrates an example of this condition in plan view).

To provide views from Mare Island Way into the ~~Waterfront Promenade~~ Park area, the northern edge of the intersection is envisioned as an open lawn area. A low linear landscape feature, whose height is not to exceed 18 inches, and ornamental tree planting would define the edge of the lawn area. A sign, which may be taller than 18 inches, could be integrated into the linear landscape feature.

The gateway at Kentucky Street highlights the importance of this connection between the neighborhoods on the bluff and the Vallejo Waterfront.

Figure 3.D.34: Location Diagram for Secondary Gateway at the Intersection of Harbor Way and Mare Island Way [see revised figure attached]

Figure 3.D.35: Design Concept for Secondary Gateway at the intersection of Harbor Way and Mare Island Way [see revised figure attached]

- ~~1. **Secondary Gateway:** this is the entry into the Northern Waterfront District at the intersection of Mare Island Way and Harbor Way.~~

### 3. Private Realm Guidelines

The specific guidelines for the private realm in the Northern Waterfront District are organized into two sub-areas: the Mariner's Cove residential neighborhood clusters on Parcel A to the east of Harbor Way and the retail commercial areas on the west of Harbor Way.

#### 3.1 Site Design and Building Orientation

Individual buildings, parking lots, and landscaped setbacks and buffers ~~in~~ the Northern Waterfront District should create a visual continuum with the existing and proposed parks, playgrounds, the Waterfront Promenade, and Harbor Way that is visually pleasing when experienced from within Mariner's Cove as well as when viewed from areas outside of the District. The following guidelines will guide this integration.

##### 3.1.1 Relationship of Buildings to Streets and Open Spaces

###### *Mariner's Cove Residential Neighborhood*

The residential area of the Mariner's Cove development is bound by Mare Island Way, Mare Island Causeway, and the realigned Harbor Way, which create a triangular shaped site. A landscaped buffer of varying slope is located along Mare Island Causeway and the majority of the frontage along Mare Island Way, and should provide a 'natural' sound and sight buffer to the buildings in the new residential neighborhood. ~~The neighborhood is further separated from the arterial streets, Mare Island Way and Mare Island Causeway, by one of two internal looped residential streets. The residential~~ Three residential cul-de-sac streets provide vehicular access to residential buildings either largely through a direct connection to private court roads (lined with garages), or to short street segments (T-alleys), located between residential streets and court roads garages) and, in a single instance, through a short street segment (T-alley). Pedestrian access is ~~also provided along the residential streets with sidewalks. Additional pedestrian access is provided by~~ sidewalks, an extensive network of landscaped passageways paseos and garden courts throughout the site, as well as a trail network within the Wetland Park (see Figure 3.D.40).

1. Buildings should be oriented to either face a street with sidewalks or one of the many landscaped ~~passageways paseos~~ or garden courts.
2. Where feasible based on the overall geometry of the site, a T-alley configuration should be applied to reduce the visibility of garages from streets with sidewalks: (see site plan in Figure 3.D.3).
3. Porches and stoops should be oriented toward street-facing front yards or landscaped

passageways/paseos and garden courts to provide a comfortable transition between the public and semipublic realms of the street or passageway/landscaped paseos and garden courts and the private realm of the residential units.

4. Corner buildings at roadway intersections and or intersections of roadways and landscaped passageways/gardenpaseos and garden courts should provide porches facing either of those circulation elements.

### **Waterfront Retail**

While in the Central Waterfront building frontages will create direct connections to the public realm of adjacent streets, this relationship is going to be less direct in the Northern Waterfront. This is due to the need to accommodate parking in surface rather than underground parking lots, setbacks related to the preservation of views, and ornamental landscaping in conjunction with gateway designs, and the Waterfront Promenade. This approach will create a more landscaped environment that is in keeping with the landscaped character of the surrounding neighborhoods and River Park to the north.

Based on these conditions, it is important to create safe and functional pedestrian connections between street sidewalks, buildings, and adjacent parking lots as well as a mutually enhancing relationship between buildings, landscaping, open spaces, and the Waterfront Promenade. However, a direct relationship between building and adjacent street should be established where this is not precluded by other goals and guidelines.

### **3.1.1.A Building Setbacks**

#### **Mariner's Cove Residential Neighborhood**

Building setbacks for residential buildings in Mariner's Cove should follow the guidelines indicated in the table below. The separation between adjacent buildings should not be less than 25 feet.

### **Waterfront Retail**

1. Retail building at the corner of Harbor Way and Mare Island Way: The northeastern face of the building should be set back from the ~~back-of-sidewalk~~back-of-curb along Harbor Way by 35 feet to provide a view corridor from Mare Island Way and ~~elevated areas of the St. Vincent's Hill neighborhood~~Trinity Street into the site and to boat masts and views of the waterfront. Landscaping in this setback should be selected and designed as an integral part of the future gateway at the entry to Harbor Way (see Figure 3.D.41).

Figure 3.D.41: View Corridor and Waterline Setback *[see revised figure attached]*

2. Retail Building at Harbor Way/Jazz Festival Green:Way North of Harbor Master Building: The building should be separated from the sidewalk by a landscaped setback that, at its narrowest point, is 10 feet deep. At the entry, a small plaza should provide a direct connection with the adjacent sidewalk to activate the street with pedestrian activity (also see *Retail Entry Orientation Guidelines* below). The pedestrian path from Harbor Way to the Promenade, that runs adjacent to the northwestern building façade, is an important connection to the waterfront. If the final floor plan requires that more than 50% of the ~~northern building~~this frontage along Jazz Festival Green consist of a blank wall, a ~~10-foot~~should it become the building's service area, a minimum 7-foot wide landscape buffer should

be provided to allow for effective screening of the ~~blank façade with trees and tall shrubs~~ retail building's service façade with trees, tall shrubs, vines and/or other vertical elements, to create a more interesting environment along the adjacent walkway.

3. Restaurant Building at Promenade: No portion of the restaurant building should be located closer to the higher water mark than 55 feet (as defined by the Bay Conservation Development Commission; also see Figure 3.D.41). The building and its surrounding landscaping and hardscaped "patio" seating areas should engage the promenade and make activity within the building visible to the promenade.

### 3.1.1.B Building Frontage

#### *Mariner's Cove Residential Neighborhood*

1. Streets and residential building locations in Mariner's Cove should be laid out to maximize the number of units that front onto a landscaped ~~passageway, paseo,~~ garden court, major landscaped setback, or residential ~~park~~ the Wetland Park.
2. ~~Building frontage along the main access road, Harbor Way, should be limited to the end and corner units of residential multi-plexes.~~
- 3.2. The orientation of buildings should provide a visually engaging variety that is supported by the geometry of the site and the resulting layout of the network of streets and landscaped ~~passageways, paseos.~~ This approach should include stretches of alternating ~~long front and short side elevations along Harbor Way, the internal loop~~ neighborhood streets, passageways, landscaped paseos, and garden courts.
- 4.3. In order to support the desired overall character of a neighborhood well integrated into a strong landscape framework, a monotonous unflinching series of reoccurring frontage conditions should be avoided. The architectural detailing of buildings and particularly the design of end unit frontages should support this approach by varying in treatment and in configuration. The same concept should also be applied to internal ~~passages~~ landscaped paseos to create a variety of front and side elevations.

#### *Waterfront Retail*

1. Retail Building at Corner of Harbor Way and Mare Island Way: While the majority of visitors will be arriving by car and access the building from the parking lot side, it is critical that the building frontage toward Mare Island Way and Harbor Way include frontages comprised of windows and visually engaging architectural detailing.
2. Retail Building at Harbor Way/Jazz Festival Green: Way North of Harbor Master Building: The eastern façade of this building should directly relate to Harbor Way with a small, paved plaza at its corner entry (also see 3.1.2.A – *Retail Entry Orientation Guidelines*) and ornamental landscaping along its setback between sidewalk and building façade. The landscaping should be designed so as to not block view of display windows and activity in the building's interior. Both, eastern and southern frontages should be considered the building's primary frontages and consist of display windows.

3. **Restaurant Building at Promenade:** All building frontage along the Waterfront Promenade should be considered primary frontage and directly relate to patios for outdoor dining and associated landscape areas. Except for the drop-off area close to the building entry, the sidewalk along the building's frontage toward the parking lot should be buffered from adjacent parking by a screen of landscaping to screen views from the building into the parking lot.

### **3.1.2 Building Entries and Access**

#### **Waterfront Retail**

Irrespective of whether entries are oriented toward a street or a parking lot, they should be easily recognizable to the arriving visitor and functionally well designed. While the retail buildings in the Northern Waterfront are likely to be primarily accessed from their parking-lot-side, their relationship to the public realm of surrounding streets, parks, and the Waterfront Promenade can be strengthened by either providing a corner entrance that is visible and accessible from both parking lot and sidewalk, or by providing a second entrance that is oriented toward the adjacent street or the Waterfront Promenade.

#### **3.1.2.A Entry Orientation Guidelines**

##### **Mariner's Cove Residential Neighborhood**

1. The entries of all residential buildings should either orient towards the adjacent street or landscaped ~~passage~~paseo or garden court.
2. The end units of the ~~multi-plex~~townhome buildings (~~3 to 5 units~~) should have an entry either out onto an at-grade patio or stoop that lead up to a porch.
3. All other units should have entries associated with a raised porch or stoop that face the street or landscaped ~~passage~~paseo or garden court.
4. Main entries may not face the private court roads, which are primarily intended to provide vehicular access to garages integrated into the rear façade of buildings.
5. All entries should be designed to be easily located and be configured to maximize the functionality of internal landscaped ~~passage~~gardenspaseos, garden courts and private open space.

#### **Waterfront Retail**

1. **Retail Building at Corner of Harbor Way and Mare Island Way:** It is strongly encouraged to provide a second entry (or entries) to retail space(s) in the building oriented toward Mare Island Way. This will activate the building frontage along the street and provide more direct access for pedestrians approaching from residential areas across Mare Island Way.
2. **Retail Building at Harbor Way/Jazz Festival Green:** ~~Way North of Harbor Master Building:~~ The main entry to this building should be located at its southeastern corner. In this location the entrance can conveniently serve and address both Harbor Way and the parking lot associated with the building.
3. **Restaurant Building at Promenade:** The main entry to the restaurant should be located at the northeast



corner of the building and be clearly visible from both the parking lot entry on Harbor Way, the adjacent ~~Waterfront~~ Promenade Park, and the Waterfront Promenade.

### 3.1.3 Visibility of Ground Floor Activity in Retail Buildings

Visibility of ground floor activity is important within the Northern Waterfront where retail and restaurant buildings are adjacent to public open spaces and streets. A high level of visibility between the public and private realms will encourage a dynamic environment and afford a greater sense of security during the day and in the evening.

1. Retail Building at Corner of Harbor Way and Mare Island Way: While the building will be primarily accessed and therefore viewed from the parking lot side, it is important that the building maintain a visual relationship to Mare Island Way. In addition to a façade dominated by clear windows facing the parking lot along its longitudinal façade, a minimum of 60% of clear windows should be integrated into the façade facing Mare Island Way.
2. Retail Building at Harbor Way/Jazz Festival Green: ~~The building façade that faces the adjacent Jazz Festival Green should~~ Way North of Harbor Master Building: Although both the eastern and southern frontages are considered to be the building's primary frontages and should be dominated by display windows, the pedestrian connection along the northwestern façade should also be dominated by clear windows between its mid-point and the corner of the building at Harbor Way to establish a visual relationship between activities inside of the building and in the park, the pedestrian activity along this important pedestrian connection. If the future floor plan requires that more than 50% of the northwestern building frontage along the adjacent park consist of a blank wall, the blank should it become the building's service area, the building's façade should be screened from view with trees and tall shrubs, vines and/or other vertical elements. In order to support pedestrian activity along Harbor Way, a minimum of 50% of clear windows should be integrated into the façade facing this street.
3. Restaurant Building at Promenade: All facades facing the restaurant's outdoor patios and the Waterfront Promenade should be dominated by clear windows and French doors (Figure X). This will reinforce the critical spatial and visual relationship between these areas and the activities inside of the proposed building. Similarly, clear windows should be provided along the primary frontage of the building toward the parking lot. However, views from these windows into the parking lot should be screened by a landscape buffer located the between the edge of the sidewalk and adjacent parking stalls.

### 3.1.4 Off-Street Parking Areas

All of the sub-areas of the Northern Waterfront District will have some areas of surface off-street parking. In the Mariner's Cove residential neighborhood parking for residents will be provided in parking garages for each unit with visitor parking provided both on street and in a small surface parking lot at the end of one of the parking courts. lots typically at the end of the cul-de-sac streets.

Due to the limited extent of additional planned retail uses in the Northern Waterfront area and the presence of several existing surface parking lots, future parking will occur in surface parking lots rather

than structured parking facilities. It is critical to achieving the desired overall character of the Northern Waterfront District that such parking lots are well buffered from residences on the other side of Harbor Way and Mare Island Way, and adjacent open spaces. In addition, most visitors to the retail buildings will arrive in one of the parking lots. It is therefore important to provide high quality pedestrian circulation within the parking area and to the buildings. Finally, because of their large paved areas, surface parking lots can negatively impact the microclimate in their surroundings and create large amounts of stormwater run-off. These negative impacts can be partially mitigated by incorporating landscape areas into the parking lot design. The following guidelines, which supplement those in *Section A – Overall District Guidelines*, address how this can be achieved.

### **Surface Parking Design – General Guidelines**

Parking screening and landscaping is required to both provide a spatial and visual buffer for pedestrians walking on sidewalks, paths, and trails adjacent to a surface parking area and to provide an area that helps to counter-balance the negative impacts of large impervious surfaces. In addition, buffers protect pedestrians from car headlights in the evening and create a more pleasant walking environment to and within waterfront places.

1. Buffers may consist of a combination of trees, shrubs, vines, low walls, and landscape structures that create a visual and physical separation, and create an attractive frontage onto sidewalks, parks, and other adjacent areas.
2. The landscaped buffer should be located between the surface parking lot and adjacent sidewalks, paths, and trails. The landscape buffer should be a minimum of 6 feet wide if a hedge is used and 10 feet wide if trees and shrubs are used. Where widths are constrained, less than 5 feet in width, a low wall may be used in place of shrubs and hedges. Greater separation and articulation may be achieved with a visually permeable landscape structure such as trellises.
3. Shrubs, hedges and low walls should not be more than 3 feet – 6 inches tall. The use of landscape structures, such as trellises or arbors, is encouraged. The height of any such structures should not exceed 6 feet tall. In cases where this is required by topography, their height may be increased to 8 feet. As the screening of parking should be balanced with the need for visual surveillance of parking areas for security purposes, any portion of a landscape structure above 3 feet – 6 inches height should be largely open to views (Figures 3.D.45 and 3.D.46).
4. If a wall is used, vines or other landscaping should be used to soften the appearance of the wall from the street.
5. Buffers should be protected from car bumpers and fenders with wheel stops or a 6-inch curb. If a 6-inch curb is used, low ground covers should cover the area beyond the back-of-curb. (Figure 3.D.47)
6. Parking lots greater than 24 stalls (approximately one quarter acre) should provide a tree canopy that will cover 50% of the lot at time of the trees' maturity (approximately 10 years). Spacing of trees will depend upon the species and their growing habits.
7. To effectively achieve this coverage, trees should be planted "orchard style" (i.e., evenly spaced throughout the parking lot). (Figure 3.D.48)

8. Additional landscaping within the interior of parking lots should comprise a minimum of 15% of the total net parking area exclusive of the perimeter-planting strip used for screening purposes.
9. Landscape elements, such as trees, plants and structures, within a parking lot and along pedestrian pathways should be utilized to reduce the perceived size of the lot and create a more pleasant microclimate and walking environment for pedestrians. (Figure 3.D.49)
10. The number of driveways from individual parking lots with Harbor Way should be limited to one per lot.
11. Where pedestrian connections through parking to the waterfront occur, a raised crossing should be used to elevate the pedestrian crossing at a driveway, to the level of the sidewalk or walkway it is associated with. Special paving should continue the path across the crossing and communicate clearly that cars are crossing a pedestrian path. The elevated crossing can also act as a traffic-calming device within the parking lots. Additionally, a stop sign should be located at this crossing. At a minimum, such instances should occur adjacent to the retail building North of the Harbor Master Building to provide a continuous pedestrian connection from the Harbor Way crosswalk to the waterfront along the northwestern façade of the building and at the drive aisles north of the existing restaurant (currently known as Zio Fraedo's) where they meet the driveway to Harbor Way.
12. The path along the retail building North of the Harbor Master Building should be buffered by a minimum 7-foot wide landscape area adjacent to the building (see Sections 3.1.1.A and 3.1.3 for additional guidelines for this area). As the path extends through the parking lot towards the Promenade the landscaped buffer may be reduced to a minimum 5-foot width due to the constrained proportions of the surface parking lot associated with the retail building (See Figure 3.D.New.p).

Figure 3.D.New.p: Pedestrian Access at Waterfront Retail [this is a new figure]

- ~~11.~~13. Consideration should be given to the use of swales within parking lots to reduce peak stormwater run-off and to treat the water quality of the run-off. (Figures 3.D.50 and 3.D.51).

### **Surface Parking Design – Paths Along Edges of Parks**

Particular care in implementing the above guidelines should be taken where pedestrian paths provide connections between Harbor Way and the Waterfront Promenade north and south of the proposed ~~Waterfront Park and on the south edge of the existing Jazz Festival Green Promenade Park.~~ These paths represent the main connection between the residential areas of Mariner's Cove and the Promenade and will be used by large numbers of pedestrians. High standards for landscape materials and buffering widths should therefore be applied to the landscape buffers between the adjacent parking lots and the paths (3.D.52).

1. Buffer widths between the parks and adjacent parking areas should be a minimum of 10 feet wide. A double row of trees should be provided, with one row planted in the buffer area and the other on the park-side of the path.
2. At the Harbor Way end of the buffer and path, in the ~~Waterfront Promenade Park,~~ that connects to the

restaurant building a landscape feature or structure that provides a visual emphasis to this important public pathway connection should be provided.

### **3.1.5 Off-Street Loading and Service Access**

Where buildings do not form a continuous frontage and particularly side and rear building facades are exposed to views from multiple vantage points in the surrounding area, it is important that off-street loading and service areas be well sited within the overall site plan and well integrated into the overall architecture of a given retail building. The conditions around the retail buildings in the Northern Waterfront require such treatments. In addition to the guidelines that are outlined in *Section A - Overall District Guidelines*, the following guidelines are applicable in the Central Waterfront District.

1. Appropriate screening strategies include evergreen shrubs and trees, vine-covered walls or fences, and trellises.
2. Planting and overhead features such as trellises and arbors should accompany hardscape features such as curbs and low walls which are used to define the boundary between loading and off-street parking circulation.
3. Retail Building at the corner of Harbor Way and Mare Island Way: Loading and service areas should be consolidated and located at the southwestern building edge facing the parking lot.
4. Retail Building at Harbor Way/Jazz Festival Green: Way North of Harbor Master Building: Loading and service areas should be consolidated and located at the western or southern building edge.
- 4.5. Restaurant Building at Promenade: Loading and service areas should be consolidated and located at the southern building edge.

## **3.2 Human Scale and Building Contribution to the Public Realm**

### **Mariner's Cove Residential Neighborhood**

Variety in building forms and the use of architectural detail elements provide diversity and visual interest to the neighborhood and can be used to create a desirable human scale. The following elements should be incorporated into the design of residential structures:

1. Porches or enhanced entries should be used to articulate each home's primary entry (Figure 3.C.53).
2. Residential structures should orient to the street with front facades that are generally parallel to the street.
3. Projections and recesses should be used to provide shadow and depth.

### **Waterfront Retail**

Massing, scale, and form of the retail buildings along Harbor Way should respond to the direct relationship of these buildings to adjacent open spaces and the Promenade in this part of the Waterfront. Because of their solitaire locations within the overall site plan of the Northern Waterfront it is important that these buildings be designed to be aesthetically and architecturally pleasing "on all four sides". It is

also critical that the buildings be conveniently approachable for pedestrians and bicyclists using the many trails and paths in the open spaces in the Northern Waterfront.

### **3.2.1 Building Form**

The Northern Waterfront District is currently a largely vacant site with the exception of a few buildings along the Waterfront. The building form of these existing buildings is inconsistent and therefore does not provide a sufficient basis for informing the building form of the proposed retail buildings. It is of importance to ensure that the new buildings integrate well with the overall scale of residential development in the area as well as with the existing and proposed parks.

#### **3.2.1.A Scale of Building Massing and Height Guidelines**

##### ***Mariner's Cove Residential Neighborhood***

In keeping with a pedestrian oriented community, the scale of buildings should be broken down through the use of varied building massing and forms. Furthermore, both horizontal and vertical offsets help to minimize expansive uninterrupted wall planes, and are encouraged in the design of the residential buildings (see Figure 3.D.54). Height articulating elements include:

1. Shed roof forms
2. Second and third story dormers or pop-outs;
3. Multiple plate heights; and,
4. Material and color changes.

##### ***Waterfront Retail***

As per the PDMP height standards for the area, retail buildings may be up to 25 feet high. This limit will ensure that the commercial buildings will be smaller in height compared to the residential development (with allowable heights of up to 4045 feet) and similar in height to the existing marina-related buildings. This relationship in height will help underscore the intended overall residential and marina-related character of the Northern Waterfront. Similarly, a building's massing should support the goal of integration with existing and proposed development as well as adjacent parking areas and surrounding open spaces.

1. All retail buildings in the Northern Waterfront should be one-story structures whose scale of building massing is compatible with that of the future residential buildings east of Harbor Way, existing marina-related buildings and with the landscape elements in adjacent existing and future open spaces and parks.

#### **3.2.1.B Variations In Building Façade**

##### ***Mariner's Cove Residential Neighborhood***

In response to the local architectural styles found within neighborhoods of Vallejo, the architectural design concept for this community is based on maintaining a traditional design, as to fit into the context of the surrounding neighborhoods. In order to achieve this, architectural styles and components that complement traditional architecture were selected.

The potential architectural styles selected for this community are a blend of Craftsman and Victorian Traditional (see Figures 3.D.54 and 3.D.55). Elements of these architectural styles focus on human scale details, thus enhancing the pedestrian friendly character of the neighborhood. Such enhancements include:

- Building projections and recesses;
- Multiple plate heights;
- Front porches;
- Enhanced entries; and
- A mix of materials and textures.

Architectural detailing includes the integration of elements such as:

- Wood Railings;
- Balconies;
- Brackets;
- Outlookers (elements similar to rafter tails that project out from the gable end of a roof, see Figure 3.D.56);
- Enhanced windows sills; and
- Shutters.

Together, the combination of design features enliven the street and promote the friendly interaction of neighbors.

### ***Waterfront Retail***

Similar to the scale of building massing, variations in the design of building façades, such as bays, recesses, overhanging eaves, etc. should be used to create human-scale buildings that integrate well with adjacent open spaces and provide visual interest to their visitors.

1. Buildings with a frontage greater than 30 feet should make use of bays, recesses, overhangs, and other massing elements to create a human-scaled character to the building. The use of changes in plane as small as 6 to 18 inches in depth can be used in combination with architectural detailing, materials, and color to satisfy this guideline.

### **3.2.1.C Corners and Landmark Features**

#### ***Waterfront Retail***

The northeastern corner of Harbor Way at Mare Island Way is the anchor intersection of the Northern Waterfront and acts as a gateway to this district. In contrast to the Central Waterfront where gateways are created by or enhanced by buildings, the gateway Harbor Way entry will consist of landscaping that is enhanced by a landscape structure or feature element. This landscaped approach is in keeping with the landscaped character of the surrounding neighborhoods and River Park to the north. The guidelines for the landscape treatment of the entry to the Northern Waterfront at Harbor Way are provided in *Section 2.3.4.B – Intersection of Mare Island Way and Harbor Way* in the *Secondary Gateway Section* of the Northern Waterfront Guidelines.

1. Scale and façade articulation of the corner retail building should be designed to further enhance and relate to the future gateway design.

### 3.2.1.D Rooflines and Roof Form

#### ***Mariner's Cove Residential Neighborhood***

Similar to building form, roof form and slope are also important design elements in creating the Craftsman and Victorian style that is potentially desired for the neighborhood.

1. Roof treatments should be consistent with the architectural style of the dwelling:
  - Craftsman Style: low-pitched gable roofs should be the primary roof forms used; generally with extended eaves with wooden brackets and outlookers.
  - Victorian Style: front-to-back gable roofs should be the primary roof forms used with steep-pitched side-to-side gable roof forms used on dormers and pop-outs as secondary roof forms.
2. Variety of roof design and treatment is encouraged to provide visual interest to the neighborhood, including the use of gable, cross-gable, hip, or a combination of these roof forms.

#### ***Waterfront Retail***

The retail buildings of the Northern Waterfront are visually prominent from the Waterfront Promenade and Parks, and from elevated portions of surrounding neighborhoods located to the east. The profile and form of building rooflines should be sensitively integrated into the character of the surrounding open spaces and be designed to minimize impacts on distant views of the Mare Island Strait and Mare Island.

1. Retail Building at Corner of Harbor Way and Mare Island Way and Retail Building at Harbor Way/Jazz Festival Green: Way North of Harbor Master Building: Low-profile, sloped roofs with eaves are recommended for these buildings. Mansard roofs are acceptable if these are well integrated into the overall design of the building and are needed to adequately buffer mechanical equipment.
2. Restaurant Building at Promenade: Sloped roofs with eaves are recommended for this signature building. Mansard roofs are strongly discouraged for this highly visible building.

### 3.2.2 Building Articulation

#### ***Waterfront Retail***

Articulation of buildings is important whenever buildings are located in an area with high-levels of pedestrian activity. This is particularly true for buildings along the Waterfront Promenade. These buildings should provide a level of architectural detailing that responds to human scale in order to create an environment that will be attractive, interesting, and inviting (for additional guidelines applicable to all buildings refer to *Section A – Overall District Guidelines – Building Articulation*).

### 3.2.1.A Architectural Detailing – Scale and Ornamentation

#### *Building Materials and Finishes*

##### *Mariner's Cove Residential Neighborhood*

**Building materials and color** are important elements to the visual quality of homes within the neighborhood.

1. Building materials (including accent materials, roof materials, and paint colors) should be consistent with the architectural style of the residence. Such materials include the use of:
  - Stucco,
  - Wood or simulated wood siding, and
  - Wood or simulated wood shingle.
2. The use of all surface treatments or materials should be an integral part of the design, and not merely applied.
  - All materials should wrap columns, porches, or balconies in their entirety.
  - Material changes should occur at inside corners or other meaningful location, such as a change in plane, bay, door or window frame, or other appropriate architectural feature. Materials applied to any elevation should turn the outside corner of the building a minimum of 3' before terminating
3. The color palette should be selected with the design objectives of avoiding monotony, providing a variety of colorful schemes, and promoting visual diversity. Furthermore, the color palette should be chosen in keeping with the traditional architectural theme of the neighborhood.

**Roof materials** should be compatible with the architectural style of the residence and should have a matte finish to minimize glare.

1. Permitted Roof Materials
  - Clay or Concrete Flat Tiles
  - Clay or Concrete Shakes
  - Architectural Grade Composition Shingles
2. Prohibited Materials
  - Wood Shake
  - Rolled roofing material

#### *Waterfront Retail*

1. Material selection is particularly critical for the restaurant building and should contribute to creating a signature building for the Waterfront Promenade. Furthermore all exterior building materials should be of a grade that is designed to withstand the harsh conditions of a waterfront location and convey a



sense of durability.

### **3.2.3 Transition from Public Realm to Interior Space**

#### ***Mariner's Cove Residential Neighborhood***

The entry of a residential dwelling should be articulated as a focal point of the building's front elevation. Roof elements, columns, porticos, recesses or projections, window or other architectural features should be used to accentuate the entryway.

Porches can also be used help to articulate the entry of residential structures. Porches not only provide pedestrian scale elements to the building massing but also allow for an area for residents to enjoy the outdoor climate and a place converse with neighbors.

1. When provided, porches should be designed as an integral component of the building's architecture.
2. Porches should have railings and be fully covered in one of the following ways:
  - a. Roof element and tile matching the residence;
  - b. Trellis structure; and
  - c. Second floor balcony or overhang.
3. Porches should have a clear depth of at least 5 feet in order to be usable for seating. Porches deeper than this minimum should be provided where feasible.

#### ***Waterfront Retail***

It is envisioned that the restaurant building and Waterfront Promenade will be located and oriented to have a very close spatial relationship. It is therefore recommended that a transitional space along those edges of the building that face the Promenade be provided in order to express the transition from a public space to the more private interior of the restaurant.

1. Restaurant Building at Promenade: At a minimum, provide porches along all Promenade-facing building facades. This will contribute to the architectural "waterfront" character of the building and provide an outdoor area with some protection from windy or rainy weather as well as glare on sunny days.

Landscaping along the edges of the restaurant's patio area(s) should enhance the outdoor seating area. It should not be designed to buffer or separate the patio from the adjacent Waterfront Promenade, but rather be used to integrate the two areas.

### **3.2.4 Utilities and Mechanical Equipment**

#### ***Mariner's Cove Residential Neighborhood***

Special care should be made so that mechanical treatment does not detract from the architecture of the primary residence.

1. Mechanical equipment such as air conditioners, heaters, evaporative coolers, television and radio antennas, and other such devices should not be mounted on any roof.
2. Mechanical devices such as exhaust fans, vents and pipes should be painted to match adjacent roof surfaces.
3. Ground mounted air conditioning units must be located behind side yard privacy return walls.

### **Waterfront Retail**

Rooftop utilities on retail buildings in the Northern Waterfront District will be particularly visible from Mare Island Way and residential areas to the east, where with increasing elevation even more of the roof area becomes visible.

1. Carefully screen rooftop utilities from exposure to views from Mare Island Way and elevated residential areas located toward the east.
2. Carefully integrate such screens into the overall architecture of the building and roof design.

### **3.2.5 Signage**

Building signage for the retail and restaurant buildings in the Northern Waterfront should be particularly modest in order to enhance the overall residential and recreational character of the district (also see *Section A. Overall District Guidelines – Signage*).

1. Restaurant Building at Promenade: Signage for this building should be limited to pedestrian-oriented signs.

## **3.3 Neighborhood Open Space**

### **~~3.3.1 Mariner's Cove Residential Green~~**

*[This section is replaced by the new Section 2.2.1 New Wetland Park within the Parks and Open Spaces Guidelines section]*

~~The recreation center is the “community green” of the Mariner Cove Residential neighborhood. The homes and tree-lined street front on to this area at the neighborhood core.~~

- ~~1. The recreation building includes a large veranda wrapping the front entrance and overlooking the expanse of the Waterfront Park across Harbor Way.~~
- ~~2. A low linear landscape feature, whose height is not to exceed 18 inches, along Harbor Wall will gently define the limits of the public use while leaving open views to the Waterfront Park and water.~~
- ~~3. The pool area will be enclosed with an ornamental fence and flowery shrubs to provide privacy and security. Terraced lawn areas supplement the pool deck sunbathing area. A spa and arbor area act as a visual focal point for the pool area.~~

Figure 3.D.58: Location View of the Proposed Residential Green [this figure to be deleted]

Figure 3.D.59: Plan View of the Proposed Residential Green [this figure to be deleted]

### **3.3.23.3.1 Mariner's Cove Landscaped Courts-Paseos and Passages-Garden Courts**

The homes within Mariner Cove will face into tree-lined streets or the internal pathway network. The pathways should be configured to create space for neighbors to stop and have informal conversations at the stairway to each home entry. The ~~landscape of the passages~~landscaping along the paseos should be designed to emphasize the "individual" identity of each home.

Intimate outdoor courts should be created at pathway intersections and between building clusters. These spaces should contain informal lawn areas, seating, and special planting to enhance overall community ambiance (see Figures 3.D.60 through 3.D.63).

Figure 3.D.60: Location of a Proposed Landscaped paseos [see revised figure attached]

Where space permits ~~landscape~~garden courts should be developed, and include amenities such as tot lots, shaded seating respites, and barbeque areas.

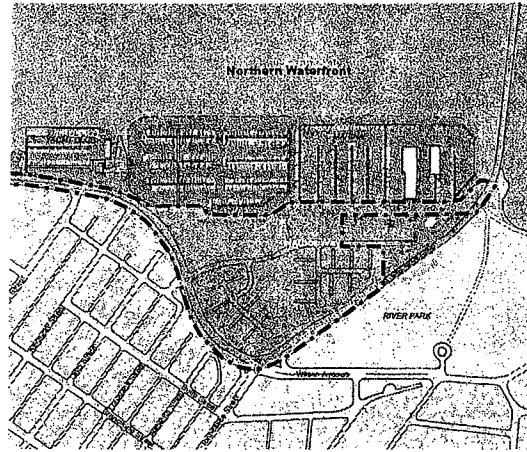


Figure 3.D.1: Northern Waterfront District Location

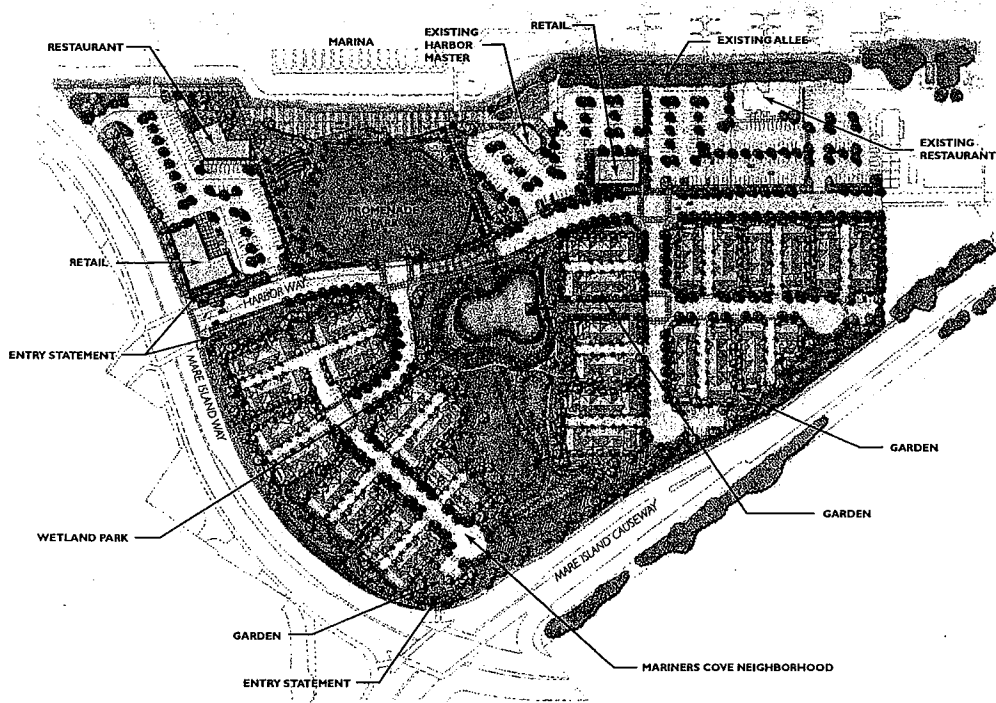


Figure 3.D.3: Mariner's Cove - Proposed Open Spaces, Streets and Development

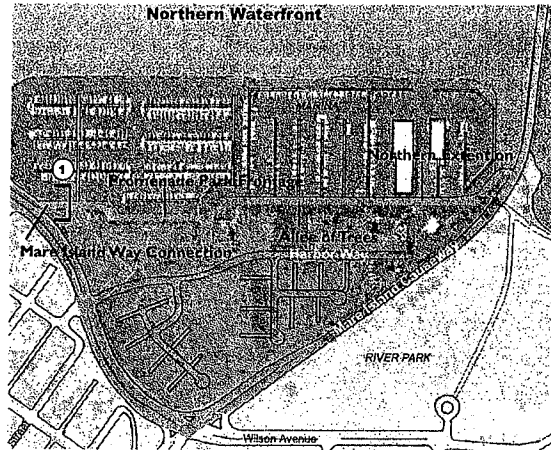


Figure 3.D.5: Promenade Segments in the Northern Waterfront

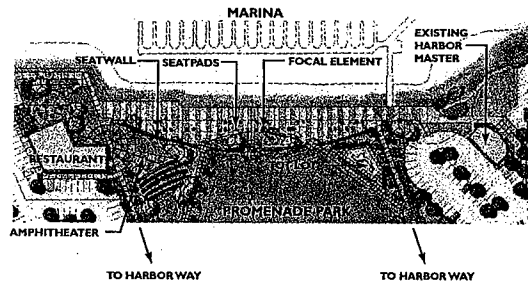


Figure 3.D.8: Promenade along the Promenade Park



Figure 3.D.New.a: Example of a Wetland Park



Figure 3.D.New.b: Example of a Wetland Park

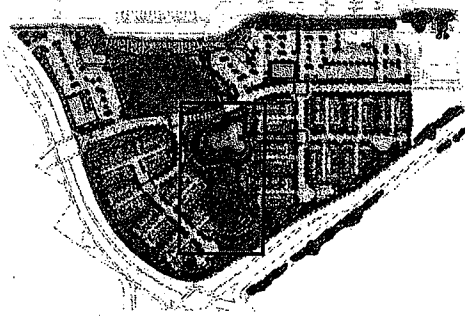


Figure 3.D.New.c: Location View of the Proposed Residential Green

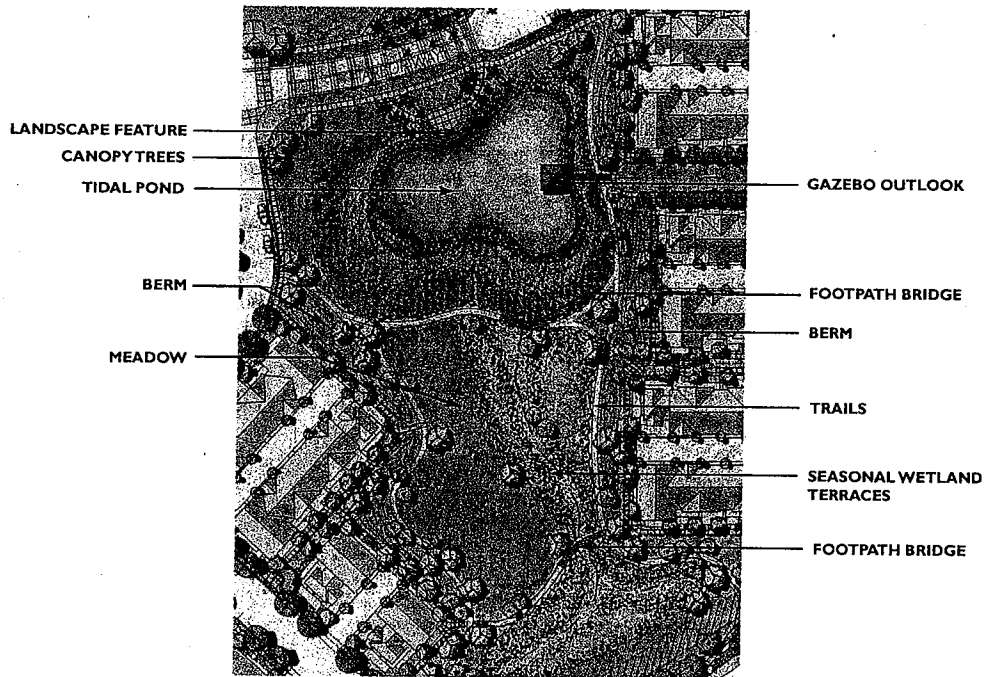


Figure 3.D.New.d: Plan View of the Proposed Wetland Park

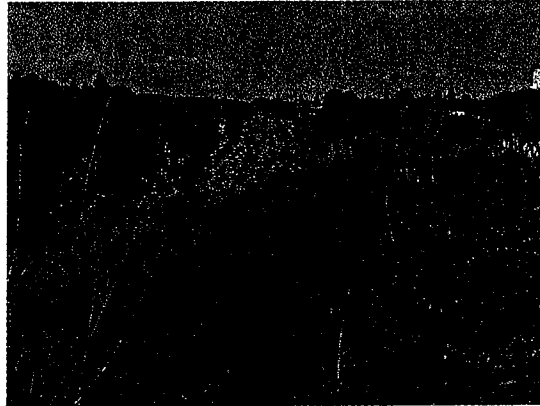


Figure 3.D.New.e: Example of a Wetland Park Path



Figure 3.D.New.f: Example of a Wetland Park Bridge



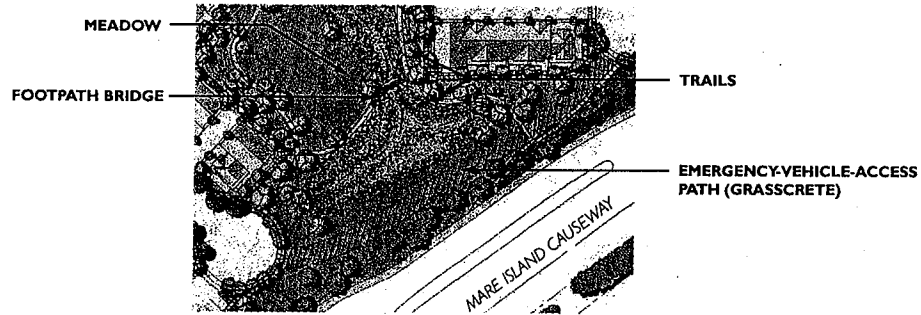


Figure 3.D.New.g: Proposed emergency-vehicle-access at Wetland Park

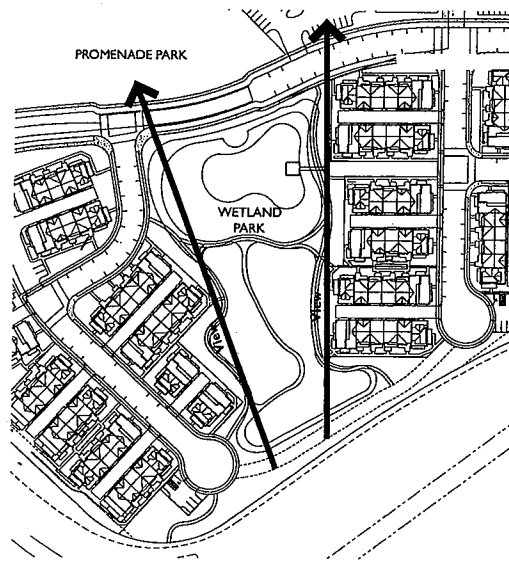


Figure 3.D.New.h: View Corridor through Wetland Park

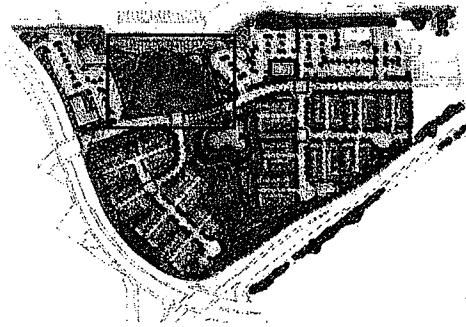


Figure 3.D.13: Location of Future Promenade Park

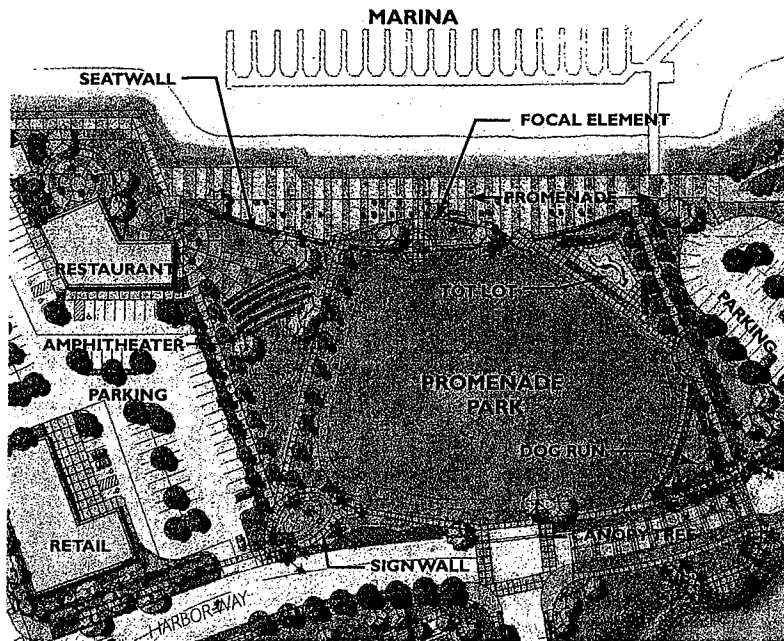


Figure 3.D.17: Illustrative Site Plan of Promenade Park

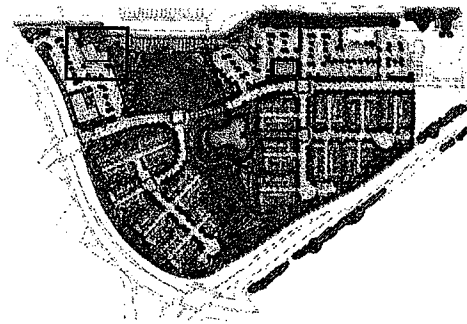


Figure 3.D.18: Location of Restaurant Patios at Promenade

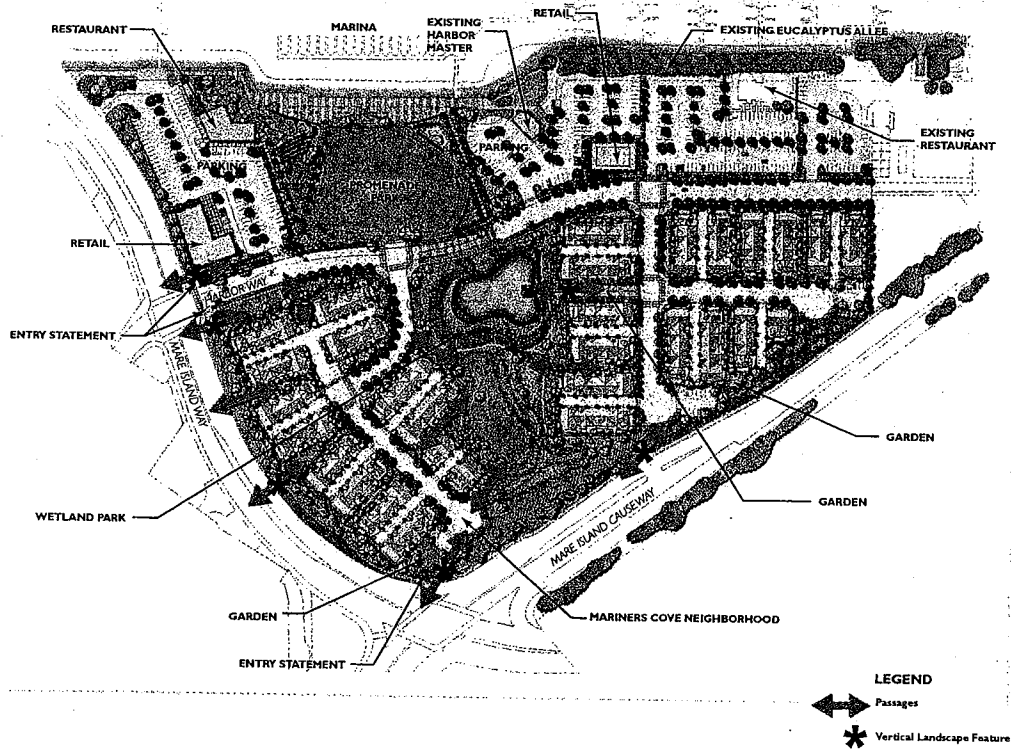


Figure 3.D.20: Approximate Location of Passages Through Vertical Landscape Features

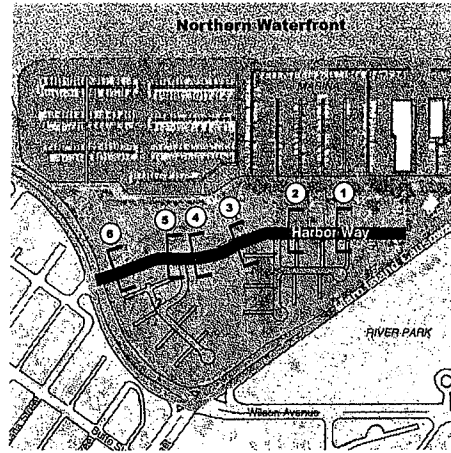


Figure 3.D.21: Harbor Way and Section Location Diagram

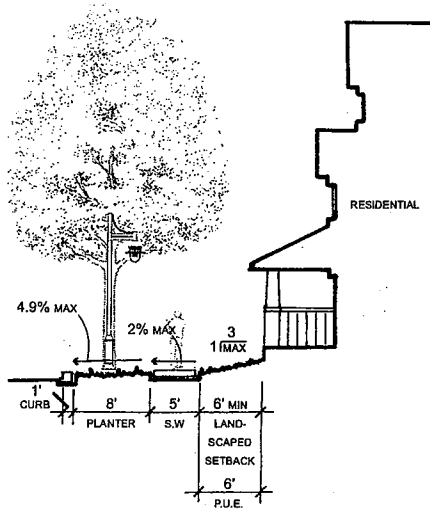


Figure 3.D.New.i: (Option A - Preferred) Harbor Way Partial Cross Section at Parking with Tree Lawn and Separated Sidewalk ①

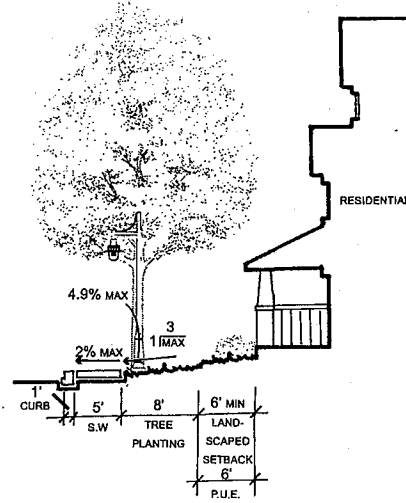


Figure 3.D.New.j: (Option B) Harbor Way Partial Cross Section at Parking with Monolithic Sidewalk ①

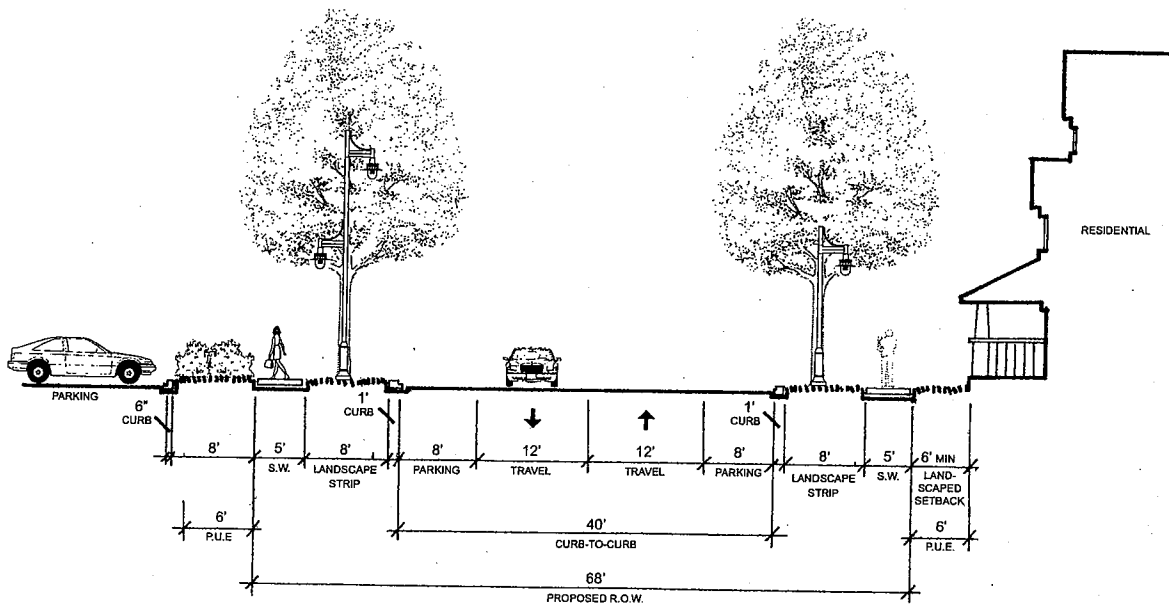


Figure 3.D.New.k: Harbor Way Partial Cross Section at Parking ②

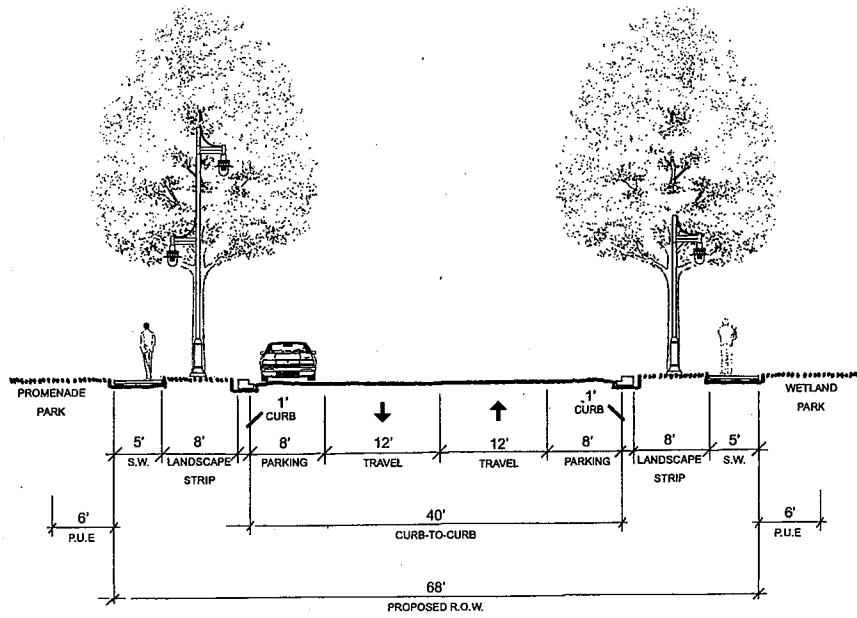


Figure 3.D.New.l: Harbor Way Cross Section at Park (3)

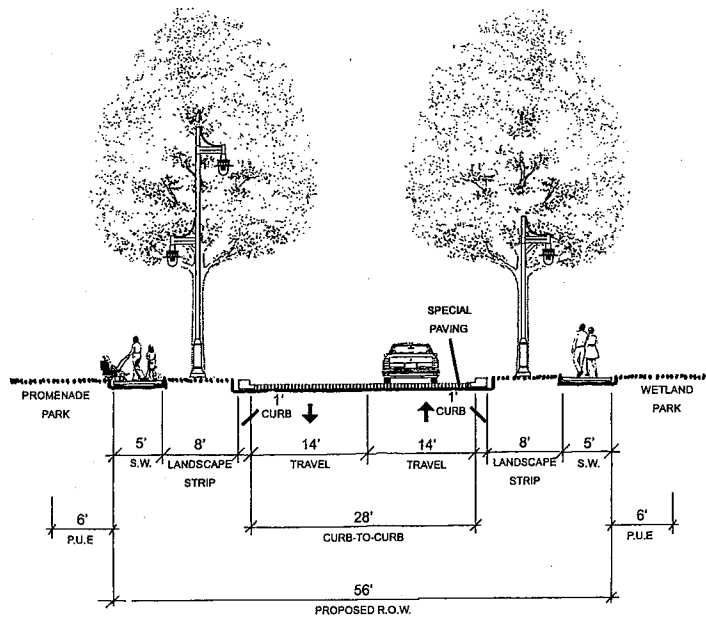


Figure 3.D.New.m: Harbor Way Cross Section at Park (4)

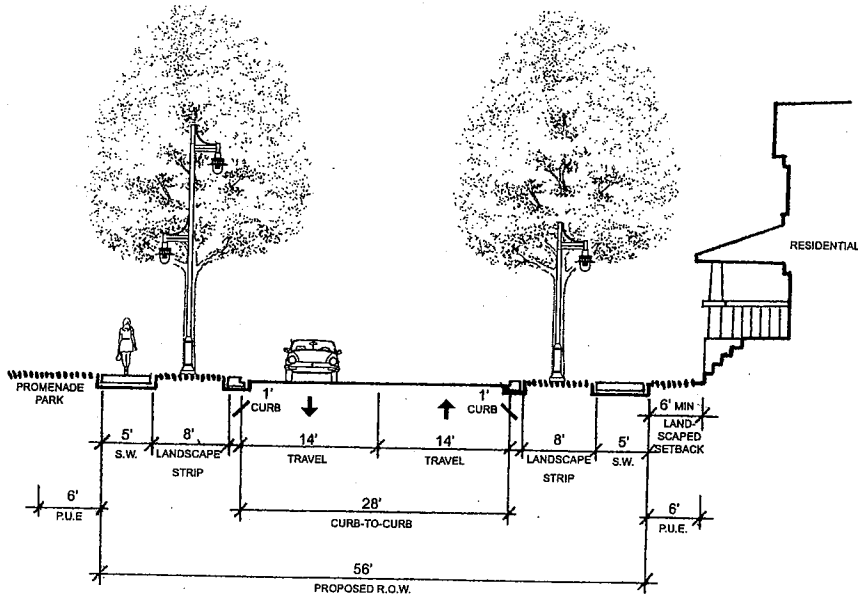


Figure 3.D.New.n: Harbor Way Cross Section at Residential ⑤

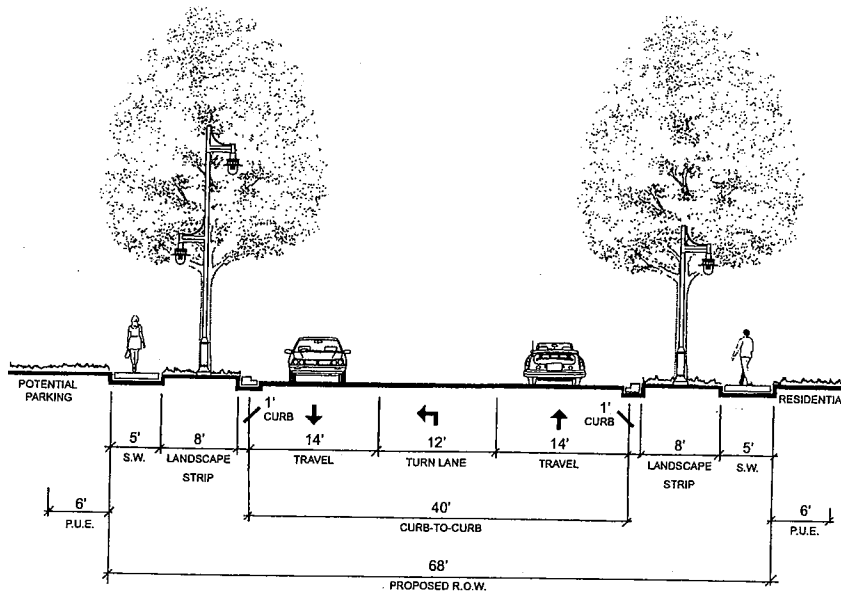


Figure 3.D.New.o: Harbor Way Cross Section at Intersection ⑥

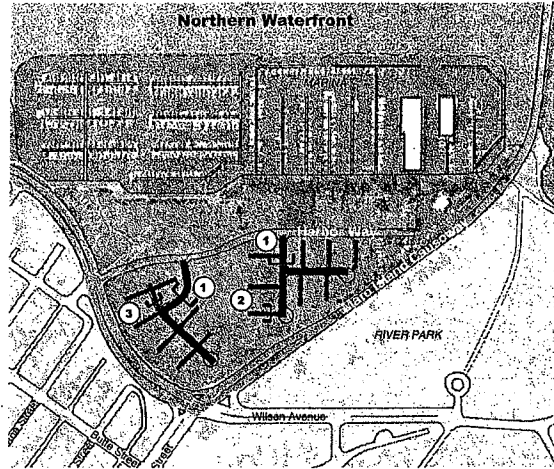


Figure 3.D.26: Mariner's Cove Residential Street and Section Location Diagram

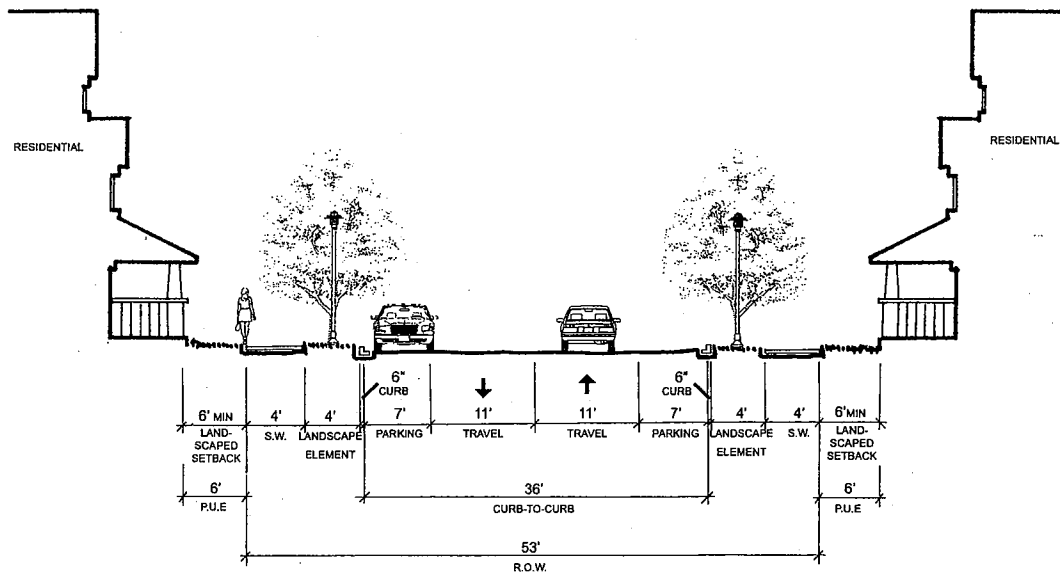


Figure 3.D.27: Mariner's Cove Residential Street Cross Section (Typical) ①



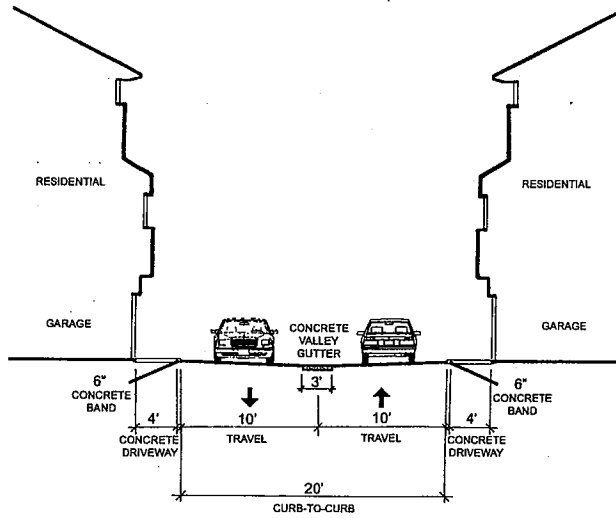


Figure 3.D.29: Cross Section of Typical Private Court Roadway (2)

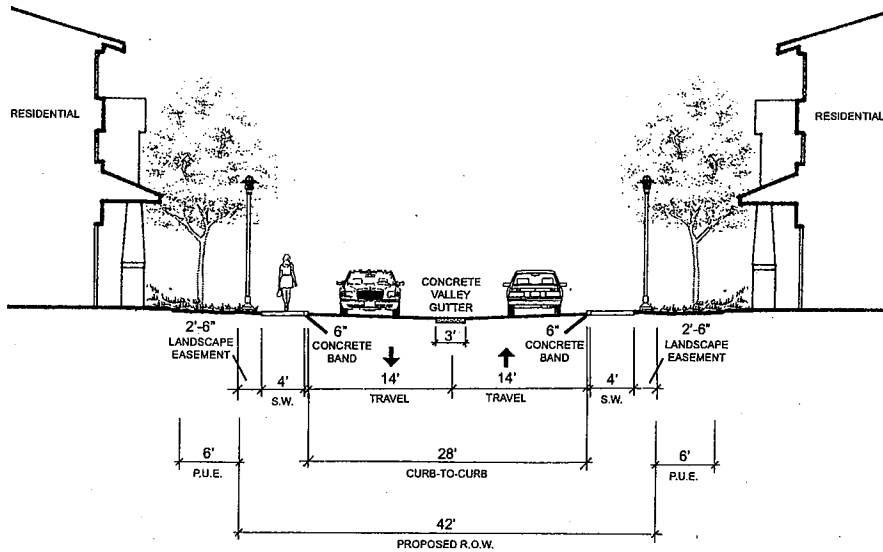


Figure 3.D.30: Cross Section of Typical Private Entryway at T-Court (3)

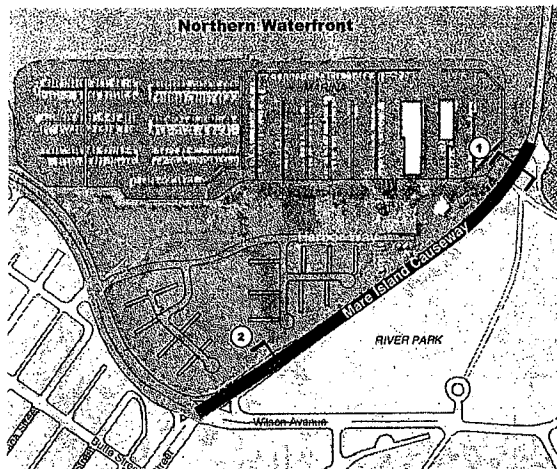


Figure 3.D.31: Mare Island Causeway and Section Location Diagram

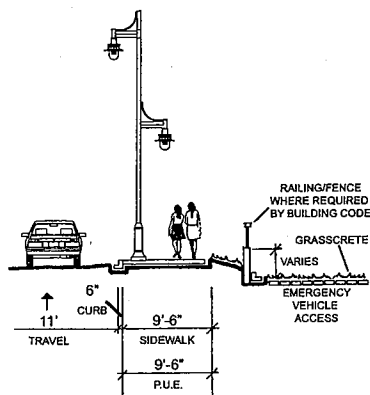


Figure 3.D.33: Mare Island Causeway (Constrained) - Partial Cross Section ②

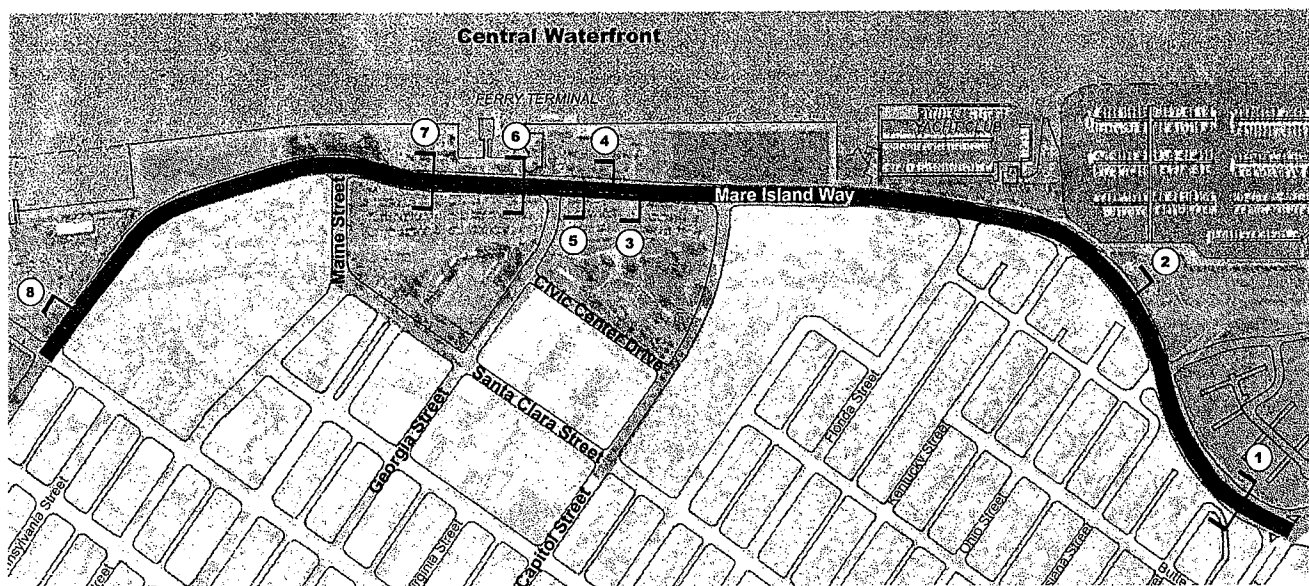


Figure 2.21: Mare Island Way and Section Location Diagram

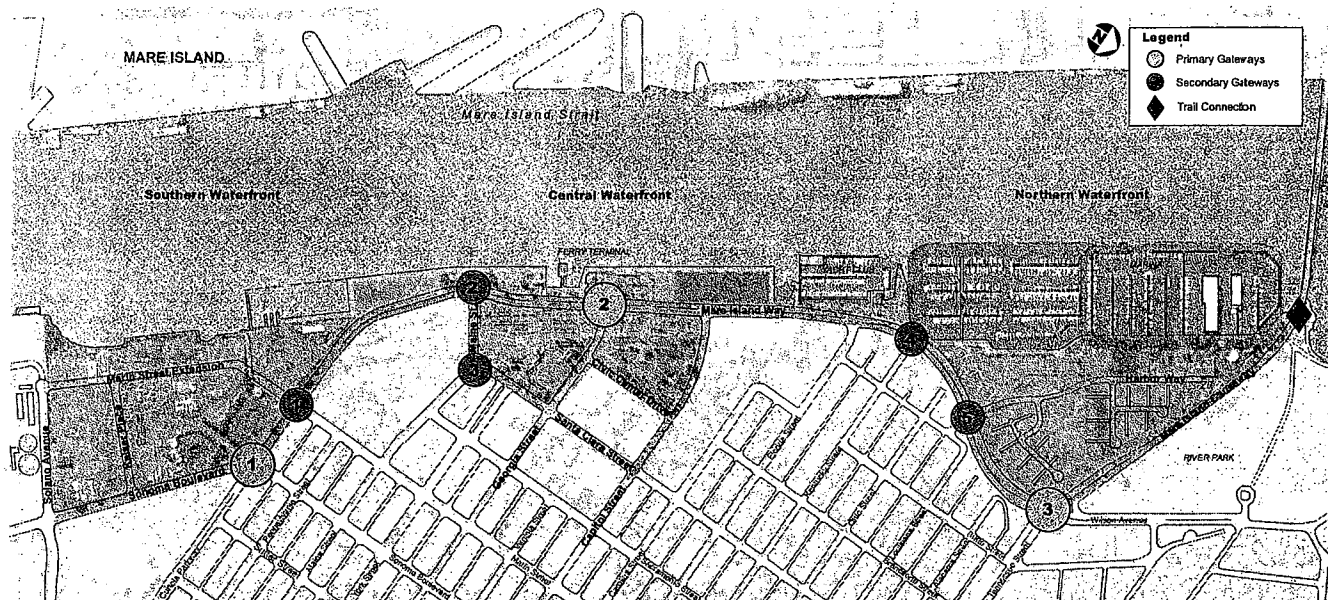


Figure 2.51: Diagram of Primary and Secondary Gateways

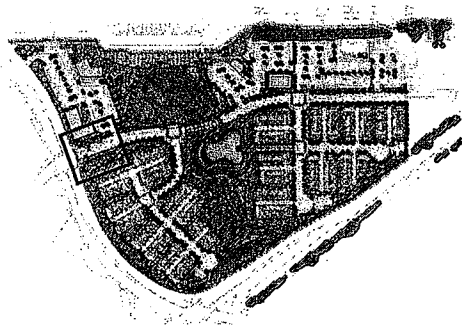


Figure 3.D.34: Location Diagram for Secondary Gateway at the intersection of Harbor Way and Mare Island Way

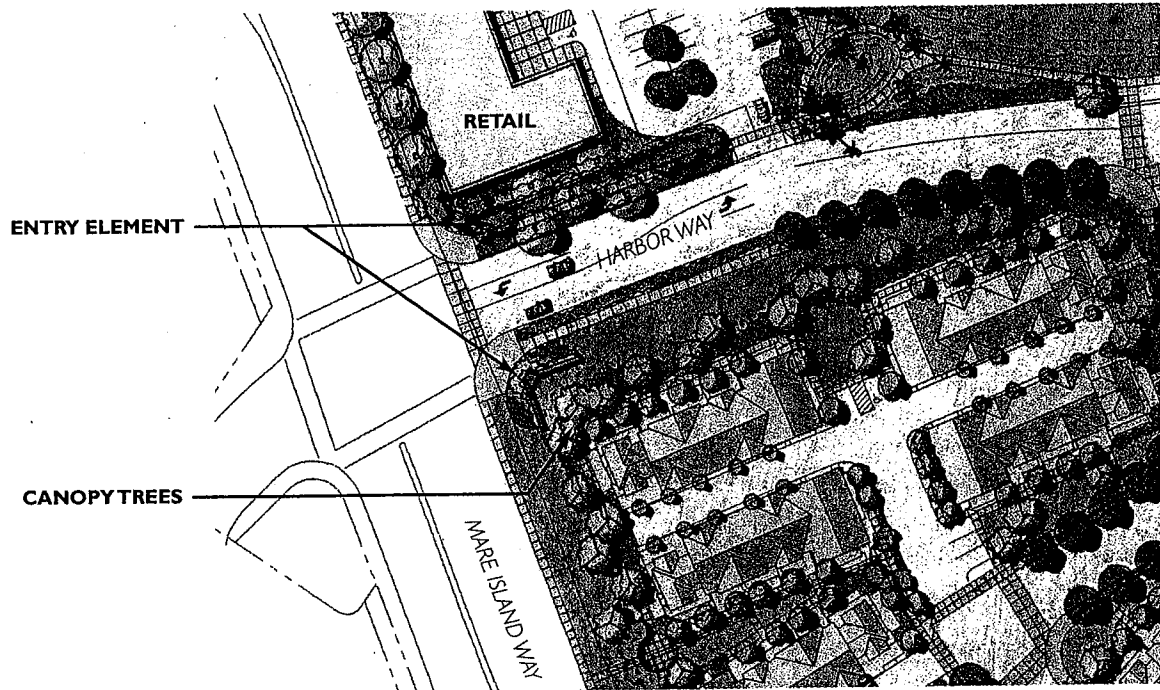


Figure 3.D.35: Design Concept for Secondary Gateway at the intersection of Harbor Way and Mare Island Way

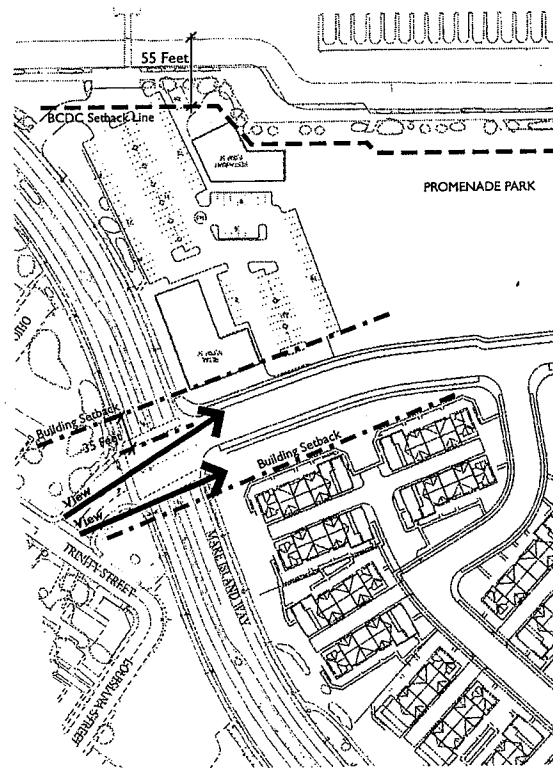


Figure 3.D.41: View Corridor and Waterline Setback Lines

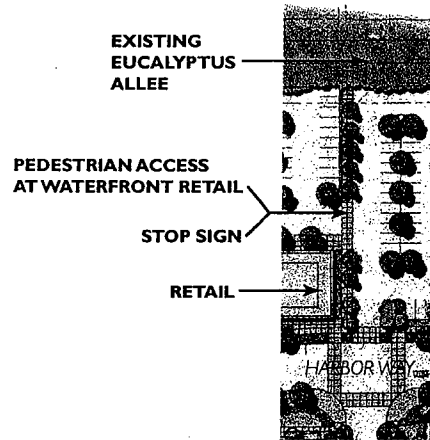


Figure 3.D.New.p: Pedestrian Access at Waterfront Retail

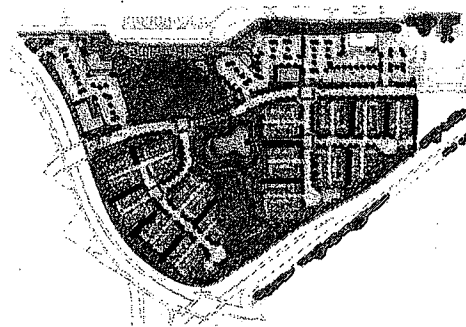


Figure 3.D.60: Location of a Proposed Landscaped Paseos

**RESOLUTION NO. PC-07-03**

**RESOLUTION OF THE VALLEJO PLANNING COMMISSION RECOMMENDING  
THAT THE CITY COUNCIL APPROVE THE FIRST AMENDED AND RESTATED  
DEVELOPMENT AGREEMENT  
#DA-05-0008 (Callahan/DeSilva)**

BE IT RESOLVED by the Planning Commission of the City of Vallejo as follows:

WHEREAS, on November 15, 2005, the City Council of the City of Vallejo adopted Ordinance No. 1559 N.C. (2d) approving the Development Agreement (the Initial Development Agreement) by and between the City of Vallejo and Callahan/DeSilva Vallejo, LLC (the Project Sponsor) for the Vallejo Waterfront Project; and

WHEREAS, in Resolution No. PC-05-04, which is incorporated herein by reference as though fully set forth, the Planning Commission found that the Initial Development Agreement was consistent with the Vallejo General Plan, was compatible with the uses authorized in, and the regulations prescribed for, the applicable land use district, was in conformity with the public convenience, the general welfare and good land use practice, would not be detrimental to the health, safety, and general welfare or adversely affect the orderly development of the Waterfront Project properties or the preservation of property values in the waterfront area; and

WHEREAS, following the City Council's approval of the Initial Development Agreement and other approvals related to the Vallejo Station Project and the Waterfront Project (collectively, the Project), which included certification of the Final Environmental Impact Report (EIR) by Resolution No. 05-534, approval of a General Plan Amendment by Resolution No. 05-357, amendment of the Zoning Ordinance by Ordinance No. 1557 N.C.(2d), adoption of the Waterfront Planned Development Master Plan including the Waterfront Design Guidelines (PDMP/DG) by Ordinance No. 1558 N.C.(2d), and the Redevelopment Agency's (the Agency) approval of the Second Amended and Revised Development And Disposition Agreement (DDA) by Resolution No. PC-07-03, the Vallejo Waterfront Coalition (Coalition) filed a Petition for a Writ of Mandate challenging these approvals; and

WHEREAS, the Project Sponsor, the City, and the Agency engaged in settlement negotiations with the Coalition, which resulted in a Settlement Agreement approved by the City Council on November 28, 2006; and

WHEREAS, consistent with the Settlement Agreement, the Project Sponsor submitted an application requesting the approval of certain amendments to the PDMP/DG (PDMP/DG Amendments) and an application requesting the approval of an amendment to the Development Agreement for the Vallejo Waterfront Project. A Draft First Amended and Restated Development Agreement was prepared and submitted to the City for review and the application was processed consistent with the provisions of Article 17 of the Vallejo Municipal Code (Land Development, Development Agreements); and

WHEREAS, following review and negotiation, the Draft First Amended and Restated Development Agreement was revised. The draft agreement entitled, "First Amended and Restated Development Agreement By and Between the City of Vallejo and Callahan/DeSilva

Vallejo, LLC for Vallejo Waterfront Project” proposes, among others, the following amendments:

1. The draft agreement specifies that the Projects must be developed in accordance with the PDMP/DG as proposed to be amended by the PDMP/DG Amendments.
2. The draft agreement provides that its term will expire on the fifteenth anniversary of the effectiveness of the draft agreement (rather than the fifteenth anniversary of the effectiveness of the Initial Development Agreement).
3. The draft agreement adds the Design Review Ordinances as Applicable Law under the agreement and adds that certain approvals shall be processed through the Design Review Board and City Council.
4. The draft agreement adds to the list of items enumerated as a conflicting City Law an enactment that would limit or control the sale or rental proceeds that may be charged or received for the sale or rental of residential units or commercial space, and adds a provision prohibiting the City from applying any new inclusionary housing ordinance to the Project.
5. The draft agreement adds a requirement that any Landscaping Lighting and Maintenance District must conform with certain provisions of the DDA.
6. The draft agreement adds certain City obligations under the DDA to the DA.

WHEREAS, consistent with the Settlement Agreement, the City, the Agency and the Project Sponsor have also prepared specified amendments to the DDA (DDA Amendments) that will be considered for approval by the City Council and the Agency concurrently with consideration of approval of the Draft First Amended Development Agreement, and that would, among other matters, add a requirement for the parties to design and implement a meaningful affordable housing component for the development of Parcel T1 within the Waterfront Project; and

WHEREAS, the potential environmental effects of the Initial Development Agreement and the Draft First Amended and Restated Development Agreement have been assessed in the EIR and Addendum No. 1 prepared for the EIR. The Planning Commission has received and read Addendum No. 1 to the EIR and adopts the findings and conclusions contained therein and, in accordance with Public Resources Code section 21166, determines that there are no substantial changes proposed in the Projects, no substantial changes in the circumstances under which the Projects would be undertaken, and no other new information that would require major revisions to the EIR; and

WHEREAS, after hearing all qualified and interested persons and receiving and considering all relevant evidence, the Planning Commission finds and determines as follows:

1. The notice of the public hearing was given for the time and in the manner as prescribed by law.

2. The findings contained in Planning Commission Resolution No. PC-07-03 with respect to the Initial Development Agreement are incorporated herein by reference as though fully set forth.

3. As proposed, the Draft First Amended and Restated Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the Vallejo General Plan, because the modifications do not change or affect the land uses, programs, and other requirements approved under the Initial Development Agreement.

4. As proposed, the Draft First Amended and Restated Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the Waterfront Properties are located, because the modifications do not change or affect the land uses approved under the Initial Development Agreement.

5. As proposed, the Draft Amended and Restated Development Agreement is in conformity with the public convenience, the general welfare, and good land use practice, in that it preserves the public benefits contained in the Initial Development Agreement and adds a requirement for conformance with the newly enacted Design Review Ordinance and processing of certain development applications through the Design Review Board and City Council as called for in the Design Review Ordinance, which will provide for public review and input and ensure that the design of the individual Project components will reflect the requirements of the PDMP/DG as proposed to be amended by the PDMP/DG Amendments.

6. As proposed, the Draft Amended and Restated Development Agreement will not be detrimental to the health, safety and general welfare, nor will it adversely affect the orderly development of the Waterfront Properties or the preservation of property values in the waterfront area, in that it will preserve the public benefits and requirements for compliance with applicable City law and regulations provided for in the Initial Development Agreement and adds the requirement to comply with the Design Review Ordinance. Although the Draft Amended and Restated Development Agreement adds certain limitations with respect to affordable housing, these limitations must be considered in light of the concomitant new requirement in the DDA for the provision of affordable units in connection with the development on Parcel T1.

7. NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby recommends to the City Council the approval of the Amended and Restated Development Agreement #05-0008, as presented in the Draft First Amended and Restated Development Agreement By and Between the City of Vallejo and Callahan/DeSilva Vallejo, LLC, for Vallejo Waterfront Project, dated February 27, 2007.



ADOPTED by the Planning Commission of the City of Vallejo at a regular meeting held on Wednesday, January 17, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

\_\_\_\_\_  
//s//  
Charles Legalos, Chair

ATTEST: \_\_\_\_\_  
//s//  
Don Hazen, Secretary

Planning Commission Review Version  
January 10, 2007

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

City of Vallejo  
City Clerk's Office  
555 Santa Clara Street  
Vallejo, CA 94590

Record for the Benefit of  
The City of Vallejo  
Pursuant to Government  
Code Section 6301

---

Space above this line for Recorder's Use Only

**FIRST AMENDED AND RESTATED**

**DEVELOPMENT AGREEMENT**

**By and Between**

**THE CITY OF VALLEJO**

**And**

**CALLAHAN / DeSILVA VALLEJO, LLC**

**For**

**VALLEJO WATERFRONT PROJECT**

**City of Vallejo, California**

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**FIRST AMENDED AND RESTATED**

**DEVELOPMENT AGREEMENT**

**CITY OF VALLEJO**

**WATERFRONT/DOWNTOWN PROJECT**

THIS FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Development Agreement"), initially made and entered in the City of Vallejo as of December 15, 2005, as amended and restated as of March 29, 2007, is entered into by and between the CITY OF VALLEJO, a Municipal Corporation ("City"), and CALLAHAN / DeSILVA VALLEJO, LLC, a California limited liability company ("Developer"), pursuant to the authority of Sections 65864 et seq. of the Government Code and Chapter 17.10 of the Vallejo Municipal Code.

DEFINITIONS

The following capitalized terms are used in this Development Agreement:

"Affiliate" means any entity controlling, controlled by or under common control with Developer, or any entity in which Developer, directly or indirectly, through one or more intermediaries, is a partner, shareholder, member, beneficiary or otherwise an owner.

"Agency" means the Redevelopment Agency of the City of Vallejo.

"Applicable Law" is defined in Section 2.2 hereof.

"CEQA" means the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and its state and local implementing guidelines.

"City" means the City of Vallejo.

"City Law" is defined in Section 2.3.

"Completed Building" is defined in Section 1.5.3.

"DDA" is defined in Recital C.

"Design Review Board" means the City Design Review Board created pursuant to the Design Review Ordinances.

"Design Review Ordinances" means Ordinance No. \_\_\_ N.C. (2d) adopted on \_\_\_\_\_, 2007 adding Chapter 2.39 to the Vallejo Municipal Code to create the Design Review Board, and any related ordinance(s) heretofore or hereafter adopted regarding the appeal of Design Review

Board decisions and regarding Unit Plans for the Property, but only so long as any such ordinance is consistent with the process set forth in Section 304 of DDA for review and processing of Unit Plans for major developments within the Project and the Property.

"Developer" means the entity more fully described in Section 1.1.2 hereof, and includes permitted and approved transferees and assignees who qualify as such under this Development Agreement.

"Developer Parcels" has the meaning given in the DDA.

"Development Agreement" means the Initial Development Agreement, as amended and restated by the First Amendment, and as may be subsequently amended from time to time.

"Development Agreement Statutes" means California Government Code Section 65864 et seq. relating to development agreements.

"EIR" is defined in Recital D (1).

"Environmental Laws" means all federal, state and local laws, ordinances, rules and regulations now or hereafter in force, as amended from time to time, in any way relating to or regulating human health or safety, or industrial hygiene or environmental conditions, or protection of the environment, or pollution or contamination of the air, soil, surface water or groundwater, and includes the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601 et seq., the Solid Water Disposal Act, 42 U.S.C. § 6901 et seq., the Hazardous Substance Account Act, California Health and Safety Code, § 25300 et seq., the Hazardous Water Control Law, California Health and Safety Code §25100 et seq., and the Porter-Cologne Water Quality Control Act, California Water Code, § 13000 et seq.

"Existing Approvals" is defined in Recital D.

"First Amendment" means the first amendment and restatement of this Development Agreement, as further defined and described in Recital P.

"First Amendment Effective Date" means March 29, 2007, the effective date of the First Amendment of this Development Agreement, as further described in Recital P.

"Initial Development Agreement" means the initial approved and effective version of this Development Agreement, as further defined and described in Recital P.

"Initial Effective Date, means December 15, 2005, the effective date of the Initial Development Agreement, as further described in Recital P.

"Initial Recording Area" is defined in Section 1.4.

"Master Plan" is defined in Recital D (4).

"Mortgage" is defined in Section 9.1.

"Mortgagee" is defined in Section 9.1.

"Permitted Assignee" is defined in Section 8.1.

"Permitted Delay" is defined in Section 4.3.

"Project" is defined in Recital F.

"Project Approvals" means, collectively, the Existing Approvals and the Subsequent Approvals.

"Property" is defined in Section 1.2, and shown on the map set forth in Exhibit A.

"Section 404 Permit" means the permit granted by the U.S. Army Corps of Engineers with respect to portions of the Waterfront Area, as more fully described and defined in Section 309 of the DDA.

"Schedule of Performance" means the anticipated schedule for development of the Project. The Schedule of Performance consists of that portion of Attachment No. 3 of the DDA (as amended from time to time) covering the Developer Parcels.

"Subsequent Approvals" is defined in Section 2.11.

"Subsequent Recording Area" is defined in Section 1.4.

"Term" is defined in Section 1.5.

"Unit Plan" means a unit plan for development of specified improvements within the Property that is applied for, reviewed, and processed in accordance with Section 304 of the DDA, and with the Applicable Law, including, without limitation, Section 16.116.070 et seq. of the Vallejo Municipal Code and the Design Review Ordinances.

"Waterfront Area" is defined in Recital A.

If any capitalized terms contained in this Development Agreement are not defined above, then any such terms shall have the meaning otherwise ascribed to them in this Development Agreement.

### RECITALS

A. Over the past nine years, City, Agency and Developer have cooperated in a comprehensive public planning process for the redevelopment and revitalization of the public and private spaces in the vicinity of the Vallejo waterfront and downtown area, including development of the Vallejo Station multimodal waterfront transportation facility and other public and private activity linkages to the broader downtown area. This effort has culminated in the



prior or concurrent approval and effectiveness of a series of planning documents to guide the future redevelopment and revitalization of the Vallejo Waterfront Area (the "Waterfront Area"), as more fully described in Recital D below, and as referred to in this Development Agreement as the Existing Approvals.

B. The Property that is the subject of this Development Agreement constitutes an integral element of the Waterfront Area, and its redevelopment consistent with the Existing Approvals and this Development Agreement is essential to the overall redevelopment and revitalization of the Waterfront Area as envisioned by City, Agency and Developer.

C. Agency and Developer have entered into a Disposition and Development Agreement initially executed as of October 17, 2000, as amended and restated as of October 1, 2002, as further amended as of October 7, 2003 and August 24, 2004, as amended and restated for a second time as of October 27, 2005, and as amended and restated for a third time as of February 13, 2007 (as it now exists or may hereafter be amended from time to time, the "DDA"), which describes the terms and conditions for Developer's acquisition of the Property (in fee or by ground lease) from Agency.

D. The following development approvals, entitlements, policies and findings have been adopted by City with respect to the Waterfront Area and applied to the Property and the Project (as defined in Recital F below):

(1) The final Environmental Impact Report ("EIR") for the DDA and Existing Approvals was prepared (SCH #2000052073) and certified by the City on October 25, 2005. As required by CEQA, the City adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on October 25, 2005 pursuant to Resolution No. 05-354. An Addendum to the EIR, dated December 5, 2006, was prepared and reviewed by the City in connection with the first amendment and restatement of this Development Agreement and related actions, and is deemed part of the EIR for purposes of this Development Agreement.

(2) The City amended the General Plan with respect to the Waterfront Area pursuant to Resolution No. 05-357, adopted on October 27, 2005.

(3) The City amended the Zoning Ordinance with respect to the Waterfront Area pursuant to Ordinance No. 1557 N.C. (2d), adopted on November 15, 2005.

(4) The City adopted the Waterfront Planned Development Master Plan (the "Master Plan"), including attached and incorporated Waterfront Design Guidelines, pursuant to Ordinance No. 1558 N.C. (2d), adopted on November 15, 2005, as amended by Ordinance No. \_\_\_\_ N.C. (2d), adopted on February 27, 2007.

(5) The City Council approved this Development Agreement as more fully set forth in Recital P below.

The approvals and development policies described in this Recital D (including but not limited to all conditions of approval and the EIR MMRP), together with the Section 404 Permit, are collectively referred to herein as the "Existing Approvals."

E. A portion of the Property is presently included in the Waterfront Redevelopment Project Area, and a portion of the Property is included in the Marina Vista Redevelopment Project Area. The Property is subject to the Redevelopment Plans for those projects areas, which, pursuant to the merger of the Vallejo Central Redevelopment Project Area with the Marina Vista Redevelopment Project Area and the Waterfront Redevelopment Project Area as described in Section 102 of the DDA, have been amended and combined in the form of a merged Redevelopment Plan.

F. Developer proposes the development of the Property for a mix of residential, commercial, open space and other uses on the Property in accordance with the Existing Approvals, entailing front-end investment in the maintenance, planning and development of the Property to achieve the goals of the Existing Approvals, as further described and conditioned in this Development Agreement ("Project").

G. The City Council has found that Development Agreements will strengthen the public planning process, encourage private participation in comprehensive planning by providing a greater degree of certainty in that process, reduce the economic costs of development, allow for the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and assure that appropriate measures to enhance and protect the environment are achieved.

H. California Government Code Section 65864 *et seq.* and Title 17, Part II of the City of Vallejo Municipal Code authorize the City to enter into an agreement for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property. City acknowledges that Developer's interest in the Property pursuant to the DDA constitutes a legal or equitable interest in real property.

I. City desires the timely, efficient, orderly and proper development of the Project in furtherance of the goals of the DDA and the Existing Approvals for the Property.

J. The City Council has found that this Development Agreement is consistent with the City's General Plan, as amended to date, and it has been reviewed and evaluated in accordance with Title 17, Part II of the City of Vallejo Municipal Code.

K. It is the intent of City and Developer to establish certain conditions and requirements related to review and development of the Project which are or will be the subject of subsequent development applications and land use entitlements for the Project as well as this Development Agreement.

L. Because of the logistics, magnitude of the expenditure and considerable lead time prerequisite to planning and developing the Project, Developer requires assurances that the Project can proceed without disruption caused by a change in City's planning policies and requirements except as provided in this Development Agreement, which assurances will thereby reduce the actual or perceived risk of planning for and proceeding with development of the Project.

M. City has determined that by entering into this Development Agreement (1) City will promote orderly growth and quality development of the Waterfront Area in accordance with the goals and policies set forth in the Existing Approvals, and (2) City will benefit from increased employment, commercial, housing and recreational opportunities created by the Project for residents of City.

N. The terms and conditions of this Development Agreement have undergone review by City staff, its Planning Commission and its City Council at publicly noticed meetings and have been found to be fair, just and reasonable and in conformance with the Vallejo General Plan and, further, the City Council finds that the economic interests of City's citizens and the public health, safety and welfare will be best served by entering into this Development Agreement.

O. City and Developer have reached mutual agreement and desire to voluntarily enter into this Development Agreement to facilitate development of the Project subject to conditions and requirements set forth herein.

P. On November 15, 2005, the City Council (the "City Council") of the City of Vallejo adopted Ordinance No. 1559 N.C. (2d), approving this Development Agreement in its initial form (the "Initial Development Agreement"). Ordinance No. 1559 and the Initial Development Agreement took effect on December 15, 2005 (the "Initial Effective Date"). On February 27, 2007, the City Council adopted Ordinance No. \_\_\_\_ N.C. (2d), approving the first amendment and restatement of this Development Agreement (the "First Amendment"). Ordinance No. \_\_\_\_ and the First Amendment of this Development Agreement took effect on March 29, 2007 (the "First Amendment Effective Date").

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Developer agree as follows:

## **ARTICLE I**

### **GENERAL PROVISIONS**

#### 1.1 Parties.

##### 1.1.1 The City.

The City is a municipal corporation. The office of the City is located at 555 Santa Clara Street, Vallejo, California 94590. "City" as used in this Development Agreement, includes the City of Vallejo and any assignee of or successor to its rights, powers and responsibilities.

##### 1.1.2 The Developer.

Developer is Callahan/DeSilva Vallejo, LLC, a California limited liability company. The principal office of Developer is 11555 Dublin Boulevard, Dublin, California 94568. The qualifications and identity of the Developer are of particular concern to the City and

it is because of such qualifications and identity that the City has entered into this Development Agreement with Developer. Therefore, no voluntary or involuntary successor in interest of Developer shall acquire any rights or powers under this Development Agreement, except as permitted under Article VIII hereof.

The parties hereby agree that, as of the Initial Effective Date and the First Amendment Effective Date,, the Developer has an equitable interest in the Property described in Section 1.2 and Exhibit A pursuant to the DDA.

Developer represents and warrants:

(a) that as of the Initial Effective Date and the First Amendment Effective Date, Developer is: (i) duly organized and validly existing under the laws of the State of California; (ii) qualified and authorized to do business in the State of California and has duly complied with all requirements pertaining thereto; and (iii) in good standing and has all necessary powers under the laws of the State of California to own property and in all other respects enter into and perform the undertakings and obligations of this Development Agreement;

(b) that no approvals or consents of any persons are necessary for the execution, delivery or performance of this Development Agreement by Developer, except as have been obtained;

(c) that the execution and delivery of this Development Agreement and the performance of the obligations of Developer hereunder have been duly authorized by all necessary actions and approvals required under any management and operating agreement for the limited liability company constituting Developer hereunder; and

(d) that this Development Agreement is a valid obligation of Developer enforceable in accordance with its terms.

### 1.1.3 Relationship of City and Developer.

It is understood that this Development Agreement is a contract that has been negotiated and voluntarily entered into by City and Developer and that the Developer is an independent contractor and not an agent of City.

City and Developer hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection therewith shall be construed as making City and Developer joint venturers or partners.

### 1.2 Description of Property.

The property which is the subject of this Development Agreement (the "Property") is shown on the map attached hereto as Exhibit A. The Property consists of all of the Developer Parcels described in Section 104.1 of the DDA. The DDA establishes a procedure for

preparation of legal descriptions of the Developer Parcels comprising the Property, which legal descriptions shall be attached and incorporated in this Agreement as exhibits upon their preparation in accordance with the terms of the DDA.

### 1.3 Effectiveness of Development Agreement and First Amendment.

This Development Agreement became effective on the Initial Effective Date, and the First Amendment of this Agreement shall become effective on the First Amendment Effective Date, as further recited in Recital P. Pending the First Amendment Effective Date and the effectiveness of the First Amendment, this Development Agreement in the form of the Initial Development Agreement shall remain in effect and control the rights and obligations of the parties.

### 1.4 Recording.

Within ten (10) days after the First Amendment Effective Date, the City Clerk shall cause recordation of the First Amendment of this Development Agreement against all land then owned by the Agency or the City and containing any portions of the Property (the "Initial Recording Area"). Exhibit C of this Development Agreement sets forth the legal description of the Initial Recording Area. The parties anticipate that the Agency, the City or the Developer may not hold title to all of the Property on the First Amendment Effective Date. In order to make clear that the rights and obligations under this Development Agreement apply to, and run with, later acquired parts of the Property, either party may record this Development Agreement, or a memorandum thereof, against any lands that are acquired after the First Amendment Effective Date by the Agency, the City, or the Developer and that contain any portion of the Property (collectively, the "Subsequent Recording Area"), and the other party shall cooperate in such recording, and shall execute, acknowledge and deliver such additional instruments and documents as may be reasonably requested to facilitate such recording. Upon determination of the precise boundaries of the various Developer Parcels comprising the Property (as further described in Section 1.2), the parties shall reasonably cooperate, through execution of quit claim deeds or other appropriate documentation, to remove the lien of this Development Agreement from those portions of the Initial Recording Area or the Subsequent Recording Area, as applicable, that are determined not to constitute a portion of the Property.

### 1.5 Term.

1.5.1 Subject to the provisions of Section 1.5.2, the term of this Development Agreement (the "Term") commenced on the Initial Effective Date and shall expire on the fifteenth (15<sup>th</sup>) anniversary of the First Amendment Effective Date or when the DDA is terminated in its entirety, whichever occurs first; provided, however, that the Project Approvals shall survive the end of the Term, as provided in Section 2.21. The Term of this Development Agreement and any subdivision map or other Project Approvals shall be extended by any period of time during which a development moratorium (including, but not limited to, a water or sewer moratorium or water and sewer moratorium) or the actions of other public agencies that regulate land use, development or the provision of services to the land, prevents or substantially delays the construction of the Project or a lawsuit involving any such Project Approvals or permits is pending. The Term of this Development Agreement and any subdivision map or other Project

Approvals shall not include, and shall be extended by, any period of Permitted Delay as defined in Section 4.3.

1.5.2 In the event that the DDA has not been terminated in its entirety upon the fifteenth (15th) anniversary of the First Amendment Effective Date, and the period for Developer completion of any construction with respect to the Property or any portion thereof under the DDA Schedule of Performance has not expired, the parties shall meet and confer in good faith with the intent of extending the Term of this Development Agreement for the period remaining under the DDA Schedule of Performance for Developer completion of construction with respect to those portions of the Property for which the construction completion period has not expired.

1.5.3 Upon the issuance of a certificate of occupancy for the last residential unit in a building (the "Completed Building"), the parties and Developer shall enter into a memorandum of agreement providing that (a) this Development Agreement has been terminated with respect to the Completed Building for which a certificate of occupancy has been issued, and the City shall cause this Development Agreement to no longer be recorded against the Completed Building and the portion of the Property upon which the Completed Building is located.

## **ARTICLE II** **DEVELOPMENT OF THE PROPERTY**

### **2.1 Use of the Property, Vested Rights and Applicable Law.**

#### **2.1.1 Subject to Agreement.**

The Property is hereby made subject to the provisions of this Development Agreement. All development of, or on, the Property, or any portion thereof, including the Project, shall be undertaken only in compliance with the Project Approvals, the Applicable Law, the DDA, and the provisions of this Development Agreement.

#### **2.1.2 Vested Rights.**

Developer shall have a vested right to develop the Property in accordance with the Project Approvals and this Development Agreement.

#### **2.1.3 Permitted Uses.**

The permitted uses of the Property, the maximum density or intensity of use, the maximum height and size of proposed buildings, the minimum development standards, the design criteria, open space requirements, provisions for reservation or dedication of land for public purposes, and requirements for infrastructure and public improvements shall be governed by the Project Approvals and the Applicable Law, defined in Section 2.2 below.

#### 2.1.4 Mandatory Requirements.

As a condition to the development and use of the Property, Developer shall design and construct public infrastructure to be provided by Developer in accordance with the requirements of the DDA, the Project Approvals, and Applicable Law. City or Agency shall design and construct public infrastructure to be provided by City or Agency in accordance with the requirements of the DDA, the Project Approvals, and Applicable Law.

#### 2.1.5 Project Development.

The parties agree that development of the Project shall be in accordance with the Project Approvals as may be amended from time to time and the terms and conditions of this Development Agreement. In the event of an express conflict between this Development Agreement and the Project Approvals, this Development Agreement shall control.

#### 2.2 Applicable Law.

Except as otherwise provided in Sections 2.4, 2.5, 2.6 and 2.8, those ordinances, resolutions, rules, regulations, standards, official policies, conditions, standards and specifications applicable to the Project ("Applicable Law") shall be:

2.2.1 Those in effect on the Initial Effective Date; and

2.2.2 The Design Review Ordinances.

#### 2.3 No Conflicting Enactments.

Except as and to the extent required by state or federal law, and subject to the provisions of Sections 2.4, 2.5, 2.6 and 2.8, the City shall not impose on the Project any ordinance, resolution, rule, regulation, standard, directive, condition or other measure (each individually, a "City Law") that is in conflict with the Applicable Law, this Development Agreement or the Project Approvals or that reduces the development rights or assurances provided by this Development Agreement. Without limiting the generality of the foregoing, any City Law enacted or adopted after the Initial Effective Date shall be deemed to conflict with this Development Agreement or reduce the development rights provided hereby if it would accomplish any of the following results, either by specific reference to the Project or as part of a general enactment which applies to or affects the Project:

2.3.1 Reduce the maximum number of residential units permitted to be developed on the Property;

2.3.2 Change any land use designation or permitted use of the Property;

2.3.3 Limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services, or facilities (for example, water rights, water connections or sewage capacity rights, sewer connections, etc.) for the Project;

2.3.4 Limit or control the location, configuration or size of lots, buildings, structures, grading, or other improvements of the Project in a manner that is inconsistent with or more restrictive than the limitations included in the Project Approvals or this Development Agreement;

2.3.5 Limit or control the rate, timing, phasing or sequencing of the approval, development or construction of all or any part of the Project in any manner, except as set forth in this Development Agreement, the Project Approvals, or the DDA, including the Schedule of Performance;

2.3.6 Require the issuance of additional permits or approvals by the City other than those required by Applicable Law;

2.3.7 Vary the mix of development product from that described in the Project Approvals;

2.3.8 Reduce the square footage of non-residential development permitted to be developed on the Property; or

2.3.9 Limit or control the sale or rental proceeds that may be charged or received for the sale or rental of residential units or commercial space within the Project and the Property.

#### 2.4 Applicable Building and Construction Standards.

All building and construction standards, and as amended from time to time, including but not limited to the Uniform Building Code, Uniform Plumbing Code, Uniform Swimming Pool Code, Uniform Electrical Code and Uniform Mechanical Code, Uniform Fire Code, State Historic Building Code, Uniform Abatement of Dangerous Buildings Code, Uniform Housing Code, Chapter 12.07 of the Vallejo Municipal Code, and the Seismic Hazard Identification and Mitigation Program (Chapter 12.50 of the Vallejo Municipal Code), shall be applicable to the Property, whether as to existing or future structures, and Developer shall develop the Project in accordance with such codes as and when adopted by the City. Notwithstanding the above, if a subsequently adopted uniform code or uniform code update permits application of an earlier version of such uniform code to the Project or portion thereof, then such earlier permitted version of the uniform code shall, at the election of Developer, apply to the Project or portion thereof.

#### 2.5 Compliance With Other Governmental Requirements.

2.5.1 During the Term, Developer, at no cost to City, shall comply with lawful requirements of, and obtain all permits and approvals required by other public, regional, State and Federal agencies having jurisdiction over Developer's activities in furtherance of this Development Agreement.

2.5.2 As provided in California Government Code § 65869.5, this Development Agreement shall not preclude the application to the Project of changes in laws, regulations, plans or policies, to the extent that such changes are specifically mandated and required by changes in



State or Federal laws or regulations. In the event changes in the law prevent or preclude compliance with one or more provisions of this Development Agreement, the parties shall meet and confer in good faith in order to determine whether such provisions of this Development Agreement shall be modified or suspended, or performance thereof delayed, as may be necessary to comply with changes in the law, and City and Developer shall agree to such action as may be reasonably required. This Development Agreement and the Project Approvals shall remain in full force and effect unless and until amended in accordance with the requirements of this Development Agreement, and, in any event, this Development Agreement and the Project Approvals shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations. Nothing in this Development Agreement shall preclude the City or Developer from contesting by any available means (including administrative or judicial proceedings) the applicability to the Project of any such State or Federal laws or regulations. Notwithstanding the foregoing, if changes in the law preclude or substantially limit or delay performance in a manner that makes the Project economically infeasible, the party adversely affected, in its sole and absolute discretion, may terminate this Development Agreement (with respect to the entire Property or a specified portion thereof) by providing written notice of such termination to the other party. Changes in the law may include, but are not limited to, changes in laws, regulations, plans or policies of special districts or other governmental entities other than the City or the Agency (to the extent not inconsistent with the DDA).

2.5.3 Developer shall pay all required fees when due to Federal, State, regional, or local governmental agencies and acknowledges that City does not control the amount of any such fees.

2.5.4 City shall cooperate with Developer in Developer's effort to obtain permits and approvals from Federal, State, regional and local governmental agencies, provided that same does not impose any costs on or require the City to incur any costs, without compensation or reimbursement, or require the City to amend any of the City's policy, regulations or ordinances.

## 2.6 Taxes, Assessment, Fees and Exactions.

2.6.1 Except as otherwise provided in the following sentence, City may impose and Developer agrees to pay any new, increased or modified taxes, assessments, impact fees, other fees, or other monetary and non-monetary exactions, whether imposed as a condition of or in connection with any Subsequent Ministerial Approval or Subsequent Discretionary Approval or otherwise, in accordance with the laws then in effect, but only if such taxes, assessments, fees or other monetary and non-monetary exactions are equally imposed and have a uniform and proportionate effect on a broadly-based class of land, projects or taxpayers, as applicable, within the jurisdiction of City and whose purpose and effect does not fall disproportionately on Developer or the Property. Notwithstanding the foregoing provision, City shall not impose and Developer shall not be obligated to pay with respect to the development of the Property a fee, the proceeds of which are used in whole or in part, directly or indirectly, for any public art program, in an amount exceeding one percent (1%) of the direct hard construction cost of the privately-owned improvements on the Property.

2.6.2 The City may charge and Developer agrees to pay all reasonable processing fees including application and inspection and monitoring fees, for land use approvals,

grading and building permits and other permits and entitlements, which are in force and effect on a City-wide basis (except as limited by other development agreements or other vesting mechanisms) at the time those permits, approvals or entitlements are applied for on any or all portions of the Project, and which are intended to cover the actual costs of processing the foregoing.

2.6.3 Nothing herein shall be construed to limit Developer from exercising whatever rights it otherwise may have with respect to the imposition of taxes, assessments, impact fees, other fees, or monetary and non-monetary exactions, including the right to protest or otherwise object to any such imposition, whether before the City or any other applicable taxing or governmental authority.

## 2.7 Federal or State Actions.

To the extent that any actions of Federal or State agencies (or actions of other governmental agencies, including City, required by Federal or State agencies or actions of City taken in good faith in order to prevent adverse impacts upon City by actions of Federal, State or other governmental agencies) have the effect of preventing, delaying or modifying development of the Project or any portion thereof, City shall not in any manner be liable for any such prevention, delay or modification of said development. Such actions include, but are not limited to, flood plain or wetlands designations and actions of City or other governmental agencies as a result thereof and the imposition of air quality or transportation measures or sanctions and actions of City or other governmental agencies as a result thereof. As a condition to being able to proceed with development, Developer may be required, at its cost, subject to the rights of Developer in Section 2.5, without cost to or obligation on the part of City, to participate in such regional or local programs and to be subject to such development restrictions as may be necessary or appropriate by reason of such actions of Federal, State or other governmental agencies (or action of City taken in order to prevent adverse impacts upon City by actions of Federal, State or other governmental agencies). Any such actions described in this paragraph which prevent or delay development of the Project shall constitute a Permitted Delay as defined in Section 4.3 hereof. The imposition of taxes, fees or other charges or costs mandated by such Federal or State actions, which do not materially add to the cost of developing the Project and which do not otherwise prevent, delay or modify the Project shall not be deemed actions which prevent, delay or modify development of the Project for purposes of the foregoing provisions of this paragraph.

## 2.8 City's Police Power.

2.8.1 The parties acknowledge that the intent of the parties is that this Development Agreement be construed in a manner which protects the vested rights granted herein to the maximum extent allowed by law. The parties further acknowledge and agree that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions contained in this Development Agreement are intended to reserve to the City all of its police power which cannot be so limited. This Development Agreement shall be construed to reserve to the City all such power and authority which cannot be restricted by contract. Notwithstanding the foregoing reservation of the City, it is the intent of the City and Developer that this Development Agreement shall be construed to provide Developer with the

maximum rights affordable by law, including but not limited to, the Development Agreement Statutes and the Subdivision Map Act, except as expressly provided elsewhere in this Development Agreement.

2.8.2 Notwithstanding any other provision of this Development Agreement, the following regulations and provisions shall apply to the development of the Property:

(a) Processing fees and charges of every kind and nature imposed by the City to cover the actual costs to the City of processing applications for Project Approvals or for monitoring compliance with any Project Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure, provided such procedures are uniformly applied on a city-wide basis to all substantially similar types of development projects and properties.

(c) Regulations governing construction standards and specifications including, without limitation, the City's building code, plumbing code, mechanical code, electrical code, fire code and grading code, and all other uniform construction codes then applicable in the City at the time of permit application.

(d) City laws and regulations which may be in conflict with the Project Approvals but which are reasonably necessary to protect the public health and safety, provided such City laws and regulations are uniformly applied on a city-wide basis to all substantially similar types of development projects and properties and that no such code or standard has the effect of preventing or limiting construction of the Project and would result in any significant delay in the build-out of the Project.

(e) New rules, regulations, policies, standards and specifications (including permit requirements) applicable to the Property, which do not conflict with the Applicable Law or Project Approvals, provided such new rules, regulations, policies, standards and specifications are uniformly applied to all substantially similar types of development projects and properties, and do not materially impact the Project.

2.8.3 Notwithstanding any other provision of this Development Agreement, no new City Law (as defined in Section 2.3), including, without limitation, any inclusionary housing ordinance, shall be applicable to the Project and the Property if such new City Law would have the direct or indirect effect of limiting or controlling the sale or rental proceeds that may be charged or received for the sale or rental of residential units or commercial space within the Project and the Property.

## 2.9 Project Standards.

The rules, regulations and official policies governing design, improvement and construction standards and specifications applicable to the Project shall be those set forth in the Applicable Law. Rules, regulations, policies, standards and specifications applicable to the Project and not addressed in the Applicable Law shall be those in force and effect on a City-wide

basis at the time of the applicable permit approval. For purposes of this Section 2.9, the determination of a conflict shall be governed by the same principles set forth in Section 2.3.

#### 2.10 Infrastructure Standards.

All streets, roads, utilities, drainage systems, traffic control signs, markings and signal systems, streetscape and street lighting, shall be designed and constructed to the engineering, design and construction standards as set forth in the Applicable Law and the Project Approvals. Standards not addressed in the Applicable Law shall be those existing on a City-wide basis at the time of the applicable permit approval. Such standards shall include those construction standards contained in applicable sections of the City of Vallejo Municipal Code, the Standard Specifications and Standard Details referenced therein, the Uniform Building Code adopted by the City, and to the extent applicable for use by the City in connection with the approval of drainage facilities, standard specifications formally adopted by the Vallejo Sanitation and Flood Control District as of the Initial Effective Date. As used in this Section 2.10, "streetscape" shall include landscaping irrigation systems, plantings, special paving materials, walls, fences and other features intended to enhance the aesthetic quality of the public streets, grounds and accessways.

#### 2.11 Subsequent Approvals.

2.11.1 Applications for additional land use approvals, entitlements, and permits or for other project entitlement including without limitation requested changes to applicable General Plan and Zoning Ordinance provisions, are anticipated to be submitted to implement, operate, and modify the Project ("Subsequent Approvals"). The Subsequent Approvals consist of Subsequent Ministerial Approvals and Subsequent Discretionary Approvals. In connection with any Subsequent Approval, the City shall exercise its discretion in accordance with the Project Approvals and as provided by this Development Agreement, including the reservations of authority set forth in Section 2.8.

2.11.2 Subsequent Ministerial Approvals ("Subsequent Ministerial Approvals") are permits or approvals that are required by Applicable Law and that are to be issued upon compliance with uniform, objective standards and regulations. They include, but are not limited to, applications for (i) road construction permits or authorizations; (ii) grading and excavation permits (including, without limitation, any grading permit intended to implement the terms of the Section 404 Permit); (iii) building permits, including electrical, plumbing, mechanical, Title 24 Electrical, and Title 24 Handicap permits or approvals; (iv) certificates of occupancy; (v) encroachment permits; (vi) water connection permits; and (vii) any other similar permits required for the development and operation of the Project.

2.11.3 All other Subsequent Approvals, including without limitation, amendments of the Project Approvals, site development plan approvals, improvement agreements, Unit Plans, use permits, lot line adjustments, subdivision maps, preliminary and final development plans, rezonings, development agreements, permits that are not Subsequent Ministerial Approvals, resubdivisions, and any amendments to, or repealing of, any of the foregoing, are Subsequent Discretionary Approvals ("Subsequent Discretionary Approvals").

## 2.12 Processing Applications for Subsequent Approvals.

2.12.1 Developer acknowledges that the City cannot begin processing Subsequent Approvals until Developer submits complete applications on a timely basis. Developer shall use its best efforts to (i) provide to the City in a timely manner any and all documents, applications, plans, and other information necessary for the City to carry out its obligations hereunder; and (ii) cause Developer's planners, engineers, and all other consultants to provide to the City in a timely manner all such documents, applications, plans and other necessary required materials as set forth in the Applicable Law. It is the express intent of Developer and the City to cooperate and diligently work to obtain any and all Subsequent Approvals.

2.12.2 Upon submission by Developer of all appropriate applications and processing fees for any Subsequent Approval, the City shall, to the full extent allowed by law, promptly and diligently, subject to the City ordinances, policies and procedures regarding hiring and contracting, commence and complete all steps necessary to act on Developer's Subsequent Approval applications including, without limitation: (i) providing at Developer's expense and subject to Developer's request and prior approval, reasonable overtime staff assistance, additional staff and/or staff consultants for concurrent, expedited planning and processing of each Subsequent Approval application; (ii) if legally required, providing notice and holding public hearings; and (iii) acting on any Subsequent Approval application. The City shall use its best efforts to ensure that adequate staff is available, and subject to Developer's approval and at Developer's cost, additional staff, and overtime staff assistance or staff consultants as may be necessary, to timely process Subsequent Approval applications on an expedited, concurrent schedule.

2.12.3 With the Project Approvals, the City has made a final policy decision that the Project is in the best interests of the public health, safety and general welfare. Accordingly, the City shall not use its authority in considering any application for a Subsequent Ministerial Approval to change the policy decisions reflected by the Project Approvals or otherwise to prevent, delay or frustrate the further development of the Project as set forth in the Project Approvals. Instead, the Subsequent Ministerial Approvals shall be deemed to be tools to implement those final policy decisions and shall be issued by the City so long as they comply with this Development Agreement and the Project Approvals. Nothing herein shall limit the ability of the City to require the necessary reports, analyses or studies to assist in determining that the requested Subsequent Ministerial Approval is consistent with this Development Agreement and the Project Approvals. If the City determines that an application for a Subsequent Ministerial Approval is not consistent with this Development Agreement or the Project Approvals and should be processed as an application for a Subsequent Discretionary Approval rather than a Subsequent Ministerial Approval, the City shall specify in writing the reasons for such determination and may propose a modification which would be processed as a Subsequent Ministerial Approval. Developer shall then either modify the application to conform to this Development Agreement and the Project Approvals, as the case may be, or the City shall process the application as an application for a Subsequent Discretionary Approval; provided, however, that Developer shall have the right to dispute the City's determination pursuant to this Section.

2.12.4 Applications for Subsequent Discretionary Approvals shall be processed and considered in a manner consistent with the vested rights granted by this Agreement.

2.12.5 Notwithstanding any administrative or judicial proceedings, initiative or referendum concerning the Project Approvals, the City shall process the Developer's applications for Subsequent Approvals as provided for herein to the fullest extent allowed by law and Developer may proceed with development pursuant to the Project Approvals to the fullest extent allowed by law.

### 2.13 Administration of Subsequent Approvals.

2.13.1 Subsequent Ministerial Approvals shall be reviewed and processed by the City in accordance with Applicable Law. If the City denies any application for a Subsequent Ministerial Approval, the City must specify in writing the reasons for such denial and may suggest a modification which would be approved. Any such specified modifications must be consistent with the Project Approvals and Applicable Law, and the City shall approve the application if it is subsequently resubmitted for City review and addresses the reason for the denial in a manner that is consistent with the Project Approvals and Applicable Law. Developer may resubmit the application at anytime, and resubmission restrictions in other City Laws shall not apply.

2.13.2 Applications for Subsequent Discretionary Approvals shall be reviewed and processed by the City in accordance with Applicable Law. If the City denies any application for a Subsequent Discretionary Approval, the City must specify in writing the reasons for such denial and may suggest a modification which would be approved. Any such specified modification must be consistent with this Development Agreement and Applicable Law, and the City shall consider the application if it is subsequently resubmitted and addresses the reason for the denial in a manner that is consistent with this Development Agreement and Applicable Law. Developer may resubmit the application at anytime, and resubmission restrictions in other City Laws shall not apply.

2.13.3 In addition, applications for any Subsequent Discretionary Approval that constitutes a Unit Plan approval for a major development project (as determined by the City's Development Services Director) within the Property shall be reviewed and processed through the City's Design Review Board and the City Council in the manner and within the time periods specified in Section 304 of the DDA, unless otherwise agreed by the Developer and the City.

### 2.14 Future Use of EIR.

The parties understand that the EIR, including any subsequent or supplemental EIR, is intended to be used in connection with each of the Existing Approvals and Subsequent Approvals needed for the Project. Consistent with CEQA policies and requirements applicable to the EIR, City agrees to use the EIR in connection with the processing of any Subsequent Approval to the extent allowed by law.

## 2.15 Development Timing and Restrictions.

The parties acknowledge that Developer cannot at this time predict with certainty when or the rate at which phases of the Property would be developed. Such decisions depend upon numerous factors which are not all within the control of Developer, such as market orientation and demand, interest rates, competition, completion of remediation and other factors. The Schedule of Performance reflects City's, Agency's, and Developer's best efforts to anticipate the likely phasing of the Project, based upon the parties' information as of the date of execution of this Development Agreement. Because the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo*, 37 Cal.3d 465 (1984), that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development controlling the parties' agreement, it is the intent of City and Developer to hereby acknowledge and provide for the right of Developer to develop the Project at such rate and times as Developer deems appropriate within the exercise of its sole and subjective business judgment, subject to the terms, requirements and conditions of the Project Approvals and this Development Agreement (including without limitation infrastructure phasing applicable to the Project, and the provisions of Sections 2.1, 2.2 and 2.3, above). City acknowledges that such a right is consistent with the intent, purpose and understanding of the parties to this Development Agreement, and that without such a right, Developer's development of the Project would be subject to the uncertainties sought to be avoided by the Development Agreement Statutes (California Government Code Section 65864, *et seq.*) and Title 17, Part II of the City of Vallejo Municipal Code and this Development Agreement. Developer will use its best efforts, in accordance with its own business judgment and taking into consideration market conditions and other economic factors influencing Developer's business decision, to commence or to continue development, and to develop the Project in a regular, progressive and timely manner in accordance with the provisions and conditions of this Development Agreement and with the Project Approvals provided that Developer agrees to comply with the Schedule of Performance.

Off-site improvements required may be specifically tied to certain phases of the Project. The schedule for provisions of these off-site improvements, as they relate to a particular phase, shall be governed by the Project Approvals and the DDA, as applicable.

Pursuant to the DDA, the Agency and Developer shall administer certain phasing and financial requirements pertaining to vertical development and other components of the Project in implementation of, and consistent with, the Project Approvals and this Agreement.

## 2.16 Undergrounding of Utilities.

All existing above-ground utilities on the Property shall be placed underground, and all new utilities on the Property will be placed underground, at the Developer's sole cost and in accordance with City development standards and the requirements of the applicable utility companies and to the extent feasible.

2.17 ADA Compliance.

Developer shall comply with the requirements of the Americans with Disabilities Act (ADA) and all other requirements of applicable federal and state laws with respect to its development of the Project as applicable to Developer.

2.18 Prevailing Wages.

Developer shall indemnify, hold harmless and defend (with counsel reasonably acceptable to the City) the City against any claim for damages, compensation, fines, penalties or other amounts arising out of the failure of Developer or its contractors to pay prevailing wages if and to the extent required by law or to comply with the other applicable provisions of Labor Code Sections 1720 et seq. and implementing regulation of the Department of Industrial Relations in connection with construction of the improvements on the Property. The indemnity provided for in this Section 2.18 is expressly limited as follows: (i) the indemnity does not include any improvements where the City has represented in a writing to Developer that such improvements are not, or should not be considered, public works under Labor Code Section 1720 et seq.; and (ii) the indemnity does not include any improvements where the City contracted for the work directly.

2.19 Initiatives and Referenda.

2.19.1 If any City Law is enacted or imposed by a citizen-sponsored initiative or referendum, or by the City Council directly or indirectly in connection with any proposed initiative or referendum, which City Law would conflict with the Project Approvals, Applicable Law or this Development Agreement or reduce the development rights provided by this Development Agreement, such City Law shall not apply to the Property or Project. The parties, however, acknowledge that the City's approval of this Agreement is a legislative action subject to referendum.

2.19.2 Without limiting the generality of any of the foregoing, no moratorium or other limitation (whether relating to the rate, timing, phasing or sequencing of development) affecting subdivision maps, building permits or other entitlements to use that are approved or to be approved, issued or granted by the City shall apply to the Property or Project. Developer agrees and understands that the City does not have authority or jurisdiction over another public agency's authority to grant a moratorium or impose any other limitation that may affect the Project.

2.19.3 The City shall cooperate with Developer and shall undertake such actions as may be necessary to ensure this Development Agreement remains in full force and effect.

2.19.4 The City, except to submit to vote of the electorate initiatives and referendums required by law to be placed on a ballot, shall not adopt or enact any City Law, or take any other action which would violate the express provisions or spirit and intent of this Development Agreement or the Project Approvals.



2.20 Progress Meetings.

City and Developer shall have regular meetings during the Term of this Development Agreement to discuss the progress of the development and construction of the Project. Such meetings shall be attended by representatives of the parties with experience and expertise in the relevant disciplines to the stage of the development and construction process.

2.21 Life of Project Approvals.

Unless otherwise expressly specified in any Project Approval, the terms of (a) any future tentative map (including vesting maps, map amendments and lot line adjustments) which may be approved for the Project (as provided for in the Subdivision Map Act, Government Code Sections 66410 et seq.), or (b) any other Project Approval, shall automatically be extended for the longer of the duration of this Development Agreement (including any extensions provided for under Section 1.5) or the term otherwise applicable to such Project Approval if this Development Agreement is no longer in effect.

**ARTICLE III**  
**OBLIGATIONS OF THE PARTIES**

3.1 Developer Obligations.

In addition to those obligations of Developer under the Existing Approvals described in Recital D, Developer shall have the following obligations:

3.1.1 Development of the Property.

In consideration of City entering into this Development Agreement, Developer has agreed that if Developer commences development of the Property (and proceeds to develop the Property), such development shall be in conformance with all of the terms, covenants and requirements of this Development Agreement, the DDA, and the Project Approvals, and Developer shall perform those specific obligations and provide those specific contributions identified in the DDA and the conditions of approval and exhibits to the Project Approvals. Developer and its successors and assigns, as applicable, shall pay when due any and all fees, impact fees and costs, which are imposed pursuant to this Development Agreement or are otherwise lawfully imposed on all or any portion of the Project, whether imposed by City or other agencies, which may include, but are not limited to, fees to help pay for off-site improvements of benefit to the Project or the Property.

3.1.2 Effects of Litigation.

In the event that litigation is timely instituted, and a final judgment is obtained, which invalidates in its entirety this Development Agreement or a substantial benefit to Developer under the Applicable Law, then Developer shall have no further obligations whatsoever under this Development Agreement except as set forth in Section 4.8 hereof.

3.1.3 **[deliberately omitted]**

3.1.4 Formation and Responsibility of Neighborhood Associations.

Unless otherwise required by the conditions of approval for the Project Approvals, if City and Developer mutually determine that a neighborhood association should be formed for a portion of the Project or such association is required by Applicable Law, Developer shall be responsible for the formation of such association to maintain neighborhood facilities and private open space and to assure uniform exterior maintenance and appearance of the residential units.

3.1.5 Maintenance of Public Areas and Open Space.

(a) City shall assume responsibility for the maintenance of all parks and open space after such areas have been dedicated by Developer. City will accept offers of dedication of open space to be left in its natural condition, provided that City is reasonably satisfied as to the size and configuration of the parcel, and the level of cost or potential liability, if any, associated with such dedication.

(b) Developer consents to the formation, and shall participate in, and take actions to assist in the formation of a Landscaping, Lighting and Maintenance District ("LLMD") for maintenance of public open space areas in the Waterfront Area in the manner set forth in the DDA. City agrees that any LLMD affecting the Property or any portion thereof shall be formed or modified in a manner consistent with the conditions and standards for an LLMD set forth in the DDA (with particular reference to Section I.D of the Method of Financing, Attachment No. 6 to the DDA).

3.1.6 Historic Preservation.

Developer's obligations, if any, with respect to buildings or facilities of historic significance are set forth in the Existing Approvals. Provided Developer is in compliance with the Existing Approvals concerning historic preservation, City shall not impose any additional requirements for historic preservation of buildings or facilities on the Project. City agrees not to apply for, sponsor or endorse any application on the part of City or any other party for historic preservation other than as set forth in the Existing Approvals unless Developer expressly consents thereto.

3.1.7 Infrastructure Improvement.

Developer, subject to Permitted Delays and other extensions of the Schedule of Performance, will construct and install all infrastructure required to be constructed and installed by Developer in accordance with the Project Approvals and consistent with this Development Agreement.

### 3.2 Acceptance of Public Roads.

Upon the satisfactory construction in accordance with all applicable City standards, as reasonably determined by City, City shall accept ownership of the public roads identified in the Project Approvals.

### 3.3 **[Deliberately omitted]**

### 3.4 Community Facilities District.

Subject to applicable legal requirements, upon the request of the Developer, the City shall consider, in good faith, the formation of one or more assessment districts, community facilities districts, or other similar public financing districts (collectively, "Public Financing Districts") for the purpose of issuing bonded indebtedness or otherwise obtaining assessments or special taxes to pay the costs of design and development of on-site public improvements (such as streets and infrastructure within the Property to be constructed by the Developer and dedicated to the City or other public entity) and off-site public improvements normally required by the City to be provided by the property owner in connection with private development to the maximum extent permitted by law. Such good faith consideration shall include scheduling and conduct of all hearings, elections and other proceedings necessary for the formation of such requested Public Financing District(s) and the issuance of bonded indebtedness or other indebtedness of any such formed Public Financing District(s). The costs of formation and issuance of indebtedness of such Public Financing District(s) shall be borne by the Developer (or financed through such indebtedness), and the obligations of such Public Financing District(s) shall be payable solely from assessments or special taxes imposed upon all or a portion of the Property following conveyance to the Developer, and not from any funds, revenues or properties of the Agency, the City, or any other public entity without the express prior consent of the Agency, the City or other public entity, as applicable, in their sole discretion.

### 3.5 Relocation or Realignment of Public Roads.

City shall cooperate with Developer, at no cost to City, to take all steps necessary to relocate or realign public roads to conform to the locations approved by City in the course of the development of the Property in accordance with this Development Agreement. The cost of any relocation or realignment made at Developer's sole request shall be paid by Developer. The costs for realignment and relocation of Harbor Way shall be allocated and paid as provided in Section II.C.1 of the Scope of Development attached as Attachment No. 4 to the DDA.

### 3.6 Eminent Domain Powers.

City agrees to cooperate with Developer in implementing all of the conditions of the Project Approvals, including, but not limited to, the consideration of the use of its eminent domain powers in connection with public rights-of-way and public improvements; provided, however, that the use of eminent domain shall be in the sole and absolute discretion of the City and subject to all applicable legal requirements. The City's obligation under this section shall not relieve the Agency of any obligation under the DDA with respect to consideration of use of the Agency's eminent domain power.

### 3.7 City Commitment to Cooperate.

City agrees to assist Developer and use its best efforts to assist, at no cost to City, the Developer in obtaining all easements and rights of way required to develop the Project, including but not limited to ingress/egress, utilities, demolition/construction, flood control, support, slope, and rail easements and rights of way, whether from the City, or third parties.

City shall grant such public utility easements over property owned by City as are reasonably necessary to implement the Project and the improvement of the City/Agency Parcels (as defined and described in Section 104 of the DDA) in accordance with this Development Agreement, the DDA, and the Project Approvals.

City, as owner of applicable portions of the Site (as defined and described in Sections 101 and 104 of the DDA) and at no cost to City, shall reasonably cooperate with and assist Developer, as applicant for various subdivisions and/or lot line adjustments contemplated by this Development Agreement, the DDA and the Project Approvals, and shall execute such documents and consents and take such actions in its capacity as property owner as are reasonably required to enable Developer to apply for and obtain approval, filing, and recordation of such subdivisions and/or lot line adjustments; provided, however, that nothing in this provision shall affect the City's rights and obligations, acting in its municipal regulatory capacity, to review and approve or disapprove any subdivision or lot line adjustment application in the manner otherwise provided in this Development Agreement.

### 3.8 Credit for Park Fees.

The DDA requires Developer to advance costs (defined in Section I.H of the Method of Finance, Attachment No. 6 of the DDA and referred to below in this section as the "Total Developer Public Parks and Open Space Contribution") for the design and construction of certain park and open space improvements on publicly-owned land within the Waterfront Area (referred to in the DDA as the "Site"). Subject to review and approval by the City of the actual amounts expended by Developer, Developer shall be entitled, and City shall grant Developer credit against City park impact fees otherwise due pursuant to Vallejo Municipal Code Chapter 3.18 (the "City Park Fees"), with respect to residential development on the Property, in an amount equal to the amount of the Total Developer Public Parks and Open Space Contribution made by Developer and not previously credited against the payment of such City Park Fees. To the extent that the provisions of this Section 3.8 are inconsistent with the requirements of Chapter 3.18 of the Vallejo Municipal Code, this Section 3.8 shall be deemed to control.

### 3.9 Conveyance of City Parcels

By not later than the dates set forth in the Schedule of Performance, City shall convey to the Agency any portions of the Property then owned by City, so that the Agency can then meet its obligations under the DDA to convey the Property to Developer at the times specified in the DDA.

### 3.10 City DDA Obligations

In addition to the obligations of the City specifically set forth elsewhere in this Development Agreement, the City shall perform and observe the City DDA Obligations (as defined below) in the same manner and to the same extent as if the City DDA Obligations were set forth in full in this Development Agreement as obligations of the City.

As used herein, "City DDA Obligations" means:

3.10.1 All obligations specified in the DDA that City has specifically acknowledged and accepted, as indicated on the signature page of the DDA;

3.10.2 All obligations in the DDA that the Agency covenants to cause the City to perform or observe; and

3.10.3 All obligations of the City specified in the DDA that the City has independently covenanted to perform pursuant to the Settlement Agreement entered into among the City, the Agency, the Developer, and the Vallejo Waterfront Coalition as of November 28, 2006.

This section shall not be construed to abrogate the City's discretion to make independent legislative determinations or findings when required or to ensure a particular result. The City DDA Obligations are hereby incorporated in this Development Agreement by this reference.

## **ARTICLE IV** **AMENDMENT OF DEVELOPMENT** **AGREEMENT AND EXISTING APPROVALS**

### 4.1 Amendment of Development Agreement By Mutual Consent.

This Development Agreement may be amended in writing from time to time by mutual consent of the parties hereto or their successors-in-interest or assigns and in accordance with the provisions of City of Vallejo Municipal Code Chapter 17.10. Limited time extensions (not including extensions to the Term) not exceeding one hundred eighty (180) days in the aggregate for all such extensions, for compliance with the terms and conditions set forth herein, may be granted or denied by the City Manager (or his/her designee) in his or her sole discretion.

### 4.2 Insubstantial Amendments to Development Agreement.

In accordance with the provisions of Chapter 17 of the Vallejo Municipal Code, as may be amended from time to time, any amendment to this Development Agreement which, in the context of the overall Project contemplated by this Development Agreement, does not substantially affect (i) the Term of this Development Agreement, (ii) permitted uses of the Property, (iii) provisions of the reservation or dedication of land, (iv) conditions, terms, restrictions or requirements for subsequent discretionary actions, (v) the density or intensity of use of the Property or the maximum height or size of proposed buildings, or (vi) monetary

contributions by Developer, shall be deemed an "Insubstantial Amendment" and shall not, except to the extent otherwise required by law, require notice or public hearing before the parties may execute an amendment hereto. Such Insubstantial Amendment may be approved by City resolution.

#### 4.3 Permitted Delays.

In the event of changes in conditions, changes in local, state or federal laws (including changes referred to in Section 2.7 above) or regulations (other than changes expressly permitted or contemplated by this Development Agreement), delays due to strikes, inability to obtain materials, delays caused by governmental agencies in issuing permits and approvals, a development moratorium (including, but not limited to, a water or sewer moratorium) or other actions by public agencies that would prohibit development of the Property, delays in the completion of environmental remediation related to the Property, civil commotion, fire, acts of God, war, lockouts, riots, floods, earthquakes, epidemic, quarantine, freight embargoes, failure of contractors to perform, or the filing of any court action to set aside or modify this Development Agreement or the Project Approvals, or other circumstances described in this Development Agreement as giving rise to a Permitted Delay and which cause substantially and materially interferes with carrying out the Project, as the Project has been approved, or with the ability of either party to perform its obligations under this Development Agreement (each such cause individually a "Permitted Delay"), then, except as to acts or conditions to which this Section 4.3 is expressly not applicable under other provisions of this Development Agreement and except as to acts or conditions caused by Developer, if and to the extent that any such cause referred to above in this Section 4.3 has the effect of delaying Developer's completion of any act required hereunder beyond a date specified for such act or beyond the Term of this Development Agreement, then upon written notice to the other party, the time for such act to be completed or the term of this Development Agreement, whichever is applicable, shall be extended for such period of time as the Permitted Delay shall exist but in any event not longer than for such period of time during which Developer is undertaking reasonable and diligent efforts to correct such Permitted Delay.

#### 4.4 Requirement for Writing.

No modification, amendment or other change to this Development Agreement or any provision hereof shall be effective for any purpose unless specifically set forth in a writing which refers expressly to this Development Agreement and is signed by duly authorized representatives of both parties or successors.

#### 4.5 Amendments to Development Agreement Statutes.

This Development Agreement has been entered into in reliance upon the provisions of the Development Agreement Statutes, as those provisions existed at the date of execution of this Development Agreement. No amendment or addition to those provisions which would materially affect the interpretation or enforceability of this Development Agreement shall be applicable to this Development Agreement unless such amendment or addition is specifically required by the California State Legislature, or is mandated by a court of competent jurisdiction. If such amendment or change is permissive (as opposed to mandatory), this Development

Agreement shall not be affected by same unless the parties mutually agree in writing to amend this Development Agreement to permit such applicability.

#### 4.6 Amendment of Project Approvals.

To the extent permitted by state and federal law, any Project Approval may, from time to time, be amended or modified in the following manner:

##### 4.6.1 Administrative Amendments.

Upon the written request of Developer for an amendment or modification to a Project Approval, the Director of Development Services or his/her designee shall determine: (i) whether the requested amendment or modification is minor when considered in light of the Project as a whole; and (ii) whether the requested amendment or modification is consistent with this Development Agreement and Applicable Law. If the Director of Development Services or his/her designee finds that the proposed amendment or modification is minor in light of the Project as a whole, consistent with this Development Agreement and Applicable Law, and will result in no new significant impacts not addressed and mitigated in the applicable environmental document, the amendment shall be determined to be an "Administrative Amendment" and the Director of Development Services or his/her designee may, except to the extent otherwise required by law, approve the Administrative Amendment without notice and public hearing. Without limiting the generality of the foregoing, lot line adjustments, minor reductions in the density, intensity, scale or scope of the Project, minor alterations in vehicle circulation patterns or vehicle access points, substitutions of comparable landscaping for any landscaping shown on any final development plan or landscape plan, variations in the location of structures or other improvements that do not substantially alter the design concepts of the Project, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Project, and minor adjustments to the legal description of a parcel shall be treated as Administrative Amendments.

##### 4.6.2 Non-Administrative Amendments.

Any request of Developer for an amendment or modification to a Project Approval (including an amendment to this Development Agreement) which is determined to not be an Administrative Amendment as set forth above shall be subject to review, consideration and action pursuant to the Applicable Law and this Development Agreement.

#### 4.7 Incorporation of Project Amendments into this Development Agreement.

Upon approval or adoption of a Project Approval, or an amendment of a Project Approval, such action shall automatically be deemed to be incorporated into the Project and the Applicable Law and vested under this Development Agreement without any further procedure to amend this Development Agreement.

4.8 Effect of Termination on Developer's Obligations.

4.8.1 Notwithstanding any other provision hereof to the contrary, termination of this Development Agreement or termination of the rights of Developer hereunder as to the Property, or any part thereof, shall not affect any requirement to comply with the Project Approvals or any payments then due and owing to City, nor shall it affect the covenants of Developer specified in Section 4.8.2 below, to continue after the termination of this Development Agreement. Developer understands and agrees that the Project Approvals may be substantially modified in light of the circumstances resulting from the termination of this Development Agreement or Developer's rights hereunder and Developer shall have no rights to challenge said modification by reason of this Development Agreement other than the rights, if any, Developer would have in the absence of this Development Agreement.

4.8.2 Notwithstanding anything in this Development Agreement to the contrary, the following provisions of this Development Agreement shall survive and remain in effect following termination or cancellation of this Development Agreement for so long as necessary to give them full force and effect with respect to claims or rights of City arising prior to termination or cancellation:

- (a) This Section 4.8 (Developer's obligations upon termination or cancellation);
- (b) Section 6.1 (remedies; limitation on damages and exceptions thereto; accrued obligations); and
- (c) Section 10.1 (Indemnification).

**ARTICLE V**  
**ANNUAL REVIEW**

5.1 Time of Review.

The annual review date for this Development Agreement shall be initiated during the month of May of each year of the term of this Development Agreement, commencing with May 2008. City shall make a good faith effort every year to notify Developer at least 10 days in advance of the date for Developer's request for annual review pursuant to Section 5.2 and any evidence required by City to demonstrate Developer's good faith compliance with this Development Agreement.

5.2 Developer to Initiate.

Developer shall initiate the annual review required by City of Vallejo Municipal Code Chapters 17.20 by submitting a written request at least sixty (60) days prior to the review date to the Director of Development Services. The Developer shall also provide evidence as determined necessary by the Director of Development Services to demonstrate good faith compliance with the provisions of this Development Agreement. However, failure to initiate the annual review



within thirty (30) days of receipt of written notice to do so from City shall not constitute a default by Developer under this Development Agreement, unless City has provided actual notice and opportunity to cure and Developer has failed to so cure.

### 5.3 Good Faith Compliance.

The annual review required by California Government Code, Section 65865.1, shall be conducted as provided herein. The Director of Development Services shall review Developer's submission to ascertain whether Developer has complied in good faith with the terms of this Development Agreement. If the Director of Development Services finds good faith compliance by Developer with the terms of this Development Agreement, the Director of Development Services shall so notify Developer and the planning commission in writing and the review for that period shall be concluded. If the Director of Development Services is not satisfied that the Developer is performing in accordance with the material terms and conditions of this Development Agreement, the Director of Development Services shall refer the matter to the planning commission for a decision and notify Developer in writing at least ten (10) days in advance of the time at which the matter will be considered by the planning commission.

The planning commission shall conduct a hearing at which Developer must submit evidence that it has complied in good faith with the terms and conditions of this Development Agreement. The findings of the planning commission on whether Developer has complied with this Development Agreement for the period under review shall be based upon substantial evidence in the record. If the planning commission determines that, based upon substantial evidence, Developer has complied in good faith with the terms and conditions of this Development Agreement, the review for that period shall be concluded. If the planning commission determines that, based upon substantial evidence, Developer has not complied in good faith with the terms and conditions of this Development Agreement, the planning commission shall forward its report and recommendation to the City Council.

The City Council shall notify the Developer in writing of its intention to conduct a hearing on whether Developer has complied in good faith with the terms and conditions of this Development Agreement and whether the Development Agreement should be modified or terminated. The notice shall include the information specified in Chapter 17.20 *et seq.* of the Vallejo Municipal Code, including the time and place of the hearing, a copy of the planning commission's report and recommendation, and any other information the City Council considers necessary to inform Developer of the nature of the proceeding. Developer shall be given an opportunity to be heard at the hearing. If the City Council determines that Developer has complied in good faith with the terms and conditions of this Development Agreement, the review for that period shall be concluded. If, however, the City Council determines, based upon substantial evidence in the record, that there are significant questions as to whether Developer has complied in good faith with the terms and conditions of this Development Agreement, the City Council may continue the hearing and shall notify Developer of City's intent to meet and confer with Developer within thirty (30) days of such determination, prior to taking further action. Following such meeting, the City Council shall resume the hearing in order to further consider the matter and to make a determination regarding Developer's good faith compliance with the terms and conditions of the Development Agreement and to take those actions it deems appropriate, in accordance with California Government Code Section 65865.1.

5.4 No Waiver.

Failure of City to conduct an annual review shall not constitute a waiver by City of its rights to otherwise enforce the provisions of this Development Agreement nor shall Developer have or assert any defense to such enforcement by reason of any such failure to conduct an annual review.

**ARTICLE VI**  
**DEFAULT, REMEDIES AND TERMINATION**

6.1 Remedies for Breach.

City and Developer acknowledge that the purpose of this Development Agreement is to carry out the parties' objectives as set forth in the Recitals hereof. City and Developer agree that to determine a sum of money which would adequately compensate either party for choices they have made which would be foreclosed should the Project not be completed pursuant to and as contemplated by this Development Agreement is not possible and that damages would not be an adequate remedy. Therefore, City and Developer agree that in the event of a breach of this Development Agreement (following an arbitration determination if arbitration is expressly permitted by other provisions of this Development Agreement and is invoked pursuant to Section 6.3), the only remedies available to the non-breaching party shall be: (1) suits for specific performance to remedy a specific breach, (2) suits for declaratory or injunctive relief, (3) suits for mandamus under Code of Civil Procedure Section 1085, or special writs, (4) termination of this Development Agreement, or (5) limited actions as follows: Except for attorney's fees and associated costs as set forth herein, monetary damages shall not be awarded to either party. This exclusion on damages shall not preclude actions by a party to enforce payments of monies due, or the performance of obligations requiring the expenditures of money under the terms of this Development Agreement as set forth in subsections (1) and (2), below, of this Section 6.1. All of these remedies shall be cumulative and not exclusive of one another, and the exercise of any one or more of these remedies shall not constitute a waiver or election with respect to any other available remedy. Monetary recovery may be had for failure to complete the following actions that are required upon completion of specified components of the Project:

- (1) payments required to be made under the Project Approvals, as applicable;
- and
- (2) any other payments of funds then due and owing by Developer to City.

6.2 Notice of Breach.

Prior to the initiation of any action for relief specified in Section 6.1 above because of an alleged breach of this Development Agreement, the party claiming breach shall deliver to the other party a written notice of breach (the "Notice of Breach"). The Notice of Breach shall specify the reasons for the allegation of breach with reasonable particularity. The so-called breaching party shall have thirty (30) days to either: (a) use good faith efforts to cure the breach

or, if such cure is of the nature to take longer than 30 days, to take reasonable actions to commence curing the breach during such thirty (30) day period; or (b) if in the determination of the so-called breaching party, such event does not constitute a breach of this Development Agreement, the so-called breaching party, within thirty (30) days of receipt of the Notice of Breach, shall deliver to the party claiming the breach a "Notice of Non-Breach" which sets forth with reasonable particularity the reasons that a breach has not occurred. Failure to respond within the thirty (30) days shall not be deemed an admission of the breach, but the party alleging the breach may proceed to pursue its remedies hereunder.

### 6.3 Arbitration.

Upon agreement by both Parties, any legal action shall be submitted to nonbinding arbitration before a mutually acceptable retired Superior Court or Appellate Court judge. If the Parties cannot agree on the selection of a retired Superior Court or Appellate Court judge, then they shall each select a retired Superior Court or Appellate Court judge, and the two (2) selected judges will jointly select a third retired Superior Court or Appellate Court judge to serve as the arbitrator. The arbitrator shall issue such procedural and remedial orders as he or she may deem appropriate. The arbitrator's fees shall be shared equally between the City and Developer.

### 6.4 Cooperation in the Event of Initiative or Legal Challenge.

#### 6.4.1 Initiative.

Should a non-City Council initiative measure or measures be enacted which could affect the Project:

(a) Developer and City shall meet and confer in good faith to mutually determine the proper course of action; and

(b) In the event City and Developer jointly determine to challenge such initiative measure, Developer shall provide for any challenge to such initiative measure at its sole cost and expense, and any such court action shall constitute a Permitted Delay pursuant to this Development Agreement; and

(c) In the event that a court determination has the effect of preventing, delaying or modifying the development of the Project as set forth above, City and Developer shall meet and confer in good faith to determine if there are alternative means of achieving the mutual goals and objectives of this Development Agreement, in light of such court action.

#### 6.4.2 Other Legal Challenge.

In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Development Agreement, the effect of which is to directly or indirectly challenge or compromise the enforceability, validity, or legality of this Development Agreement and/or the power of the City to enter into this Agreement or perform its obligations hereunder, either the City or the Developer may, but shall have no obligation to defend such action. Upon commencement of such action, the City and the

Developer shall meet in good faith and seek to establish a mutually acceptable method of defending such action.

6.5 Applicable Law/Venue/Attorneys' Fees and Costs.

This Development Agreement shall be construed and enforced in accordance with the laws of the State of California. Any legal actions under this Development Agreement shall be brought only in the Superior Court of the County of Solano, State of California. Should any legal action or arbitration be brought by either party because of breach of this Development Agreement or to enforce any provision of this Development Agreement, the prevailing party shall be entitled to reasonable attorney's fees or arbitration costs and such other costs as may be found by the court or arbitrator.

6.6 Termination by Mutual Consent.

This Development Agreement may be voluntarily terminated in whole or in part only by the mutual consent of the parties or their successors in interest, in the sole and absolute discretion of each as to its consent, in accordance with the provision of City of Vallejo Municipal Code Chapter 17.16 except as otherwise provided in this Development Agreement.

6.7 Effect of DDA Termination.

Upon termination of the DDA with respect to any portion of the Property, this Development Agreement shall automatically be terminated with respect to the portion of the Property for which the DDA has been terminated and shall remain in effect with respect to the portion of the Property, if any, for which the DDA has not been terminated. Notwithstanding any termination of the Development Agreement pursuant to this Section 6.7, any Project Approvals shall remain in effect with respect to the Property.

**ARTICLE VII**  
**ESTOPPEL CERTIFICATE**

7.1 Estoppel Certificate.

Either party may, at any time, and from time to time, deliver written notice to the other party requesting such party to certify in writing that, to the knowledge of the certifying party, (a) this Development Agreement is in full force and effect and a binding obligation of the parties, (b) this Development Agreement has not been amended or modified or, if so amended or modified, identifying the amendments or modifications, and (iii) the requesting party is not in default in the performance of its obligations under this Development Agreement, or if in default, to describe therein the nature and amount of any such defaults. The party receiving a request hereunder shall execute and return such certificate or give a written, detailed response explaining why it will not do so within thirty (30) days following the receipt thereof. The City Manager shall be authorized to execute any certificate requested by Developer hereunder. Developer and City acknowledge that a certificate hereunder may be relied upon by tenants, transferees, investors, partners, bond counsel, underwriters, bond holders and "Mortgagees" (defined in

Section 9.1). The request shall clearly indicate that failure of the receiving party to respond within the thirty (30) day period will lead to a second and final request and failure to respond to the second and final request within fifteen (15) days of receipt thereof shall be deemed approval of the estoppel certificate. Failure of Developer to execute an estoppel certificate shall not be deemed a default, provided that in the event that Developer does not respond within the required thirty (30) day period, City may send a second and final request to Developer and failure of Developer to respond within fifteen (15) days from receipt thereof (but only if City's request contains a clear statement that failure of Developer to respond within this fifteen (15) day period shall constitute an approval) shall be deemed approval by Developer of the estoppel certificate and may be relied upon as such by City, tenants, transferees, investors, bond counsel, underwriters and bond holders. Failure of City to execute an estoppel certificate shall not be deemed a default, provided that in the event that City fails to respond within the required thirty (30) day period, Developer may send a second and final request to City, with a copy to the City Manager and City Attorney, and failure of City to respond in fifteen (15) days from receipt thereof (but only if Developer's request contains a clear statement that failure of City to respond within this fifteen (15) day period shall constitute an approval) shall be deemed approval by City of the estoppel certificate and may be relied upon as such by Developer, tenants, transferees, investors, partners, bond counsel, underwriters, bond holders and Mortgagees.

## **ARTICLE VIII**

### **TRANSFERS, ASSIGNMENTS**

#### **8.1 Limitations on Right to Assign Development Agreement.**

8.1.1 Because of the necessity to coordinate development of the Property pursuant to the DDA and the Project Approvals, particularly with respect to the provision of public infrastructure and public services, certain restrictions on the right of the Developer to assign or transfer its interest under this Development Agreement with respect to the Property, or any portion thereof, are necessary in order to assure the achievement of the goals, objectives and public benefits of the Project Approvals and this Development Agreement with respect to the Property. Developer agrees to and accepts the restrictions herein set forth in this Article VIII as reasonable and as a material inducement to City to enter into this Development Agreement. For purposes of this Article VIII, Developer may transfer ownership interests in Developer without City's consent as long as following such transfer Callahan/DeSilva Vallejo, LLC, the DeSilva Group, Inc., DeSilva Group, LLC, Callahan Property Company, and/or any holding company of the foregoing entities remain in control of all decision making with respect to, and the management of the development of, the Property and the Project in accordance with this Development Agreement, whether by contract or otherwise. Developer shall notify City of any transfer of ownership of Callahan/ DeSilva Vallejo, LLC, which notice shall contain a certification from a responsible officer of Developer, its parent company or the holding company of Developer and its parent company that such transfer conforms to the requirements of this Article VIII.

8.1.2 In connection with the transfer or assignment by Developer of its interests under this Development Agreement with respect to all or any portion of the Property (other than a transfer as set forth in Section 8.1.1 above), Developer and the assignee shall enter into a

written agreement (the "Assignment of Development Agreement") regarding the respective interests, rights and obligations of Developer and the assignee in and under this Development Agreement. Further, in connection with such Assignment of Development Agreement in connection with a transfer of the entire remainder of the Property, City shall confirm in writing that no default by Developer under the DDA or the Development Agreement shall be deemed a default of the assignee with respect to the portion of the Property transferred to such assignee, which confirmation shall not be a waiver of any default by Developer that has not been cured prior to such assignment. Such Assignment of Development Agreement may (i) release Developer from obligations under this Development Agreement that pertain to that portion of the Property being transferred, as described in the Assignment of Development Agreement, provided that the assignee expressly assumes such obligations, and (ii) address any other matter deemed by Developer to be necessary or appropriate in connection with the assignment.

Developer shall seek City's prior written consent to any Assignment of Development Agreement. Failure by City to respond within forty-five (45) days to any written request made by Developer for such consent shall be deemed to be City's approval of the Assignment of Development Agreement in question. Developer shall furnish such additional information as City Manager, City Council or any designee may reasonably request and City shall proceed to consider and act upon Developer's request for City consent to the proposed assignment. City shall be under no obligation to consent to any such proposed assignment if Developer is in material default of this Development Agreement or the DDA, and is not diligently curing any such default. Otherwise, City may refuse to give its consent only if, in light of the proposed transferee's reputation and financial resources, such assignee would not in City's reasonable opinion be able to perform the obligations proposed to be assumed by such assignee. A denial by City of the request based upon late, inaccurate or insufficient information furnished by Developer shall not be deemed unreasonable. If denial is based upon such grounds, Developer may cure such deficiency and reinstate its request providing such information, thereby starting the initial forty-five (45) day period anew. In addition, the City shall consent to an assignment of this Development Agreement if and to the extent the Agency has consented to an assignment of the DDA with respect to the Property (or a portion thereof).

Notwithstanding any other provision of this Section 8.1, no assignment under this Development Agreement otherwise permitted pursuant to this Section 8.1 shall be deemed effective unless and until a comparable assignment under the DDA as been effectuated.

Any Assignment of Development Agreement shall be binding on Developer, City and the assignee. Upon recordation of any Assignment of Development Agreement in the Official Records of Solano County, Developer shall automatically be released from those obligations expressly assumed by the assignee therein.

Developer shall be free from any and all liabilities accruing on or after the date of any assignment with respect to those obligations assumed by an assignee pursuant to an Assignment of Development Agreement. No breach or default hereunder by any person succeeding to any portion of Developer's obligations under this Development Agreement shall be attributed to Developer, nor may Developer's remaining rights hereunder be cancelled or diminished in any way by any breach or default by any such person. No breach or default by Developer under the DDA or this Development Agreement shall be attributed to an assignee

under an Assignment of Development Agreement, provided that the foregoing shall not be deemed a waiver by City of any default of Developer that is not cured as of the date of such assignment.

Upon compliance with this Section 8.1.2 by Developer and the assignee, such assignee shall be deemed a "Permitted Assignee." The subsequent assignment or transfer of Developer's interests under this Development Agreement with respect to all or any portion of the Property by a Permitted Assignee shall also be subject to the requirements of this Article VIII.

8.1.3 City shall administer the provisions of this Article VIII through its City Manager or his/her designee. Developer shall notify the City Manager in writing pursuant to this Article VIII of its request for City consent to any assignment of its interests under the Development Agreement under this Article VIII requiring such consent, together with supporting information and satisfaction of the conditions set forth in Sections 8.1.1 and/or 8.1.2 above, together with the clear notice that failure of City to respond within forty-five (45) days of receipt thereof shall be deemed approval.

## 8.2 Release Upon Transfer.

Except as provided in Section 10.1 hereof, Developer shall be released from its obligations accruing on or after the date of any sale, transfer or assignment under this Development Agreement with respect to that portion of the Property sold, transferred or assigned as permitted under Section 8.1. Failure to deliver a written assumption agreement hereunder shall not affect the running of any covenants herein with the land, as provided in Section 12.2 below, nor shall such failure negate, modify or otherwise affect the liability of any transfer pursuant to the provisions of this Development Agreement. No breach or default by any person or entity succeeding to any portion of Developer's interest with respect to the transferred or assigned rights and/or obligations shall be attributable to Developer, nor may Developer's rights hereunder be cancelled or diminished in any way by any default or breach by any such person or entity.

## **ARTICLE IX** **MORTGAGEE PROTECTION**

### 9.1 Mortgage Protection.

This Development Agreement shall be superior and senior to any lien placed upon the Property or any portion thereof after the date of recording of this Development Agreement, including the lien of any deed of trust or mortgage ("Mortgage"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish or impair the lien of any Mortgage made in good faith and for value, but all of the terms and conditions contained in this Development Agreement (including but not limited to City's remedies to terminate the rights of Developer (and its successors and assigns) under this Development Agreement, to terminate this Development Agreement, and to seek other relief as provided in this Development Agreement) shall be binding upon and effective against any person or entity, including any deed of trust

beneficiary or mortgagee ("Mortgagee") who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise.

9.2 Mortgagee Not Obligated.

Notwithstanding the provisions of Section 9.1 above, no Mortgagee shall have any obligation or duty under this Development Agreement to construct or complete the construction of improvements, or to guarantee such construction or completion; provided, however, that a Mortgagee shall not be entitled to devote the Property to any uses or to construct any improvements thereon other than those uses or improvements provided for or authorized by this Development Agreement, or otherwise under the Project Approvals.

9.3 Notice of Default to Mortgagee.

If City receives a written notice from a Mortgagee or from Developer or any Permitted Assignee requesting a copy of any notice of default given Developer or a designated Permitted Assignee hereunder and specifying the address for service thereof, then City shall deliver to such Mortgagee at such Mortgagee's cost (or Developer's cost), concurrently with service thereon to Developer, any notice given to Developer with respect to any claim by City the Developer has committed an event of default, and if City makes a determination of default hereunder, City shall if so requested by such Mortgagee likewise serve at such Mortgagee's cost (or Developer's cost) notice of such noncompliance on such Mortgagee concurrently with service thereon on Developer. Each Mortgagee shall have the right during the same period available to Developer to cure or remedy, or to commence to cure or remedy, the event of default claimed or the areas of noncompliance set forth in City's notice.

9.4 No Supersedure.

Nothing in this Article IX shall be deemed to supersede or release a Mortgagee or modify a Mortgagee's obligations under any subdivision improvement agreement or other obligation incurred with respect to the Project outside this Development Agreement, nor shall any provision of this Article IX constitute an obligation of City to such Mortgagee, except as to the notice requirements of Section 9.3.

**ARTICLE X**  
**INDEMNIFICATION; INSURANCE**

10.1 No Duty of City; Hold Harmless.

It is specifically understood and agreed by the parties that the development on the Property contemplated by this Development Agreement is a private development, that City has no interest in or responsibility for or duty to third persons concerning any of said improvements on the Property except as otherwise expressly set forth herein in Articles VIII and IX, and that Developer shall have full power over and exclusive control of the Property herein described subject only to the limitations and obligations of Developer under this Development Agreement.



Developer hereby agrees to and shall hold City and its elected and appointed representatives, officers, agents and employees harmless from any liability for damage or claims for damage for personal injury, including death, as well as from claims for property damage which may arise from Developer's operations of the Property under this Development Agreement, excepting suits and actions brought by Developer for default of the Development Agreement or to the extent arising from the intentional acts, negligence or willful misconduct of City, its elected and appointed representatives, officers, agents, employees, contractors or subcontractors, or of a third party.

This indemnification and hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of the operations referred to in this Section 10.1, regardless of whether or not City prepared, supplied or approved plans or specifications for the Project, but does not apply to damages and claims for damages caused by City or arising with respect to public improvements and facilities after City has accepted responsibility for such public improvements and facilities.

#### 10.2 Insurance Requirements.

At all times during the Term of and consistent with the DDA, Developer shall provide, maintain and keep in full force and effect, the insurance required therein. Upon the termination of the DDA, the parties shall meet and confer in good faith to determine the appropriate level of insurance to be maintained by Developer during periods of construction of the Project.

### **ARTICLE XI** **NOTICES**

#### 11.1 Notices.

Formal written notices, demands, correspondence and communications between City and Developer shall be sufficiently given if: (a) personally delivered; or (b) dispatched by next day delivery by a reputable carrier such as Federal Express or DHL to the offices of City and Developer indicated below, provided that a receipt for delivery is provided; or (c) if dispatched within the San Francisco Bay Area by certified mail, postage prepaid, to the offices of City and Developer indicated below. Such written notices, demands, correspondence and communications may be sent in the same manner to such persons and addresses as either party may from time-to-time designate by notice as provided in this Section.

CITY:                      City Manager  
                                    City of Vallejo  
                                    555 Santa Clara Street  
                                    Vallejo, CA 94590

With copies to:            City Attorney  
                                    City of Vallejo  
                                    555 Santa Clara Street  
                                    Vallejo, CA 94590

Economic Development Manager  
City of Vallejo  
555 Santa Clara Street  
Vallejo, CA 94590

Director of Development Services  
City of Vallejo  
555 Santa Clara Street  
Vallejo, CA 94590

McDonough, Holland & Allen  
555 Capitol Mall, 9<sup>th</sup> Floor  
Sacramento, CA 95814  
Attn: Iris P. Yang

DEVELOPER: Callahan / DeSilva Vallejo, LLC  
11555 Dublin Boulevard  
Dublin, CA 94568  
Attn: James Summers

With a copy to: John T. Nagle, Esq.  
Goldfarb & Lipman  
1300 Clay Street, 9<sup>th</sup> Floor  
Oakland, CA 94612

## **ARTICLE XII** **MISCELLANEOUS**

### 12.1 Severability.

Except as otherwise provided herein, if any provision(s) of this Development Agreement is (are) held invalid, the remainder of this Development Agreement shall not be affected except as necessarily required by the determination of invalidity, and shall remain in full force and effect unless amended or modified by mutual consent of the parties.

### 12.2 Agreement Runs with the Land.

All of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Development Agreement shall be binding upon the parties and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, devisees, administrators, representatives, lessees, and all of the persons or entities acquiring the Property or any portion thereof, or any interest therein, whether by operation of law or in any manner whatsoever, and shall inure to the benefit of the parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. All of the provisions of this Development Agreement shall be enforceable as equitable servitudes and constitute covenants running with the

land pursuant to applicable law, including but not limited to, Section 1468 of the Civil Code of the State of California. Each covenant to do or refrain from doing some act on the Property hereunder, or with respect to any City-owned or Agency-owned property, (a) is for the benefit of such properties and is a burden upon such property, (b) runs with such properties, (c) is binding upon each party and each successive owner during its ownership of such properties or any portion thereof, and each person or entity having any interest in such properties. Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Development Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

12.3 Nondiscrimination.

Developer covenants by and for itself and any successors in interest that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry or national origin in the development of the Property in furtherance of this Development Agreement. The foregoing covenant shall run with the land.

12.4 Developer Right to Rebuild.

City agrees that Developer may renovate or rebuild the Project within the Term of this Development Agreement should it become necessary due to natural disaster, changes in seismic requirements, or should the buildings located within the Project become functionally outdated, within Developer's sole discretion, due to changes in technology. Any such renovation or rebuilding shall be subject to the square footage and height limitations vested by this Development Agreement, and shall comply with the Applicable Law, the building codes existing at the time of such rebuilding or reconstruction, and the requirements of CEQA.

12.5 Headings.

Section headings in this Development Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants or conditions of this Development Agreement.

12.6 Agreement is Entire Understanding.

This Development Agreement is executed in four (4) duplicate originals, each of which is deemed to be an original. This Development Agreement consists of Articles I through XII, including the Recitals, and Exhibits A, B and C, all inclusive, attached hereto and incorporated by reference herein, which constitute the entire understanding and agreement of the parties. The exhibits are as follows:

Exhibit A	Map of Property
Exhibit B	Legal Description of Initial Recording Area

12.7 Recordation of Termination.

Upon completion of performance of the parties or termination of this Development Agreement, a written statement acknowledging such completion or termination shall be recorded by City in the Official Records of Solano County, California.

12.8 Subdivision Maps.

A subdivision, as defined in Government Code Section 66473.7, shall not be approved unless any tentative map for the subdivision complies with the provisions of said Section 66473.7. This provision is included in this Agreement to comply with Section 65867.5 of the Development Agreement Statutes.

By execution below, the parties hereby approve the First Amendment of this Development Agreement as of February 27, 2007. The parties further acknowledge and agree that the First Amendment of this Development Agreement shall be binding on the parties as of the First Amendment Effective Date; provided, however, that if the First Amendment of this Development Agreement is determined to be invalid, void, ineffective, or otherwise unenforceable by a final non-appealable judgment of a court of competent jurisdiction, this Development Agreement in the form of the Initial Development Agreement, shall thereupon be deemed to be in effect and binding upon the parties as of the effective date of such final non-appealable judgment. Nothing in the First Amendment of this Development Agreement shall modify or affect the Initial Effective Date of this Agreement of December 15, 2005.

**CITY:**

**CITY OF VALLEJO**

By: \_\_\_\_\_  
Joseph M. Tanner  
City Manager

ATTEST:

By: \_\_\_\_\_  
Allison Villarante  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Frederick G. Soley  
City Attorney

APPROVED AS TO INSURANCE  
REQUIREMENTS:

By: \_\_\_\_\_  
Will Venski  
Risk Manager

**DEVELOPER:**

**CALLAHAN / DeSILVA VALLEJO, LLC, a**  
California limited liability company

By: The DeSilva Group, Inc.  
a California corporation, Member

By: \_\_\_\_\_  
Ernest D. Lampkin  
Vice President

By: Joseph W. Callahan, Jr.,  
an individual, Member

By: \_\_\_\_\_  
Joseph W. Callahan, Jr.

EXHIBIT A

MAP OF THE PROPERTY

EXHIBIT B

LEGAL DESCRIPTION OF THE INITIAL RECORDING AREA



DATE: January 4, 2007

TO: Planning Commission

FROM: Brian Dolan, Development Services Director *BD*  
Don Hazen, Planning Manager ~~DH~~  
John Bunch, Contract Planner *BD for JB*

SUBJECT: Design Review Board/Related Zoning Ordinance Amendments (Code Text Amendment 06-0007)

### BACKGROUND

In September and October 2005, the City Council adopted the Downtown Vallejo Specific Plan and the Vallejo Waterfront Master Plan, respectively. Each of these Plans includes design guidelines for development projects and each calls for the establishment of a design review board (DRB) to review and act on projects within each planning area.

On May 1, 2006, the Planning Commission reviewed a draft ordinance establishing the design review board. The ordinance specified the board's powers and duties, membership, qualifications, term of office and related matters. While no formal action was required by the Commission, the staff requested and received comments concerning the draft ordinance.

The Vallejo City Council was presented the draft ordinance on December 19, 2006. Prior to the public hearing, staff reviewed the reasons for its primary provisions as well as alternatives suggested by members of the Planning Commission and the public. Following the public hearing, the City Council introduced the ordinance with two revisions. The first change was to provide that the design review board is to have seven full members (no alternatives). The second change is to require that at least four members are to be Vallejo residents. (Other board members must be employed within the City.) The version of the ordinance approved by City Council is provided for your information as Attachment C.

### RELATED ZONING ORDINANCE AMENDMENTS

At the recommendation of the City Attorney, several chapters of Title 16, the Vallejo Zoning Ordinance, are proposed to be revised to fully implement the DRB ordinance. These changes address appeals from design review decisions, actions on exception permits, and actions on unit plans. These amendments are proposed to insure clarity and consistency within the Municipal Code and with the adopted Waterfront and Downtown Plans. Please refer to the attached draft ordinance for details.

### COMMISSION REVIEW

Due to the fact that the draft ordinance proposes changes to the Zoning Ordinance, it is required that the Planning Commission hold a public hearing and make a recommendation to the City Council regarding its adoption. Staff requests that the Commission hold the required hearing and vote to recommend that the City Council approve the amendments to Title 16.

#### ENVIRONMENTAL REVIEW

Staff has concluded that the proposed ordinance is not a “project” under the California Environmental Quality Act (CEQA) as the action is considered an administrative or organizational activity that will not result in direct or indirect physical changes to the environment. Further, even if the adoption of the ordinance were considered a project, it would not apply because it does not have the potential for causing a significant effect on the environment.

#### PROPOSED ACTION

Staff proposes that the Planning Commission approve the attached resolution recommending City Council adoption of the attached draft ordinance.

#### FUTURE ACTIONS

Following action by the Commission, the resolution and draft ordinance will be forwarded to the City Council for consideration at a public hearing. Once the Council adopts the ordinance creating the DRB, it can initiate the process of interviewing and appointing the board’s first members. Upon appointment, Planning staff will initiate the first meeting and help the DRB get organized and prepared for their duties.

#### ATTACHMENTS

- A. Draft resolution
- B. Draft ordinance amending Title 16
- C. Ordinance adopting Design Review Board and City Council Staff Report

**RESOLUTION PC-07-01**

**A RESOLUTION OF THE VALLEJO PLANNING COMMISSION RECOMMENDING  
CITY COUNCIL ADOPTION OF AMENDMENTS TO TITLE 16 OF THE VALLEJO  
MUNICIPAL CODE RELATED TO THE CREATION OF THE DESIGN REVIEW  
BOARD**

BE IT RESOLVED by the Planning Commission of the City of Vallejo as follows:

WHEREAS, on September 20, 2005, the City Council adopted the Downtown Vallejo Specific Plan and Design Guidelines; and

WHEREAS, on October 25, 2005, the City Council adopted the Vallejo Waterfront Master Plan, including Design Guidelines; and

WHEREAS, the above Plans and Design Guidelines are intended to establish the nature, character, and intensity of development within each Plan's boundaries; and

WHEREAS, the above Plans and Design Guidelines provide the guiding principles, visions, policies, development standards, and design criteria in order to define the physical framework of these areas, give detailed design direction, and facilitate the evaluation of public improvements and private development; and

WHEREAS, both of the above Plans propose the creation of a Design Review Board to ensure a comprehensive review process for all projects in the Downtown and Waterfront areas; and

WHEREAS, the City Council introduced a draft ordinance to establish the Design Review Board on December 19, 2006; and

WHEREAS, the City Attorney has determined that several chapters of Title 16, the Vallejo Zoning Ordinance, should be revised to fully implement the Design Review Board Ordinance; and

WHEREAS, the proposed changes are administrative and are meant to insure clarity and consistency within the Municipal Code and with the adopted Waterfront and Downtown Plans; and

WHEREAS, the Planning Commission finds that the notice of the public hearing was given for the time and in the manner prescribed by law; and

WHEREAS, all interested persons filed written comments at or before the hearing, all persons desiring to be heard were given an opportunity to be heard in this matter, and all such verbal and written testimony was considered by the Planning Commission; and

WHEREAS, the Planning Commission finds that the proposed Ordinance is consistent with intent of the Vallejo General Plan, the implementation of the Vallejo Waterfront Master Plan and the Downtown Vallejo Specific Plan and with the draft ordinance creating the Design Review Board;

NOW, THEREFORE, IT IS FOUND AND THAT DETERMINED that:

- (1) the adoption of this proposed Ordinance is not a project under California Environmental Quality Act ("CEQA") pursuant to sections 15060 (c)(3) and 15378 (b)(5) of Title 14 of the California Code of Regulations as the action is considered an administrative or organization activity that will not result in direct or indirect physical changes to the environment.; and
- (2) if the adoption of this proposed Ordinance is found to be a project under CEQA, then in view of the fact that the Design Review Board is to review and act on existing types of discretionary planning applications, the adoption of this proposed Ordinance is exempt from the CEQA based on the general rule stated in section 15061 (b)(3) of Title 14 of the California Code of Regulations that CEQA applies only to projects that have the potential for causing a significant effect on the environment and the adoption of this Ordinance will not cause a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the City Council adopt the proposed amendments to Title 16 of the Vallejo Municipal Code.

ORDINANCE NO. \_\_\_\_\_ N.C. 2<sup>nd</sup>

AN ORDINANCE OF THE CITY OF VALLEJO AMENDING TITLE 16 OF THE VALLEJO MUNICIPAL CODE TO CLARIFY PROVISIONS RELATED TO THE DESIGN REVIEW BOARD

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

*SECTION 1. The Vallejo Municipal Code is hereby amended by adding a new section 16.102.040 to chapter 16.102, which is to read as follows:*

***“16.102.040           Appeal from design review board decision.***

*A. The applicant or any party adversely affected by the decision of the design review board may, within ten days after the rendition of the decision of the design review board, 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 design review board. 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 design review board. If such date falls on a weekend or city holiday, then the deadline shall be extended until the next regular business day.*

*B. 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.*

*C. The council may affirm, reverse or modify any decision of the design review board which is appealed. The council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.*

*D. These provisions shall be communicated to the applicant as part of the planning division staff report. In addition, these provisions shall be noted on the design review board meeting agenda and shall constitute notice to all concerned of these appeal provisions.”*

*SECTION 2. The Vallejo Municipal Code is hereby amended by adding a new section 16.102.050 to chapter 16.102, which is to read as follows:*

***“16.102.050           Appeal from planning manager's decision regarding design guidelines.***

A. *The applicant or any party adversely affected by an administrative decision of the planning manager rendered under authority conferred by Downtown Vallejo specific plan or planned development master plan #00-0022 may, within ten days after rendition of such decision, appeal in writing to the design review board. Such written appeal shall state the reason or reasons for the appeal and why the appellant believes he or she is adversely affected by the administrative decision. Such appeal shall not be timely filed unless it is actually received by the development services director or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the planning manager. If such date falls on a weekend or city holiday, then the deadline shall be extended until the next regular business day.*

B. *Notice of the appeal, including the date and time of the design review board's consideration of the appeal, shall be sent by the development services director to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary. For decisions that did not require noticing, the appeal notification boundary shall be two hundred feet.*

C. *The design review board may affirm, reverse or modify any decision of the planning manager which is appealed. The design review board may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.*

D. *These provisions shall be communicated to the applicant as part of the planning division staff report and determination."*

**SECTION 3.** *The Vallejo Municipal Code is hereby amended by adding a new section 16.80.105 to chapter 16.80, which is to read as follows:*

**"16.80.105 Downtown exception permits.**

*Exception permits for the projects within the districts specified in the Downtown Vallejo specific plan shall be prepared consistent with the policies, standards and implementation program in the Downtown Vallejo specific plan and shall be reviewed for approval by either the design review board or development services director as set forth in said plan."*

**SECTION 4.** *The Vallejo Municipal Code is hereby amended by adding a new section 16.116.076 to chapter 16.116, which is to read as follows:*

**"16.116.076 Downtown unit plans.**

*Unit plans for the projects within the districts specified in the Downtown Vallejo specific plan shall be prepared consistent with the policies, standards and*

*implementation program in the Downtown Vallejo specific plan and shall be reviewed for approval by either the design review board or planning manager as set forth in said plan."*

*SECTION 5 The Vallejo Municipal Code is hereby amended by adding a new section 16.116.077 to Chapter 16.116 to read as follows:*

***"16.116.077 Waterfront Project unit plans.***

*Unit plans for the projects within the districts specified in the Waterfront and Vallejo Station Project Planned Development Master Plan and accompanying Waterfront Design Guidelines (collectively, the "Waterfront PDMP/Design Guidelines") for the Waterfront area (the "Waterfront Area") shall be prepared consistent with the Waterfront PDMP/Design Guidelines, the Disposition and Development Agreement (the "DDA") between the Redevelopment Agency of the City of Vallejo (the "Agency") and the developer of the Waterfront Area (the "Developer"), and the Development Agreement between the City and the Developer. Pursuant to the DDA, the Redevelopment Agency and the Developer are obligated to timely appeal decisions of the design review board regarding unit plans for major projects, as determined by the development services director, to the city council."*

***SECTION 6. Severability***

*If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, inspective of the fact that one or more portions may be declared invalid.*

***SECTION 7. Effective Date***

*This Ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage.*

ORDINANCE NO. \_\_\_\_\_ N.C. (2d)

AN ORDINANCE OF THE CITY OF VALLEJO ADDING CHAPTER 2.39 TO THE VALLEJO MUNICIPAL CODE TO CREATE THE DESIGN REVIEW BOARD

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

SECTION 1. The Vallejo Municipal Code is hereby amended by enacting, adopting and adding thereto a new chapter to Title 2, said new chapter to be numbered and to read as follows:

**"Chapter 2.39  
DESIGN REVIEW BOARD**

- 2.39.010**      **Creation.**
- 2.39.020**      **Purpose.**
- 2.39.030**      **Powers and Duties.**
- 2.39.040**      **Membership.**
- 2.39.050**      **Qualifications.**
- 2.39.060**      **Term of Office.**
- 2.39.070**      **Termination of Membership.**
- 2.39.080**      **Filing of Vacancy.**
- 2.39.090**      **Officers.**
- 2.39.100**      **Compensation.**
- 2.39.110**      **Meetings and Quorum.**
- 2.39.120**      **Rules and Records.**

**2.39.010**      **Creation.**

There is hereby created a Design Review Board, hereinafter referred to as the "board."

**2.39.020**      **Purpose.**

The City Council finds and declares that a disregard for the integration of design with the general appearance, scale, capacity, use and character of certain neighborhoods and districts within the city adversely affects the health, safety, welfare and economy of the citizens of the city. The purpose of the board is to promote orderly, harmonious and attractive development, to encourage the stability of land values and investments in those neighborhoods and districts designated by the city council and to promote the general health, safety and welfare of the citizens of the city.



**2.39.030 Powers and Duties.**

The board shall:

- A. Conduct design review and make decisions to approve or deny unit plans for development projects within the boundaries of the districts specified in the Downtown Vallejo Specific Plan and the districts specified in the Vallejo Waterfront Design Guidelines. This shall include all new projects, additions to existing building space, and major exterior improvements.
- B. Use the adopted design guidelines as the primary guiding document, in accord with the applicable specific plan or master plan. When approving unit plan applications, the board shall explicitly find that the project, as conditioned, is consistent with the adopted specific plan or master plan development standards and the adopted design guidelines.
- C. Review and make recommendations to the city council regarding proposals to amend the adopted design guidelines and to establish a design program for commercial signs in the downtown or waterfront districts.
- D. Review and comment on the design of other development projects which may be referred by the planning commission or city council.
- E. Exercise such other powers and duties as prescribed by city ordinance or conferred by the city council.

**2.39.040 Membership.**

The board shall consist of seven members appointed by the city council.

**2.39.050 Qualifications.**

- A. Board members shall be at least 18 years old.
- B. All board members shall have their primary residence or primary place of employment within the Vallejo City Limits. A minimum of four board members shall have their primary residence within the city limits.
- C. All board members shall have a demonstrated competence and interest in architecture, landscape architecture or urban design through education, training or experience. This includes, but is not limited to, an understanding of design principles and the ability to read, analyze and interpret architectural and site plans.
- D. It is the intent that a majority of board members have experience as professional architects, landscape architects, or urban planners with a substantial background in urban design.

**2.39.060 Term of Office.**

- A. The term of office for each board member shall be four years.
- B. The initial terms of board members first appointed shall be staggered as follows: two for the term of four years; two for the term of three years; two for the term of two years; and one for the term of one year. To arrange this result, the city council shall specify terms of members first appointed.

**2.36.070 Termination of Membership.**

Membership shall terminate prior to the end of a term of office in the event of:

- A. Death;
- B. Resignation;
- C. Forfeiture of office in accordance with chapter 2.26 of this code; and
- D. Removal shall be governed by section 407 of the city charter.

**2.39.080 Filling of Vacancy.**

- A. A vacancy shall be filled in the same manner as the original appointment. If an appointment is made due to an expired term, it shall be made for a new full term. Otherwise, the appointment shall be for the unexpired portion of the term.

**2.39.090 Officers.**

- A. The board members shall elect a chairperson and a vice-chairperson from among its members. Each shall serve a term of one year and until a successor is appointed and takes office. The planning manager or the manager's designee shall serve as non-voting secretary to the board.
- B. The chairperson or, in the chairperson's absence, the vice-chairperson, shall preside at all meetings of the board. If both the chairperson and vice-chairperson are absent from a meeting or abstain from participation, the remaining voting members shall elect a temporary chairperson. They shall perform the duties necessary or incidental to their offices.
- C. The secretary shall keep minutes of each meeting and shall record the official actions taken. The secretary shall certify each official document and shall perform other such duties as the board assigns.

**2.39.100 Compensation.**

Each board member shall serve without compensation, unless otherwise provided by ordinance or resolution adopted by the city council. Reimbursement of expenses shall be as authorized by the planning manager.

**2.39.110 Meetings and Quorum.**

- A. The board shall fix the time and place of its regular meetings and may hold special meetings in the manner prescribed by state law.
- B. Four voting members of the board constitute a quorum for the transaction of business. An affirmative vote of at least three members is required to take official action. A tie vote shall have the same effect as a denial.

**2.39.120 Rules and Records.**

The board may adopt rules and procedures for the transaction of its business. The board secretary shall keep a record of all determinations, findings and actions of the board."

**SECTION 2. Severability**

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more portions may be declared invalid.

**SECTION 3. Effective Date**

This Ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage.



**Agenda Item No.**

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**COUNCIL COMMUNICATION**

**Date:** December 19, 2006

**TO:** Honorable Mayor and Members of the City Council

**FROM:** John P. Thompson, City Manager  
Craig Whittom, Assistant City Manager/Community Development  
Brian Dolan, Development Services Director  
John Bunch, Project Planner

**SUBJECT:** CONSIDERATION OF A RESOLUTION AND ORDINANCE TO AMEND THE VALLEJO MUNICIPAL CODE TO ADD CHAPTER 2.39 TO CREATE A DESIGN REVIEW BOARD TO REVIEW DEVELOPMENT PROJECTS IN THE DOWNTOWN AND WATERFRONT PLANNING AREAS

**BACKGROUND AND DISCUSSION**

In September and October 2005, the City Council adopted the Downtown Vallejo Specific Plan and the Vallejo Waterfront Master Plan, respectively. Each of these Plans includes design guidelines to be used during the review and development of projects within the boundaries of each planning area.

Both Plans also call for the establishment of a design review board which is to be empowered to review and act on development projects within each planning area. The Downtown Specific Plan is explicit that the new board, which would be created by the City Council, should review major unit plans and related exceptions. It was intended that the approval of such plans by the Design Review Board (DRB) would take the place of approvals currently assigned to Planning staff.

Prior to preparation of a draft ordinance creating a design review board, staff conducted substantial research of similar bodies within the Bay Area, spoke with members of the public and other staff, and sponsored a public meeting to solicit comments and issues related to this matter. Minutes of that meeting are attached.

It is estimated that at least 52 cities in the Bay area, about half of all cities in the area, have created a design review board to consider development projects. The role of such boards is to review the site design, architecture and landscaping of projects proposed within all or part of each city. During its research into other cities' practices, staff focused on the boards of the 18 cities most similar in size to Vallejo. A list of these cities is attached, along with pertinent information about each.

A draft Ordinance was subsequently prepared, considering the information and input received as well as staffs' experience with design review boards in other jurisdictions. Following preparation of the draft Ordinance, this matter was placed on the agenda for the Planning Commission meeting of May 1, 2006. Staff reviewed the draft Ordinance for the Commissioners and public and requested comments and questions. A verbatim transcript of the Planning Commission minutes is attached.

The balance of this section of the City Council report will focus on the substantive issues covered by the proposed Ordinance, including comments made by the Planning Commission and members of the public during the last few weeks. This discussion will follow in the same order these issues appear in the draft ordinance, which is attached.

**Powers and duties:**

This section of the Ordinance addresses the authority and responsibilities of the new DRB. It identifies their jurisdiction within the Downtown and Waterfront areas. In response to comments made by members of the public, the draft Ordinance specifies that the DRB will use the adopted Design Guidelines in each area and must find that approved projects are consistent with the Guidelines. The DRB would also make direct recommendations to the City Council in the future to amend the Guidelines (as needed) and establish sign standards in these areas.

The draft Ordinance provides that the DRB will have the authority to approve or deny unit plans in the Downtown and Waterfront planning areas. A member of the Planning Commission expressed a preference for the Commission to stay involved in design review in order to maximize oversight over development projects in these areas. As the body with the most expertise in design, staff recommends that the DRB have final approval authority (subject to appeal to the City Council). Staff does not recommend that the DRB be assigned an advisory role to the Planning Commission in the two planning areas. When advice or discussion is needed, the two bodies can conduct a joint meeting or refer items for discussion. Such arrangements do not need to be covered in the proposed Ordinance.

**Membership:**

This section assigns the number and status of members to be appointed to the DRB. During discussions with the public, some expressed an interest in having more rather than fewer members in order to maximize representation of the community, to limit problems achieving a quorum, and to eliminate the potential for majority votes by only two members (out of a quorum of three in a five-member board). During our research,

it was found that 15 of the 18 cities have boards of five members. The other 3 cities have boards of seven members. Of the 15 cities, 6 may also appoint one or two

alternate members. The fact that the great majority of design review boards are five members in size is consistent with staff's experience. Due to the nature of their work, reviewing plans in great detail in a relatively informal manner, a smaller number of members can operate more efficiently and with greater focus. In staff's view, five voting members represents an optimal number for the ongoing operation of a DRB; the primary consideration in our recommendation.

In an attempt to provide for a greater number of members while insuring their effectiveness, staff recommends the approach used by the 6 cities with alternate members. Thus, it is suggested that the DRB be comprised of 5 board members and 2 alternate members. The draft covers the duties of alternate members. A later Ordinance section covers quorum issues.

Following the Planning Commission meeting, staff received two letters (attached) which raise questions regarding the appointment of alternate members, among other issues. The writers question whether alternates will be adequately motivated to stay engaged in the process and the potential for problems when an alternate becomes a voting member only after a project is continued to a subsequent meeting. With regard to the first issue, this points out the need to appoint highly motivated individuals and for the DRB and staff to continually engage alternates. With regard to the second issue, this is not a matter which is unique to alternate members. Regular members of a commission or board often deal with agenda items when they were absent from a prior meeting. Members can participate in the subsequent discussion and decisions as long as they are adequately prepared.

It should be noted that during the public outreach meetings for the creation of the DRB ordinance, there has been significant support for a seven-member board. Planning Commissioners Turley and Mc Connel both specifically expressed support for a seven-member board at the May 1, 2006 Planning Commission meeting as did a majority of the speakers who addressed the issue that evening. The Waterfront Coalition also supports a seven-member board. If council prefers a seven-member board to a five member board, there would not be a need for alternate members and staff recommends that the ordinance be adopted without the provisions for alternate members.

**Qualifications:**

One of the main reasons that cities create design review boards is to focus the experience and interest of well qualified citizens on the evaluation of project design. Sixteen of eighteen cities' ordinances include provisions requiring some or all board members to have some background in development design. At least 14 of the ordinances establish that most or all board members have demonstrated ability in the development design field.

Comments received from the public have included a concern that not all members of the DRB should be professionals in the field. It was emphasized that it is important to have lay members of the public on the DRB in order to better represent the community, to help balance expert opinions, and to directly participate in voting. Staff agrees with these comments. It is our experience that design review boards typically include and benefit from lay person membership. This is also confirmed by our review of the other cities' ordinances. While many allocate certain numbers of seats to architects, landscape architects, etc., none of the ordinances we received required all members to be professionals.

Staff does believe that it is important for all DRB members and alternates to have some level of competence and interest in urban design, architecture or landscape design. We believe that it is essential that all members understand basic design principles and are able to read and analyze plans. This is to insure that they can interact effectively with design professionals and their fellow board members and will make informed decisions. Further, while it is not recommended that all DRB members have professional design experience, it is recommended that the City attempt to include a majority with such experience.

During discussions with the Planning Commission, it was suggested that artists be included because of their knowledge of design elements such as color, composition and scale. Certainly, artists are able to discuss and apply design principals. If they are also able to read and analyze development plans, they would be qualified to be considered for the DRB under the criteria proposed in the draft Ordinance.

On another matter, it is interesting to find that only 3 of the 18 cities explicitly require all board members to be residents. It can be difficult to recruit enough design professionals, in particular. In order to help address this potential problem, staff recommends that the DRB ordinance require all DRB members to reside or be employed within the City limits. Some commenters have disagreed with this suggestion, arguing that only residents should be considered. A member of the Planning Commission recommended that staff's suggestion be modified to allow only those who reside or work full-time in Vallejo. In response, the draft Ordinance before the City Council has been modified to specify that all DRB members must have their primary residence or place of employment within the City limits.

Another Commissioner suggested that the City should give preference to residents over those employed if their other qualifications are equal. Beyond observing that two applicants will rarely have equal qualifications, staff has no position on this suggestion. If the Council wishes to include such a provision, the draft Ordinance will need to be revised.

During discussions with the public, it was suggested that representatives and employees of Callahan/DeSilva and Triad Communities be specifically disqualified from DRB membership due to potential conflicts. Staff does not believe that it is necessary or appropriate to name specific development firms in a City ordinance. We agree that such persons would have too many conflicts of interest and feel that, as such, the City Council would not make such an appointment.

Along this line, a couple of Planning Commissioners suggested that the Ordinance should exclude anyone who lives or works in the Downtown or Waterfront planning areas, or within 500 feet of the boundaries, due to potential conflicts of interest. While it is true that excluding such persons would tend to reduce the potential for conflicts of interest, it overlooks other ways people can have conflicts such as owning property, and having business or investment interests. Also, a conflict may occur very infrequently depending on the location of the applicants' residence, employment, etc. Staff believes that potential conflicts of interest are best assessed on an individual basis, so no change in the draft Ordinance is proposed.

**Terms of office:**

The duration of appointments to boards in all of the other cities ranges from 2 to 4 years, normally with potential reappointments. In Vallejo, this matter is controlled by an existing section of the Municipal Code. Under most circumstances, Vallejo commission and board members are limited to two consecutive four-year terms.

**Termination of membership:**

This section specifies the conditions under which membership on the DRB is terminated before the end of a term. This includes a reference to another Code section addressing nonattendance at meetings.

**Filling of vacancy:**

These provisions cover the filling of vacancies, including the potential appointment of an alternate member as a full board member.

**Officers:**

This primarily covers the selection of the chair and vice-chair positions within the DRB.

**Meeting and quorums:**

As noted above, members of the public have expressed concern about achieving meeting quorums with a five-member DRB and the related issue of the potential for



official actions to be taken by a majority of just two members from a three-person quorum. The recommended appointment of two alternate members makes it much easier to resolve these issues. With the potential for alternate members to fill in for absent board members, staff recommends that four voting members constitute a quorum and that the affirmative vote of 3 or more be required to take official action.

One of the attached letters raises concerns about the proposed quorum of four voting members. Regarding the point that four members can result in split decisions, this is currently the case with the Planning Commission and other City boards and is not a significant problem. As with other commissions, a failure to receive approval constitutes a denial of a motion. Regarding the second point, a four-member quorum allows three DRB members to be absent at one time.

#### RELATED ISSUES

A review of the Planning Commission minutes and the attached letters shows that several other issues have been raised that are not addressed in the draft Ordinance. Although all the issues are related to the operation of the DRB, most are not recommended for inclusion in the subject Ordinance.

#### **Alternate members:**

A question has been raised regarding the status of alternate members when they are not filling the role of board members. It has been asked whether they would be allowed to participate as general members of the public at DRB meetings. In the absence of rules prohibiting such participation, the answer is yes. This is not likely to be problematic unless an alternate member participates first as a public member and subsequently as a voting DRB member on the same project at different meetings. If the City Council believes that this matter should be addressed in the subject Ordinance, a revised draft is required.

#### **Commission Liaisons:**

A Commissioner has suggested that the City Council should consider appointing a Planning Commission member as an ex officio, non-voting member of the DRB. If it wishes, the Council can direct that the Planning Commission appoint a liaison to the DRB. No change would be required in the subject Ordinance to establish a liaison. If the City Council prefers to formally establish a non-voting membership, the proposed Ordinance should be amended to create such a position.

A letter has been received from the Commission on Culture and Arts along the same line. In the letter, the Chairperson suggests that a member of that Commission be appointed to the DRB in recognition of the goal of establishing a downtown arts and entertainment district. While it is true that the Downtown Specific Plan expresses such a goal for the Downtown core, the DRB does not have a role in helping create such a district. Such a district would be established by the mix of arts and entertainment uses which could be drawn to the area. Thus, it would probably be more effective if the Commission on Culture and Arts were involved in City efforts to attract appropriate uses to the core area.

**Appointment process:**

During meetings and in the attached letters, questions have been raised regarding the process that will be used to appoint DRB members. In response, staff and Planning Commissioners have assured members of the public that the City Council has an established process which requires the submittal of applications and related information and conducts interviews with applicants before making appointments.

Some members of the public who are familiar with the process have suggested that the method of appointment should be changed. Specifically, it has been suggested that each member of the City Council should be able to appoint a member of the DRB. Staff has responded that there does not appear to be a basis for treating the appointment process for the DRB differently from other boards and commissions and raises an issue that appears to be broader than the matters addressed by the subject Ordinance.

**Economic interest forms:**

In one of the attached letters, it is stated that the economic interest forms currently used by the City of Vallejo do not address all potential conflicts of interest. The letter goes on to propose new language which would broaden the range of disclosures. Staff believes that, while the City Council may wish to address this issue at a future date, this particular matter is beyond the scope of the subject Ordinance.

**Development application/review procedures:**

In another attached letter, several questions are asked about the application and review process to be used by the City for projects being considered by the DRB. In its presentations to the public and the Planning Commission, staff has emphasized that no new types of applications are being created for review by the DRB. The proposed Ordinance specifies that the DRB is to review and take action on applications for unit plans and exceptions, subject to appeal to the City Council. Thus, all application and

review procedures are well-established and will only change as directed by the subject Ordinance and as experience warrants future improvements.

**Design Review of Minor Projects:**

Both Waterfront Planned Development Master Plan and the Downtown Specific Plan and the proposed ordinance include requirements that the Design Review Board review "major" projects. Determination of what constitutes a major project is assigned to the Development Services Director. Staff interprets "major projects" to include all new construction and significant exterior additions or alterations, particularly those which are visible from public rights of way or other public spaces. Staff envisions that the interpretation of the Development Services Director on what constitutes a "major project" will be highly conservative in the early years of the process. Any decision by staff on minor unit plan applications will be appealable to the DRB.

**RELATED ZONING ORDINANCE AMENDMENTS**

At the recommendation of the City Attorney, several chapters of Title 16, the Zoning Ordinance, must also be amended to fully implement the DRB ordinance. These amendments address appeals from design review decision, actions on exception permits, and actions on unit plans. These are found in Sections 2, 3, 4, and 5 of the attached draft Ordinance. These amendments are proposed to insure clarity and consistency within the Municipal Code and with the adopted Waterfront and Downtown Plans. These specific sections of the ordinance are included in this report for reference but will not be acted on this evening.

**Next steps:**

The amendments to Chapter 16 described above will be scheduled for consideration by the City Council following a public hearing and recommendation by the Planning Commission as are required for all amendments to Chapter 16 of the VMC. It is anticipated that these hearings will occur in January 2007. Recruitment for the DRB is targeted for January 2007 with appointments made in February. The goal is to have the DRB fully operational by March 1, 2007.

**RECOMMENDATION**

It is recommended that the City Council implement provisions of both the Waterfront and Downtown Plans by creating a Design Review Board. The establishment of a new DRB is essential to fully realize the visions and policies of the two Plans.

### ALTERNATIVES CONSIDERED

Since both Plans call for the creation and utilization of a new Design Review Board, no alternatives were considered to this basic concept. During the presentation and review of the subject Ordinance, various alternatives were considered to the form and makeup of

the DRB including its size and member qualifications. These alternatives are discussed earlier in this report.

### ENVIRONMENTAL REVIEW

Pursuant to Section 15061 (B)(3) of Title 14 of the California Code of Regulations, the proposed Code Text Amendment is exempt from CEQA under the general rule that CEQA applies only to projects that have potential for causing a significant effect on the environment. As noted earlier in this report, the proposed Ordinance does not change the types of development projects which are subject to discretionary review or the basic application process to which they are subject. In addition, there is no change to the basic environmental review process to which development projects will be subject. The proposed Ordinance would sometimes result in the DRB reviewing and acting on environmental review documents.

### PROPOSED ACTION

Introduce, and hold for first reading, the attached resolution and draft Ordinance adding Chapter 2.39 to the Vallejo Municipal Code to create a Design Review Board for the Downtown and Waterfront planning areas.

### DOCUMENTS AVAILABLE FOR REVIEW

- a. Draft City Council resolution
- b. Draft Ordinance
- c. List of Bay Area cities with DRBs
- d. Public meeting minutes, March 23, 2006
- e. Planning Commission minutes, May 1, 2006
- f. E-mail letter from Marti Brown, May 8, 2006
- g. Letter from Leah Dreger, The DeSilva Group, May 8, 2006
- h. Letter from Phil Kohlmetz, Chairperson, Commission on Culture and Arts, May 9, 2006

**CITY OF VALLEJO**  
**CITY COUNCIL COMMUNICATION**

**December 19, 2006**  
**PAGE 10**

PREPARED BY/CONTACT: John Bunch, Project Planner  
(707) 648-4326

DATE OF REPORT: December 19, 2006

J/Planning/John Bunch/Design Review Board Staff Report CC3.doc



**STAFF REPORT  
CITY OF VALLEJO PLANNING COMMISSION**

**Date of Hearing:** January 17, 2007

**Agenda Item:** K4

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**Application Number:** Use Permit 06-0023, as governed by Chapter 16.82 "Conditional Use Permit Procedure" of the Vallejo Municipal Code.

**Recommendation:** **Approve** Use Permit 06-0023 subject to the findings and conditions contained in this report.

**Location:** 324-326 Virginia Street **APN:** 0056-162-100

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**Applicant:** L & L Italian Restaurant/Alice Liu  
324 Virginia Street  
Vallejo, CA 94590

**Property Owner:** Steve Bode  
336 Bon Air Center, Suite 223  
Greenbrae, CA 94904

**Project Description:** There is an approved use permit for the property to allow alcohol service in conjunction with a restaurant that limits alcohol service to 11 p.m. on weekdays and 2 a.m. on weekends. A new restaurant is opening in this space and the restaurant owner has applied for a new use permit to expand the hours of operation, including alcohol service, until 2 a.m. seven days per week.

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**Environmental Review:** The proposed project qualifies for a Class 1 categorical exemption from the requirements of the California Environmental Quality Act (CEQA) per Section 15301 of the California Code of Regulations.

**General Plan:** Downtown Mixed Use **Zoning:** Mixed Use Planned Development

**Existing Land Use:** The tenant space is currently vacant but was most recently used as a tapas restaurant. There are residential uses on the upper floors on this building.

**Surrounding Land Uses:** The property is located within the Downtown Vallejo Specific Plan area. There is a catering business and the Empress Theater on the same block, with a City parking lot that is approved for development as a multi-story mixed use building directly across the street with an existing clothing store beyond. There are residential uses on the upper floors of many of these buildings.

Public Notice: A notice of public hearing was sent to property owners within 500 feet of the property on December 19, 2006 and published in the Vallejo Times-Herald on December 30, 2006. That notice mistakenly stated that the application was to expand the hours of operation to 2 p.m. rather than 2 a.m. A second notice was sent out on December 27, 2006 and published in the Vallejo Times-Herald on January 1, 2007.

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**1. PROJECT DESCRIPTION**

Approval of a use permit is required for all on-site alcohol sales and for all businesses located within 300 feet of a residential use or zoning district to operate between the hours of 12 midnight and 6 a.m. There is an approved use permit for the property to allow alcohol service in conjunction with a restaurant that limits alcohol service to 11 p.m. on weekdays and 2 a.m. on weekends. A new restaurant is opening in this space and the restaurant owner has applied to expand the hours of operation and on-site alcohol sales until 2 a.m. seven days per week. The new restaurant would be open seven days per week and would serve Italian food, as well as providing banquet facilities for private parties. A full kitchen is being installed in the space.

**2. ENVIRONMENTAL REVIEW**

The proposed project has been reviewed for conformance with the requirements of the California Environmental Quality Act (CEQA). The project qualifies for a Class 1 categorical exemption from the requirements of CEQA per Section 15301 of Title 14 of the California Code of Regulations as it consists of the reuse of a private structure involving negligible or no expansion of use beyond that existing at the time of approval.

**3. CONSISTENCY WITH THE GENERAL PLAN**

The General Plan designation for this property is Retail Commercial. The proposed project is consistent with this designation.

**4. CONFORMANCE WITH ZONING REGULATIONS**

**ZONING.** The site is zoned Mixed Use Planned Development (MUPD). It is located in Area 2, Central Downtown, of the Downtown Vallejo Specific Plan. Restaurants are an allowed use in this district; however, the on-site sale of alcohol requires approval of a major use permit. The Zoning Ordinance also requires a major use permit for the operation of a business between the hours of 12 midnight and 6 a.m.

**PARKING.** The Downtown Vallejo Specific Plan exempts buildings that existed at the time of the adoption of the Specific Plan from the parking requirements of the Plan as they are “grandfathered” under the Downtown Parking District in effect at the time of the adoption of the Specific Plan.

## RESTRICTIONS FOR ON-SALE LIQUOR ESTABLISHMENTS.

The Downtown Vallejo Specific Plan requires that establishments selling alcohol conform to Section 16.82.060 of the Vallejo Municipal Code. Section 16.82.060Q contains the following restrictions on establishments that sell alcohol for on-site consumption:

1. *Shall be permitted only after securing a major use permit, as prescribed in Chapter 16.82.*

This application is for the required major use permit.

2. *If adjacent to residential uses, shall have a soundwall at least six feet in height to buffer the adjacent residential uses. The soundwall shall not be built to obstruct the view of the building and parking areas from the street. Vegetation shall be planted along the soundwall and be of the type that will provide covering of the fence surface within two years.*

There are no residential uses directly adjacent to this property; however, there are residential uses on the upper floors of the building. The applicant is installing additional sound-proofing in the ceiling between the floors in conjunction with the installation of the fire sprinkler system. As a condition of approval, music shall be limited to non-amplified acoustical music unless an acoustical study is done for the building and, with the approval of the Planning and Building Divisions, mitigation measures that would reduce noise impacts to a less-than-significant level are implemented.

3. *Exterior lighting should be high pressure sodium, or equivalent type, and shall have an illumination intensity of between one and four footcandles. Lights shall be directed and shielded so as not to glare onto adjoining residential properties. Lights shall have a housing to protect against breakage. Broken or burnt out lights shall be replaced within one hundred twenty business hours.*

There are no residential uses adjoining the property. Any new exterior lighting that would be provided for this use would be required to meet these standards as a condition of approval for the project.

4. *Shall not sell alcohol for off-site consumption.*

The applicants do not plan to sell alcohol for off-site consumption.

5. *No exterior vegetation shall be planted that is susceptible to use as a hiding place for persons on the premises.*

The property has no exterior vegetation of this type. Vegetation is provided in planters, which are not large enough to hide a person.



6. *All graffiti shall be removed from the walls, fences, and/or buildings within one hundred twenty hours of its appearance on the property.*

This requirement shall be included as a condition of approval for the project.

7. *Establish and maintain a "complaint response/community relations" program which includes the following:*
  - a. *Coordinate with the local community division of the Vallejo Police Department regarding appropriate monitoring of community complaints concerning activities associated with the subject facility.*
  - b. *A local phone number for the area commander of the local police substation in the geographical area where the establishment is located for the receipt of complaints from the community regarding the subject facility and the main Vallejo Police Department phone number shall be posted at the entry or at the reception desk.*
  - c. *A representative of the subject facility should voluntarily meet with representatives of the neighbors and/or neighborhood association, at their request, to resolve neighborhood complaints regarding the establishment.*

These requirements shall be included as conditions of approval for the project.

8. *Sign and Advertising:*
  - a. *The following signs shall be prominently posted in English, Spanish, and the predominant language of the facility's clientele:*
    - (1) *A sign shall be prominently posted within any subject establishment, and outside, so as to be seen by anyone entering the establishment, stating that "California State Law prohibits the sale of alcoholic beverages to persons under twenty-one years of age." (A notice shall also be placed on all menus.)*
    - (2) *"No Loitering or Public Drinking" signs shall be posted in the alcohol beverage display areas in a readily visible manner.*

These requirements shall be included as project requirements in the approval of the project.

9. *A copy of the conditions of approval of the conditional use permit must be kept on the premises of the establishment and presented to any police officer or any authorized city official upon request.*

This requirement shall be included as a project requirement in the approval of the project.

10. *All servers shall, within ninety days of employment, complete an approved course in "responsible beverage service training". The outlet shall, within ten days, provide evidence of the employee's completion of this training to the Planning Division.*

This requirement shall be included as a project requirement in the approval of the project.

11. *Whenever any of the situations identified in Section 16.82.140 occurs, a use permit issued for on-site alcohol sales in accordance with this chapter shall become null or void, and a new use permit shall be required prior to resuming the sale of alcohol products.*

The situations identified in Section 16.82.140 include a change in the type of license issued by ABC and the expansion of the bar area of the restaurant. A new use permit would be required should either of these situations occur.

12. *All new on-site alcohol sales establishments, except bona fide eating establishments, shall be located at least one thousand feet from all existing on-site and off-site alcohol sales outlets located on commercially zoned property, except that this separation shall not be measured from any establishment that is not normally available to the general public, such as private clubs and lodges.*

The proposed project would be a bona fide eating establishment.

## **5. PUBLIC COMMENTS**

A notice regarding the public hearing was sent to property owners within 500 feet of the property on December 19, 2006 and published in the Vallejo Times-Herald on December 30, 2006. That notice mistakenly stated that the application was to expand the hours of operation to 2 p.m. rather than 2 a.m. A second notice was sent out on December 27, 2006 and published in the Vallejo Times-Herald on January 1, 2007.

Staff received one email regarding this project (see Attachment 4). The email pointed out that the notice stated 2 p.m. rather than 2 a.m. The project was re-noticed to rectify this error. The author of the email also had some objections to the proposed hours of operation that are addressed in the Staff Analysis section of this report.

## **6. DEPARTMENT REVIEW AND COMMENTS**

Plans for this project were reviewed by the Department of Public Works, Vallejo Sanitation and Flood Control District, Fire Prevention, the Water Division, Crime Prevention, and Community Development. Staff also routed the plans to the Vallejo Alcohol Policy Coalition. Comments from these departments and agencies have been incorporated into this staff analysis.

## **7. REFERENCES**

State of California, Office of Planning and Research; CEQA: California Environmental Quality Act (Statutes and Guidelines 1999, as amended).

City of Vallejo General Plan

City of Vallejo Zoning Ordinance:  
Chapter 16.82 – Conditional Use Permit Procedure

Downtown Vallejo Specific Plan

**8. STAFF ANALYSIS**

The application is to expand the hours approved for an existing use permit to serve alcohol in conjunction with a full-service restaurant. The approved hours of operation are until 11 p.m. on weeknights and until 2 a.m. on weekends. The applicant is requesting that the hours be expanded to 2 a.m. seven nights per week to allow maximum flexibility for the business. This flexibility would allow the applicant to respond to the demand for late-night use as it develops, particularly for private, catered events and for after-theater dining once the Empress Theatre and other entertainment venues open in the area.

The intent of the Downtown Vallejo Specific Plan is to establish a vibrant, active downtown that would provide opportunities for a variety of commercial, cultural, and residential activities. In particular, the City is anticipating the development of an Arts and Entertainment District in the Downtown area. As such uses develop, there will be a demand for places to go late in the evening after events. The applicant is anticipating this demand and wants to be able to expand his restaurant hours. The City wishes to encourage a lively nightlife in the Downtown area. Preventing businesses from staying open later in the evening will discourage the development of such nightlife.

Although the City anticipates and wishes to encourage a lively nightlife in the Downtown, it should also be compatible with the residential uses in the vicinity. Planning staff consulted with the Vallejo Police Department and, at the recommendation of the VPD, are recommending that the hours of alcohol sales on weeknights be limited to 12 midnight. This limitation allows the business owner one additional hour of alcohol sales from that which was previously approved but respects the needs of the residents in the vicinity during the work week.

The main issue of concern related to the proposed use is noise impacts on the residential uses in the vicinity. The conditions of approval for the project are intended to ensure that noise generated by late-night business activities are contained within the tenant space of the business. Some sound remediation has already been installed in the space and the applicant is installing additional sound insulation material in conjunction with the installation of the fire sprinkler system. Doors and windows shall be required to remain closed during the evening hours to minimize noise disturbances affecting residents in the vicinity. Music shall be restricted to un-amplified acoustical music unless an acoustical study is done for the business and, with the approval of the Planning and the Building Divisions, mitigation measures that would reduce noise impacts to a less-than-significant level are implemented.

*Conclusion.* The Downtown Vallejo Specific Plan anticipates the development of an Arts and Entertainment District in the Downtown. The development of such a district will

require that businesses be open later in the evening. The hours of operation recommended by staff for this project would allow the business owner the flexibility to meet the demand for such hours as it develops.

## **9. STAFF RECOMMENDATION**

Staff recommends:

That the Planning Commission **APPROVE** Use Permit #06-0023 subject to the following:

### **Findings:**

1. As conditioned, the location and operating characteristics of the proposed restaurant, including alcohol service, will be compatible with adjacent uses per Sections 4 and 8 of this report.
2. As conditioned, the proposed restaurant, including alcohol service, is consistent with the General Plan per Section 3 of this report.

## **CONDITIONS OF APPROVAL**

### **A. Planning Division**

1. Prior to building permit submittal, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Doors and windows shall remain closed during the evening hours to minimize noise disturbances affecting residents in the vicinity.
3. Music shall be limited to non-amplified, acoustical music unless an acoustical study is done for the building and, with the approval of the Planning and Building Divisions, mitigation measures that would reduce noise impacts to a less-than-significant level are implemented.

### **B. Crime Prevention**

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 6:00 a.m. to 12 a.m. Sunday through Thursday and 6:00 a.m. to 2 a.m. on Friday and Saturday and on holidays.
2. Live entertainment provided shall be limited to a pianist and/or acoustic guitarist. No noise from said entertainment shall be heard from the exterior of the premises.

3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside the premises.
4. The front and rear doors shall be closed at all times during the operation of the premises except in cases of emergency and to permit deliveries.
5. The premise shall be equipped and maintained in good faith and shall possess, in operative condition, such convenience for cooking foods as stove, ovens, broilers, or other devices as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed.
6. The area surrounding the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the stated area.
7. All employees must complete the LEAD training provided by ABC or similar training such as the RBS training.

## **PROJECT REQUIREMENTS**

### **A. Planning Division**

1. Exterior lighting should be high pressure sodium, or equivalent type, and shall have an illumination intensity of between one and four footcandles. Lights shall be directed and shielded so as not to glare onto adjoining residential properties. Lights shall have a housing to protect against breakage. Broken or burnt out lights shall be replaced within one hundred twenty business hours.
2. All graffiti shall be removed from the walls, fences, and/or buildings within one hundred twenty hours of its appearance on the property.
3. Establish and maintain a "complaint response/community relations" program which includes the following:
  - a. Coordinate with the local community division of the Vallejo Police Department regarding appropriate monitoring of community complaints concerning activities associated with the subject facility.
  - b. A local phone number for the area commander of the local police substation in the geographical area where the establishment is located for the receipt of complaints from the community regarding the subject facility and the main Vallejo Police Department phone number shall be posted at the entry or at the reception desk.
  - c. A representative of the subject facility should voluntarily meet with representatives of the neighbors and/or neighborhood association, at their request, to resolve neighborhood complaints regarding the establishment.

4. Sign and Advertising:
  - a. The following signs shall be prominently posted in English, Spanish, and the predominant language of the facility's clientele:
    - (1) A sign shall be prominently posted within any subject establishment, and outside, so as to be seen by anyone entering the establishment, stating that "California State Law prohibits the sale of alcoholic beverages to persons under twenty-one years of age." (A notice shall also be placed on all menus.)
    - (2) "No Loitering or Public Drinking" signs shall be posted in the alcohol beverage display areas in a readily visible manner.
5. A copy of the conditions of approval of the conditional use permit must be kept on the premises of the establishment and presented to any police officer or any authorized city official upon request.
6. All servers shall, within ninety days of employment, complete an approved course in "responsible beverage service training". The outlet shall, within ten days, provide evidence of the employee's completion of this training to the Planning Division.

**B. Community Development**

1. The Empress Theatre has a long-term lease for shared bathroom facilities.

**GENERAL CONDITIONS:**

1. All businesses on the premises and all contractors and subcontractors working on the project shall obtain current City of Vallejo business licenses.
2. The conditions herein contained shall run with the property and shall be binding on the applicant and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
3. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.

**10. EXPIRATION**

This use permit shall expire automatically 24 months after its approval unless building permits are secured and construction has begun or unless this permit is extended by the City prior to the expiration date.

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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.

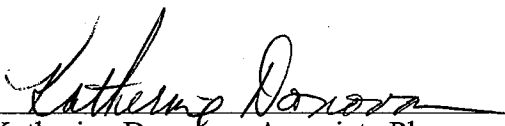
#### **ATTACHMENTS**

Attachment 1 – Conflict of Interest map


Attachment 2 – Floor plan and site photograph

Attachment 3 – Email from Alan Wofsy dated December 24, 2006

Prepared by:

  
Katherine Donovan, Associate Planner

Reviewed by:

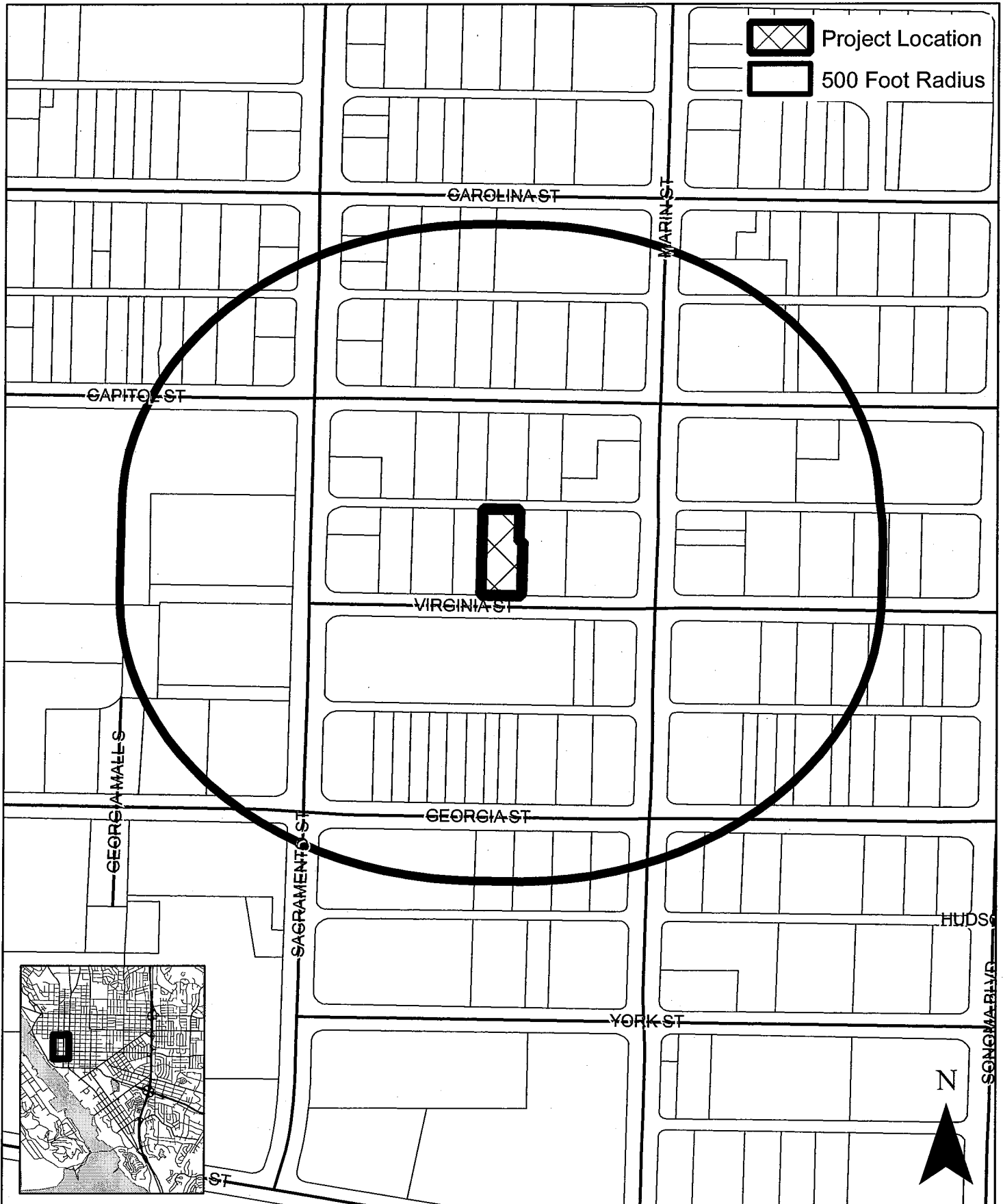
  
Don Hazen, Planning Manager

# Conflict of Interest Map

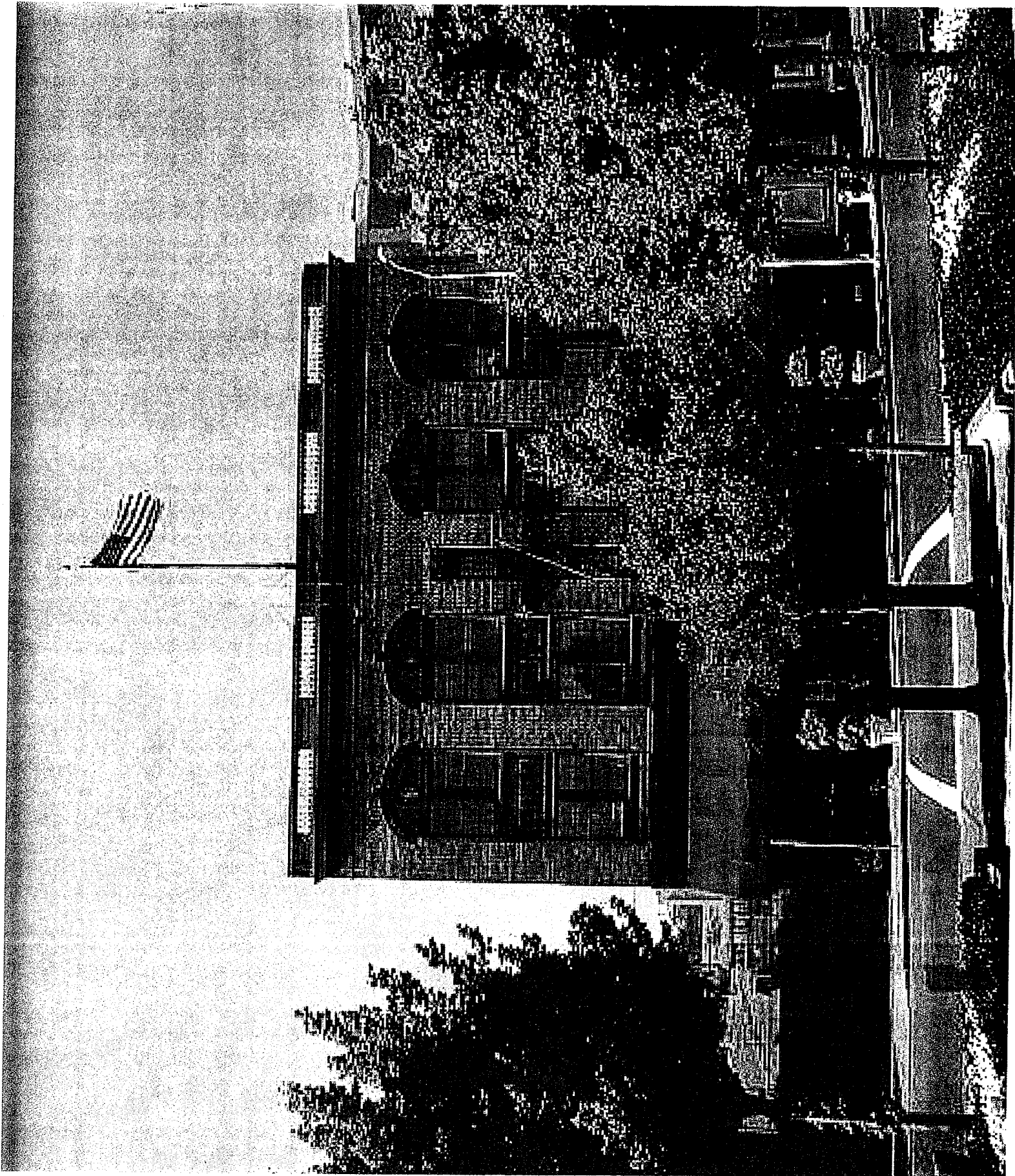
Attachment 1

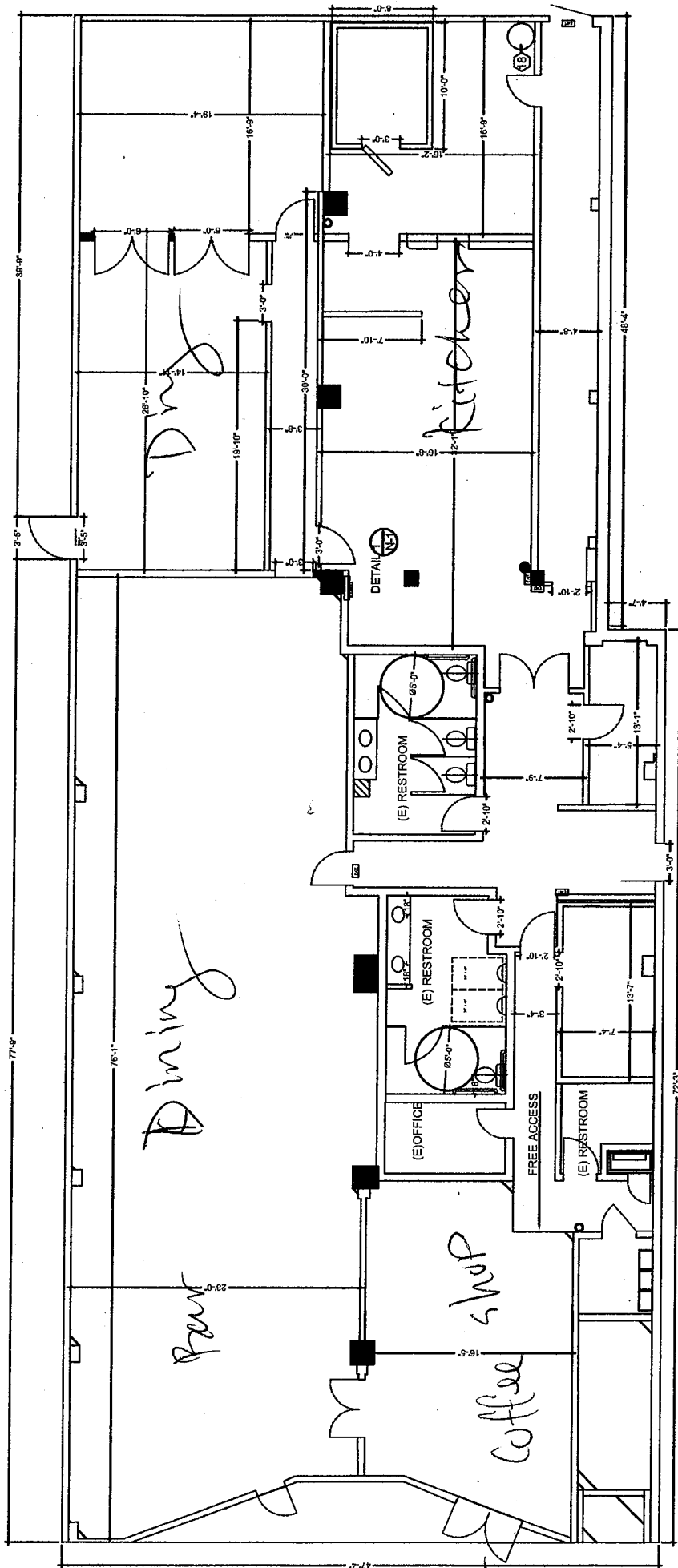
Use Permit #06-0023

324 Virginia Street - (APN# 0056-162-100)









**EXISTING FLOOR PLAN**

SCALE: 1/4" = 1'-0"

**From:** "Sunrise Properties" <sunrise.properties@jps.net>  
**To:** <bdolan@ci.vallejo.ca.us>  
**Date:** 12/24/2006 1:04 pm  
**Subject:** Objection to Use Permit #06-0023

**CC:** <nagel@ci.vallejo.ca.us>, <ccrc@scronline.com>, ...  
SUNRISE PROPERTIES  
Offices: 401 China Basin St., San Francisco, CA 94158-2133  
Mailing Address: P.O. Box 2210, San Francisco, CA 94126  
phone: (415) 986-3030 fax: (415) 512-0130 e-mail: editeur@earthlink.net  
East Bay Office: Phone & Fax (510) 666.1150  
e-mail: sunrise.properties@jps.net  
Website: www.live-work.us

Brian Dolan  
Development Services Director  
Vallejo City Hall - Second Floor  
555 Santa Clara Street  
Vallejo, California 94590  
(707)648-4326  
FAX: (707)552-0163  
email: bdolan@ci.vallejo.ca.us

Dear Mr. Dolan,

I received a Notice of Public Hearing dated Dec. 19, 2006 and have the following objections:

1) The Notice is defective because it give erroneous information. It states that the hours of operation are "until 2 p.m. every night."

There is of course no such time. Did you mean 2 P.M. in the afternoon or 2 A.M. in the morning? Please resend a proper notice with the correct information.

2) In the event you do not send a corrected Notice and in fact mean 2 A.M. , I object to the substance of the permit issue. No reasons were given why a restaurant in downtown Vallejo would be open until 2 A.M. It is obvious that there is no need or demand for a restaurant in the wee small hours of the morning in downtown Vallejo. Are you sure this is not a permit to engage in illegal uses for which there is such a demand, such as illicit sex, drugs and alcohol abuse? I have turned away a number of potential tenants who planned dubious night time activities at my firm's property at Marin & Virginia street.

There is still too much crime and too few police officers patrolling the downtown area at night and during the day. Crime has in fact gotten worse in the past couple of years since the City disbanded the bicycle patrol. The City destroyed the downtown business area already by concentrating housing and services for welfare recipients and the alcoholic, drug addiction and criminal communities.

You are now asking Triad to build market rate housing and instead of encouraging wholesome uses you are possibly promoting a potential attractive nuisance.

If in fact L & L has a legitimate business reason for being open until 2 AM when law abiding customers are not normally awake, I would like to know who the customers are. If there are legitimate reasons for being open so late, the Notice of Public Hearing should address them.

Yours,

Alan Wofsy  
General Manager



**STAFF REPORT  
CITY OF VALLEJO PLANNING COMMISSION**

**Date of Hearing:** January 17, 2007

**Agenda Item:** K 5

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Application Number: Planned Development Unit Plan #06-0017, as governed by Chapter 16.116 "Planned Development Permit Procedure" of the Vallejo Municipal Code.

Recommendation: Staff recommends that the Planning Commission **Approve** Planned Development Unit Plan #06-0017 subject to the findings and conditions contained in this report.

Location: 401 Pennsylvania Street; APN 0058-022-010

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Applicant: Jim and Pam Conner  
41 Sims Avenue  
Vallejo, CA 94590

Property Owner: Same

Project Description: The application is for the construction of a new building to be used as a sunroom sales and showroom facility. The new building is proposed to be 3,645 square feet, fronting on Sonoma Boulevard, with a 130-square-foot sunroom as a secondary entrance off the parking lot at the alley elevation.

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Environmental Review: The proposed Unit Plan was determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15301, Title 14 of the California Code of Regulations.

General Plan: Downtown Mixed Use      Zoning: Mixed Use Planned Development (MUPD)

Existing Land Use: The lot is currently vacant.

Surrounding Land Uses: To the east of the property is a multi-family residential building, with other residential uses beyond. To the south of the property is a gas station. To the north and west of the property are a variety of commercial uses.

Public Notice: A notice regarding the public hearing was published in the Times-Herald, and sent to property owners within 200 feet of the property on December 19, 2006.

Related Projects: The project is within the Downtown Specific Plan area. For properties within the Downtown Specific Plan area, major Unit Plan applications are reviewed by the Design Review Board. Until the Design Review Board is formed, these projects are to be reviewed by the Planning Commission.

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## **1. PROJECT DESCRIPTION**

The application is for the construction of a new building to be used as a sunroom sales and showroom facility. The new building is proposed to be 3,645 square feet, fronting on Sonoma Boulevard, with a 130-square-foot sunroom as a secondary entrance on the south (alley) elevation. The building is one-story, with a shallow gable roof over the central portion of the building and a flat roof with decorative molding on either side. The top of the central portion is 28 feet high, with the side portions 24 feet high. The main entrance on Sonoma Boulevard is recessed, with a glass canopy over the entryway. Large window expanses flank the entryway on either side, with decorative plasterwork above the windows and a tile bulkhead below. Four-foot deep trellises would be provided over the windows. The north, Pennsylvania Street elevation would have similar windows, trellises, and tile work. On the south, alley elevation, the sunroom entry would extend 16 feet beyond the building wall. A single roll-up door would be provided beyond the sunroom entry for deliveries.

The building would be built to property line on Sonoma Boulevard and Pennsylvania Street. The City-owned right-of-way extends 14 feet beyond the back of sidewalk on Pennsylvania Street, so although the building is located at the property line, there would be a 14-foot wide landscape strip between the sidewalk and the building. Parking would be provided off the alley, with landscaping and the sunroom entry between the building and the parking area. The parking area would be screened from Sonoma Boulevard by a landscape screen, with a trellised path leading from Sonoma Boulevard to the rear, sunroom entry.

## **2. ENVIRONMENTAL REVIEW**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and was determined to be exempt per Section 15303, Title 14 of the California Code of Regulations as it consists of the construction of a new commercial building not exceeding 10,000 square feet of floor area in an urbanized area on a site zoned for such use, not involving the use of hazardous substances, with all necessary public services and facilities available, and the surrounding area is not sensitive.

## **3. CONSISTENCY WITH THE GENERAL PLAN**

The General Plan designation for this property is Downtown Mixed Use. The primary purpose of this designation is to promote mixed use development at higher intensities in the Downtown area. The proposed project is compatible with the General Plan Designation as it is permitted in District 4 of the Downtown Vallejo Specific Plan.

#### 4. CONSISTENCY WITH DOWNTOWN VALLEJO SPECIFIC PLAN

The proposed project is located within District 4, Outer Downtown, of the Downtown Vallejo Specific Plan. This area is described as providing a transition between Downtown Vallejo and the neighborhoods bordering Downtown to the south and east. New development in this area is envisioned as a mix of land uses and intensities. Building heights are not anticipated to exceed 50 feet, providing a transition between the higher intensity uses of the central Downtown and adjacent neighborhoods.

The purpose of the Outer Downtown is to allow a diverse mix of land uses and development that is compatible with the more auto-oriented character of the area while respecting the scale and character of adjacent neighborhoods. The project is also located within the Sonoma Boulevard overlay. This overlay district is intended to encourage mixed-use buildings with retail on the ground floor. Buildings in the overlay district should define a street wall and face onto the street with no setback from the sidewalk.

Urban Design Goal 5.5 of the Downtown Vallejo Specific Plan is “Permit new buildings that are compatible and creative.” Policy 5.5.1 of this goal is to “Ensure that buildings contribute to the visual identity of Downtown Vallejo.” The Specific Plan goes on to explain that “The “sense of place” in Downtown Vallejo is created by buildings that have a consistent massing, scale, and relationship to the streets, and by incorporating a wide variety of architectural expressions, materials, colors, and details.”

Policy 5.5.2 is to “Ensure that new developments respond to neighborhood context.” The Specific Plan further states that “New buildings should be designed to be sensitive to their local context, respecting the compositional elements, scale, and massing of neighboring buildings. Architectural massing should emphasize street intersections and other neighborhood gateways to further define spatial form of the streetscapes and public realm.”

Policy 5.5.3 is to “Ensure that new developments, infill projects, and building additions enhance the pedestrian environment at street level.” The intent is to provide a variety of architectural detailing at the pedestrian level to achieve a human scale, using smaller-scale, traditional architectural elements and building components to help establish a relationship to human scale.

Program 5.5.a is to “Require a retail building form on streets identified as “Retail Frontage Streets.” This program is designed to apply to the main pedestrian corridors within the Downtown area, including Sonoma Boulevard. The Specific Plan requires the use of storefront windows and doors to provide a sense of transparency in buildings on these streets. The ground floor floor-to-ceiling height in these areas is required to be taller, and weather protection and appropriate signage is also required.

Development Standards. The policies discussed above are intended to encourage development that maintains the existing character of the Downtown and continues that

character to new development. The Development Standards contain more specific requirements related to new development in the Downtown area, including floor area ratio, building height, build-to lines, and building setbacks.

*FAR.* In the Sonoma Boulevard Overlay, the maximum floor area ratio (FAR) is 2.0. The proposed project FAR is 0.56, less than the maximum FAR.

*Building Height.* The building height requirements for this property are a minimum of two stories and a maximum of three stories and 45 feet; however, the Specific Plan allows an exception to the two-story requirement to be granted by the Planning Commission if a finding can be made that the use is unique and the project contributes overall to the goals of the Specific Plan. This project is unique as it is the only sunroom showroom in the Downtown, and likely in the City. It contributes to the overall goals of the Specific Plan by providing a new building that meets the standards and guidelines of the Specific Plan.

*Build-To Lines/Setbacks.* For buildings within the Sonoma Boulevard Overlay, buildings must be located at the build-to line behind the sidewalk. Any proposed recess or building setback must be associated with the building entrance, a plaza, or outdoor dining area. An entry door area up to 9 feet wide may be recessed up to 4 feet from the back of sidewalk. The setback shall generally not exceed 12 feet for plazas and outdoor dining areas. The proposed building would be built to the sidewalk on the Sonoma Boulevard elevation. The entryway is recessed 4 feet and is 9 feet wide.

On the Pennsylvania Street side, the standards for the Outer Downtown specify that the building setback shall not exceed 12 feet. Currently, Pennsylvania Street does not utilize the entire 80-foot right-of-way. There is an approximately 14-foot segment of City right-of-way between the back of sidewalk and the property line. The Downtown Vallejo Specific Plan envisions the entire 80-foot right-of-way being utilized, with diagonal parking on either side. Although the building would be built to the property line, until the street improvements envisioned in the Specific Plan are implemented, the building would be 14 feet from the back of sidewalk.

*Parking Standards.* The parking requirement for non-residential, stand alone retail uses is one space per 250 gross square feet of floor area; however, the parking standards do not address large item retail uses. In the event that the development standards of the Specific Plan do not address or provide a specific development standard, the provisions of the Zoning Ordinance shall apply.

The parking standards in the Zoning Ordinance require one parking space per 600 square feet of gross floor area for large item retail. For this building, 6 spaces would be required. The plan provides 5 spaces. A minor exception to any measurable standard would allow the standard to be reduced to 5 spaces if: the exception would not exceed 25 percent of the prescribed standard; the exception would not adversely affect any development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of



properties; the exception would not result in a hazard to pedestrian and/or vehicular traffic; and the exception would be necessary to the sound development of such property, or would result in better environmental quality of development of such property without such exception.

The exception to reduce the parking from the required 6 spaces to 5 spaces would not exceed 25 percent of the requirement. The reduction of one parking space would not adversely affect any development or persons upon abutting property. The reduction would not result in a hazard to pedestrian or vehicular traffic. Given the limited size of the property and the proposed use, locating the parking off the alley is the only feasible design solution. For parking not accessed from the alley, cars must enter the street facing forward. To provide sufficient space for cars to turn on the lot so that they can enter traffic facing forward, the majority of the lot would have to be developed as parking and back-up space. In addition, the Specific Plan requires that the building be built to property line in the front (Sonoma Boulevard) elevation and not more than 12 feet from the property line on the Pennsylvania Street elevation. The only feasible location for parking is off the alley and the maximum number of parking spaces that can be provided is five spaces. Given the nature of the business, that number of spaces should be sufficient to meet the parking needs for the use.

## **5. DESIGN GUIDELINES**

The Design Guidelines are intended to implement the goals of the Downtown Vallejo Specific Plan and to assist staff, the Planning Commission, and City Council to evaluate private development by providing design criteria. The following guidelines relate to the project.

### *SITE DESIGN*

The Site Design guidelines recommend that new construction reinforce the street grid and streetscape edge, integrate circulation with Downtown pedestrian systems, orient the buildings to the street, create distinct, identifiable building entries, and design landscaped, pedestrian oriented parking lots. The project meets these guidelines by providing a street-oriented building located at the Pennsylvania Street and Sonoma Boulevard property lines with distinct, identifiable entries and a landscaped area adjacent to the small parking lot. This small site does not include extensive pedestrian circulation; however, there is a pedestrian pathway from the Sonoma Boulevard sidewalk to the rear entryway and alley parking.

### *UTILITIES, MECHANICAL EQUIPMENT AND SERVICE AREAS*

The Specific Plan guidelines direct that utilities, mechanical equipment, and service areas be located on alleys or secondary streets. Project and landscape design shall be utilized to help screen equipment. The project plans do not specify the location of utilities and mechanical equipment. As a condition of approval, such equipment shall be placed at the alley or the rear (east) side of the building, out of public view and screen by landscaping and/or design features.

### *OPEN SPACE*

The Specific Plan recommends using landscaping to relate to the streetscape and to screen parking lots. The Development Standards of the Specific Plan require the use of a 5-foot minimum width landscape buffer that includes hedges and trees. As a buffer of this depth would reduce the number of parking spaces that can be provided for this small parcel, the applicant is proposing the use of a landscape screen provided by vines growing up a trellis or fence. As noted previously, the Specific Plan allows exceptions if the project would: better meet the intent or objective of the standard; still meet the design intent identified within the Specific Plan; not adversely effect persons or development on abutting properties due to the deviation; and the deviation would not result in a hazard to pedestrian and/or vehicular traffic.

### *BUILDING SCALE AND MASSING*

The Specific Plan notes that downtown Vallejo's urban form is typified by blocks with buildings that consistently frame the streetscape. New development should continue this pattern, with building façades that are generally as tall as those across the street. A visual relationship should be created between buildings by the use of similar desirable architectural features. A visual transition should also be created between surrounding districts.

This particular location is not as densely developed as the Central Downtown, which more closely matches the description of the Downtown's urban form. New development in this transitional area should be compatible with the denser development in the downtown, the residential development to the east, and the suburban industrial development to the south. The proposed project provides this transition with a building mass similar to the residential structure directly adjacent on Pennsylvania Street. The height of the building is similar to the building directly across Sonoma Boulevard and taller than those on the other corners of this intersection.

### *ARCHITECTURAL EXPRESSION*

The Specific Plan notes the variety of building styles that add to the richness and a sense of history to the neighborhood and recommends that new development respect the distinctive details and architectural character of the neighboring buildings. Specific recommendations relate to façades, pedestrian interaction, windows and other openings, balconies and decks, providing a human scale, weather protection, and materials and finishes.

The building styles in the immediate vicinity include altered Victorian residential buildings, including a 1950s-style retail frontage addition, a 1950s-style "modern" car dealer, and a very box-like 1960s-style tire store. The buildings are lower than in the downtown, and those on the other corners have a distinctly horizontal massing. For the most part, the buildings in this area are more modern than those in the central downtown. The proposed project does not try to emulate any of the specific building styles in the vicinity but the height and general massing provide a transition between the horizontal massing of the corner buildings and the more vertical massing of the Central Downtown and the residential buildings to the east.

**6. PUBLIC COMMENTS**

A public notice regarding the public hearing was published in the Times-Herald and sent to property owners within 200 feet of the property on December 19, 2006. No comments were received from the public regarding this project.

**7. DEPARTMENT REVIEW AND COMMENTS**

Plans for this project were reviewed by the Department of Public Works, Vallejo Sanitation and Flood Control, Fire Prevention, the Water Superintendent, Crime Prevention, the Community Development Department, and the Central Corp Restoration Corporation. Comments from these departments and entities have been incorporated into this staff analysis.

**8. REFERENCES**

State of California, Office of Planning and Research; CEQA: California Environmental Quality Act.

City of Vallejo General Plan

City of Vallejo Zoning Ordinance:

Chapter 16.112 – Mixed Use Planned Development District  
Chapter 16.116 – Planned Development Permit Procedure

Downtown Vallejo Specific Plan, Adopted by City Council September 20, 2005

Downtown Vallejo Design Guidelines, Adopted by City Council September 20, 2005

**9. STAFF ANALYSIS**

The proposed project is a new building on the corner of Sonoma Boulevard and Pennsylvania Street within Area 4, Outer Downtown, of the Downtown Vallejo Specific Plan. The building is designed as a sunroom showroom and includes a sunroom as a secondary entry off the alley parking lot.

There are a variety of Design Standards in the Specific Plan, as well as the Design Guidelines that outline the requirements for new development within the Specific Plan area. The project, for the most part, meets the requirements of the Specific Plan; however, it requires two exceptions to the standards. Due to the limited size of the parcel, the only feasible location for parking is at the rear of the parcel off the alley. The maximum number of parking spaces that can be provided at this location is five, one space less than is required for large item retail uses of this size. Given the site constraints

and the proposed use, five spaces would be an adequate amount of parking and the lack on the one additional required space imposed a significant impact on adjacent uses.

The second exception to the standards relates to the number of stories. The Specific Plan requires that new buildings be a minimum of two stories; however, exceptions to this standard may be granted by the Planning Commission if a finding can be made that the use is unique and the project contributes to the overall goals of the Specific Plan. There is no question that the use of the property as a sunroom showroom is unique. No other such use exists in the Downtown or elsewhere within the City. In addition, the project contributes to the overall goals of the Specific Plan by providing a new building in a transitional area that is compatible with existing development in the immediate vicinity while meeting the development and design standards of the Specific Plan.

The building height provides a transition between the low, flat buildings of the north corners of Sonoma Boulevard and Pennsylvania Street and the taller buildings on the adjacent parcel and on the southwest corner. The design is typical of what is being provided for commercial buildings today, while the stucco finish and large divided window expanses are similar to the other development on this corner. As the buildings on the corner represent several architectural periods, the proposed project provides a nice addition to the mix.

*Conclusion.* The project, as conditioned, would comply with the Downtown Vallejo Design Guidelines and would provide a unique use and compatible building design in the area.

## 10. STAFF RECOMMENDATION

Staff recommends:

That the Planning Commission **APPROVE** Planned Development #06-0017 subject to the following:

### **Findings:**

1. The proposed Unit Plan is consistent with the intent, purpose, and development standards of the Downtown Vallejo Specific Plan per Sections 4 and 9 of this report.
2. The proposed Unit Plan is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report.
3. The proposed Unit Plan serves to achieve groupings of structures that will be well related on to another and that, taken together, will result in a well-composed urban design, with consideration given to site, height, arrangement, texture, material, color and appurtenances, the relation of these factors to other structures in the immediate area, and the relation of the development to the total setting as

seen from key points in the surrounding area per Sections 1, 4, and 9 of this report.

4. The proposed Unit Plan is of a quality and character that harmonizes with and serves to protect the value of private and public investments in the area per Sections 1, 4, and 9 of this report.
5. The exception to reduce the parking requirement from 6 spaces to 5 spaces will result in development that meets the intent of the parking standard to provide sufficient parking for the proposed use per Sections 4 and 9 of this report.
6. With the exception to the parking requirement, the project will still meet the design intent of the Specific Plan per Sections 4 and 9 of this report.
7. The exception to the parking requirement would not adversely affect persons or development abutting the site in a manner that would impact economic value, habitability, or enjoyability of property per Sections 4 and 9 of this report.
8. The exception to the parking requirement would not result in a hazard to pedestrian and/or vehicular traffic per Sections 4 and 9 of this report.
9. The use of the property as a sunroom showroom is unique per Sections 4 and 9 of this report.
10. The project contributes to the overall goals of the Specific Plan per Sections 4 and 9 of this report.

## **CONDITIONS OF APPROVAL**

### **Planning Division**

1. Prior to building permit submittal, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Prior to building permit submittal, submit 3 sets of landscaping plans prepared by a registered landscape architect to the Planning Division for review and approval. The requirement for a registered landscape architect may be waived at the discretion of the Planning Manager. Landscape plans shall comply with Chapter 16.70 (VMC), and are to include the following:
  - a. location, species and size of all mature trees six inches in trunk diameter or greater;
  - b. replacement of any mature trees to be removed;
  - c. a minimum of 4 City-approved street trees to be planted at least 6 feet from any sewer line;

- d. specification of low growth type species adjacent to doors, windows, and walkways;
- e. low-water using and drought-resistant plant materials;
- f. screening of required backflow preventer;
- g. all trees to be minimum of 15 gallon, double staked; at least 50 percent of the proposed shrubs shall be a minimum of 5 gallon;
- h. irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping, and water usage;
- i. 6 inch high curbing around planters; and
- j. screening of vines and trellis or fencing for the parking lot from Sonoma Boulevard.

Prior to occupancy/final building inspection install landscaping and irrigation per approved plans. The landscape architect shall verify in writing that the landscaping and irrigation have been installed in accordance with the approved landscaped plans with respect to size, health, number and species of plants and the overall design concept.

- 3. All mechanical equipment, utilities, and service areas shall be screened from public view by landscaping and/or design features. Submit revised plans to the project planner showing the location of all mechanical equipment, utilities, and service areas, including garbage and recycling, prior to building permit submittal.

## **PROJECT REQUIREMENTS**

### **Planning Division**

- 1. Prior to building permit submittal, submit 3 copies of a site specific soils/geotechnical investigation prepared by a registered engineer to the Planning Division for review and approval by the Public Works Department, the Building Division, and the Planning Division.

### **Building Division**

- 1. Type V-N construction, 1 hour construction less than 20 feet to property line.
- 2. Fire protection is required for door and window openings less than 10 feet from property line.
- 3. ADA unloading zone is on wrong side of van-accessible stall.
- 4. Provide written documentation for use of alleyway for business.
- 5. Provide ADA path of travel from building to public way.

## **Public Works**

1. Submit site grading, drainage, improvement, utility, and landscaping & irrigation, plans for review and approval. Site plan shall show all proposed and existing improvements and utility services. Secure approval of plans prior to building permit submittal.
2. Submit a geotechnical investigation report for review prior to building permit submittal.
3. Surface runoff from the site shall be intercepted onsite, piped, and tied into public storm drain system.
4. Obtain encroachment permit from CalTrans for any construction work within the Sonoma Boulevard right-of-way.
5. Remove and replace broken curb, gutter, and sidewalk fronting the property on Sonoma Boulevard and on Pennsylvania Street as determined in the field by City Engineer.
6. Install required street trees fronting the property on Pennsylvania Street. Street trees shall be selected from the City's approved street tree list.
7. Signing and striping shall be per City standard.

Additional standard comments that may apply:  
PW1 through PW17 and PW19.

## **Vallejo Sanitation and Flood Control District**

1. Prior to building permit issuance, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. The project, as submitted, was incomplete. The following information is needed:
  - a. Provide site utility plan showing all existing and proposed District facilities to serve the project. Site utility plan shall show existing and proposed sanitary sewer and storm drain facilities, mains, laterals, connections, etc.
  - b. Please show location of sanitary sewer and cleanout on site utility plan.

## **Fire Prevention**

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.

2. The project shall conform to all applicable requirements of Title 19 – Public Safety, 1998 CFC and all VMC Amendments.
3. Automatic fire sprinkler/extinguishing systems are required for all commercial occupancies.
4. Prior to building permit submittal, building/construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid.
5. Prior to occupancy/final building inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division.
6. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings positioned to be clearly visible and legible from the street. Commercial occupancies shall have numerals or letters not less than 6 inches in height, of contrasting background, and illuminated at night.
7. Prior to occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspection require a minimum 24-hour advance request.
8. Development sites shall be maintained weed free during construction.
9. Addition fire hydrant(s) may be required dependent upon location of future point of connection and fire flow requirements. Submit a complete set of plans to Fire Prevention for review and approval. All fire hydrants are to have “blue dot” highway reflectors installed on the adjacent street of the driveway to clearly identify the fire hydrant locations.
10. If security gates are desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.
11. A fire alarm system will be required for this project.

### **Water Division**

1. Prior to building permit issuance, submit a numbered list to the Water Division stating how each condition of project approval contained in this report will be satisfied.
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers. Prior to building permit issuance, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:



- a. Location and size of fire sprinkler service connection(s).
  - b. Location and size of domestic service connection(s).
  - c. Location and size of irrigation service connection(s).
  - d. Location of fire hydrants.
  - e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
  - f. Location and size of backflow prevention devices [required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d)].
3. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25-psig residual pressure shall be available within 1,000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure. For other than single-family residential uses, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown Caldwell dated April 1996.
  4. Prior to building permit issuance, hydraulic calculations shall be submitted to the Water Superintendent demonstrating that the fire flow required by the Fire Marshall is satisfied.
  5. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied.
  6. Easements shall be provided for all water system improvements installed outside the public right-of-way:
    - a. 15 ft. wide (minimum) for water mains.
    - b. 10 ft. wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
  7. Each unit or structure shall be metered separately.
  8. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code, including connection and elevated storage fees, etc. and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

9. Prior to occupancy or final building inspection, install water system improvements as required. Backflow device/s, where required, shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.

### **Crime Prevention**

1. The street numbers shall be displayed in a prominent location on the street side of the property in such a position that the number is easily visible to approaching emergency vehicles. The numbers shall be no less than four inches in height and shall be of a contrasting color to the background to which they are attached. The numbers shall be illuminated during darkness.
2. The street numbers shall be displayed on the roof so as to be visible to law enforcement aircraft at an altitude of 1500 feet. Numbers to be no less than 48" in height.
3. The minimum of one-foot candle at ground level overlap shall be provided in all exterior doorways and vehicle parking area. Under no circumstances should the lighting trespass onto the adjacent properties.
4. The minimum of one-half foot candle at ground level overlap shall be provided on outdoor pedestrian walkways intended for public use.
5. All exterior doors shall be of solid core construction with a minimum thickness of 1 ¾ inches or with panels not less than 9/16 inches thick.
6. Glass on exterior doors or within 40 inches of an exterior door shall be break-resistant glass or glass-like material to the satisfaction of the Police Department.
7. All windows within 12 feet of the ground level shall have a secondary lock mounted to the frame of the window. The secondary lock shall be a bolt lock and shall be no less than 1/8 inch in thickness. The lock shall have a hardened steel throw of ½ inch minimum length.
8. Glass sliding doors shall have a secondary type locking device to the satisfaction of the Police Department. The secondary lock shall be a dead bolt lock and shall be no less than 1/8 inch in thickness and shall have a minimum hardened steel throw of ½ inch.
9. Plants, foliage and vegetation will not block windows.

### **GENERAL REQUIREMENTS**

1. All contractors and subcontractors working on the project shall have City of Vallejo business licenses.

2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
5. The applicant shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, the approval of this approval by the City. The City may elect, in its discretion, to participate in the defense of any action.

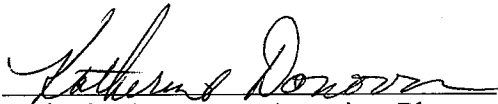
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## ATTACHMENTS

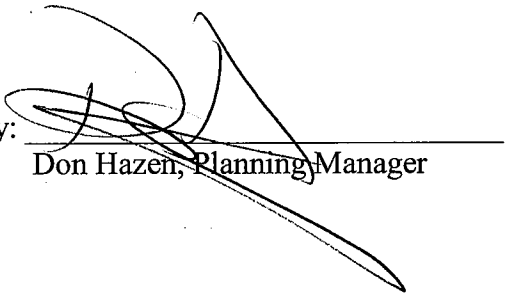
Attachment 1 – Conflict of Interest map

Attachment 2 – Site Plans, Floor Plans, and Elevations

Prepared by:

  
Katherine Donovan, Associate Planner

Reviewed by:

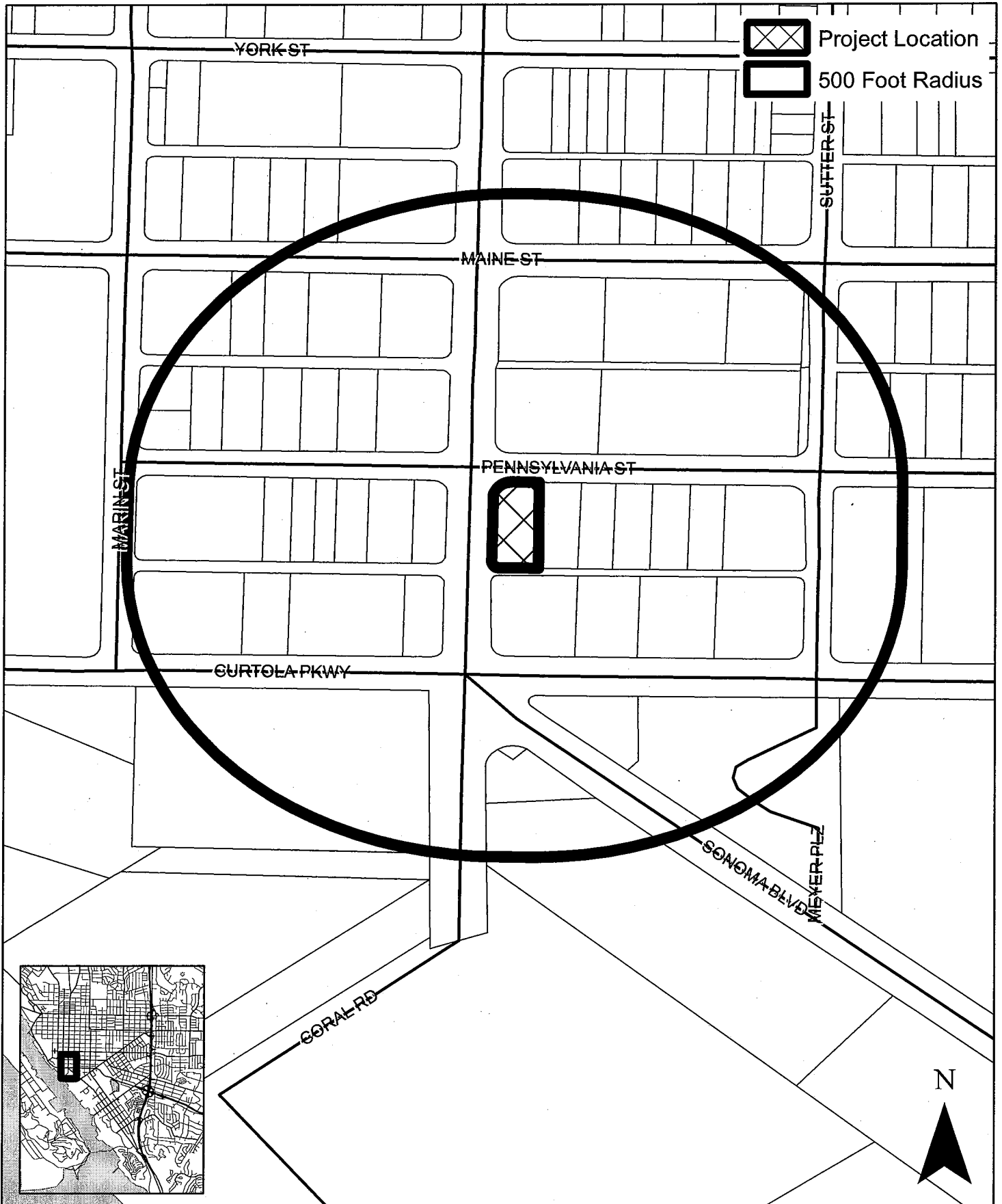
  
Don Hazen, Planning Manager

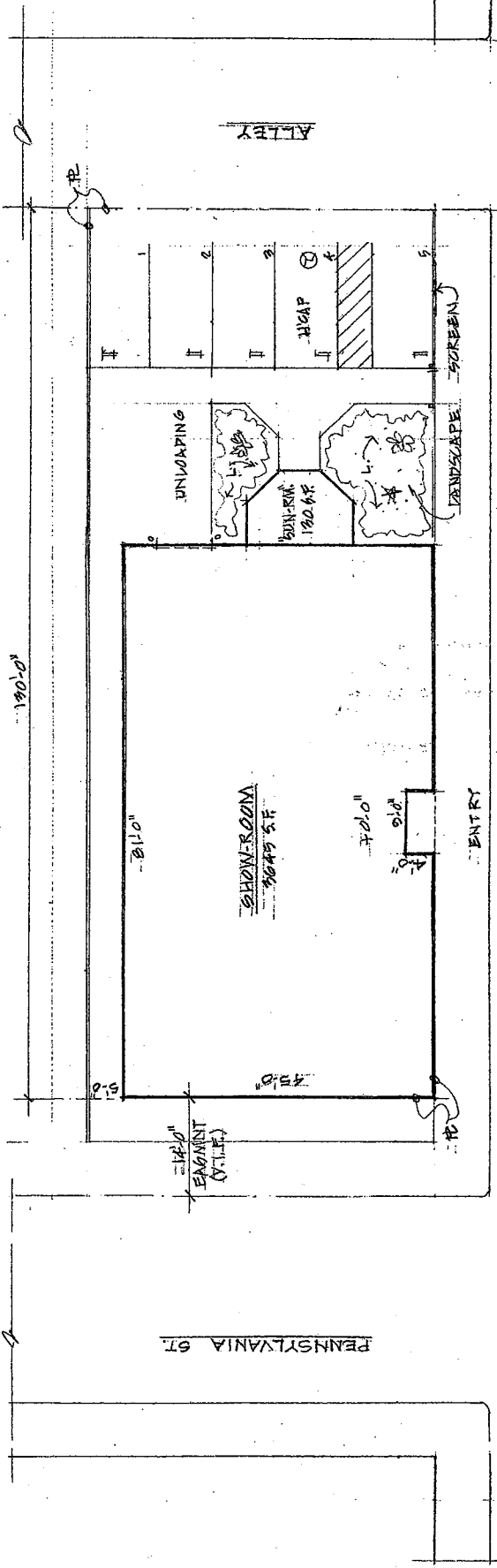
# Conflict of Interest Map

Attachment 1

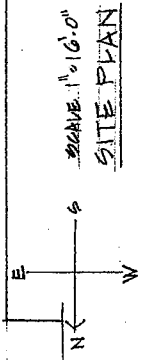
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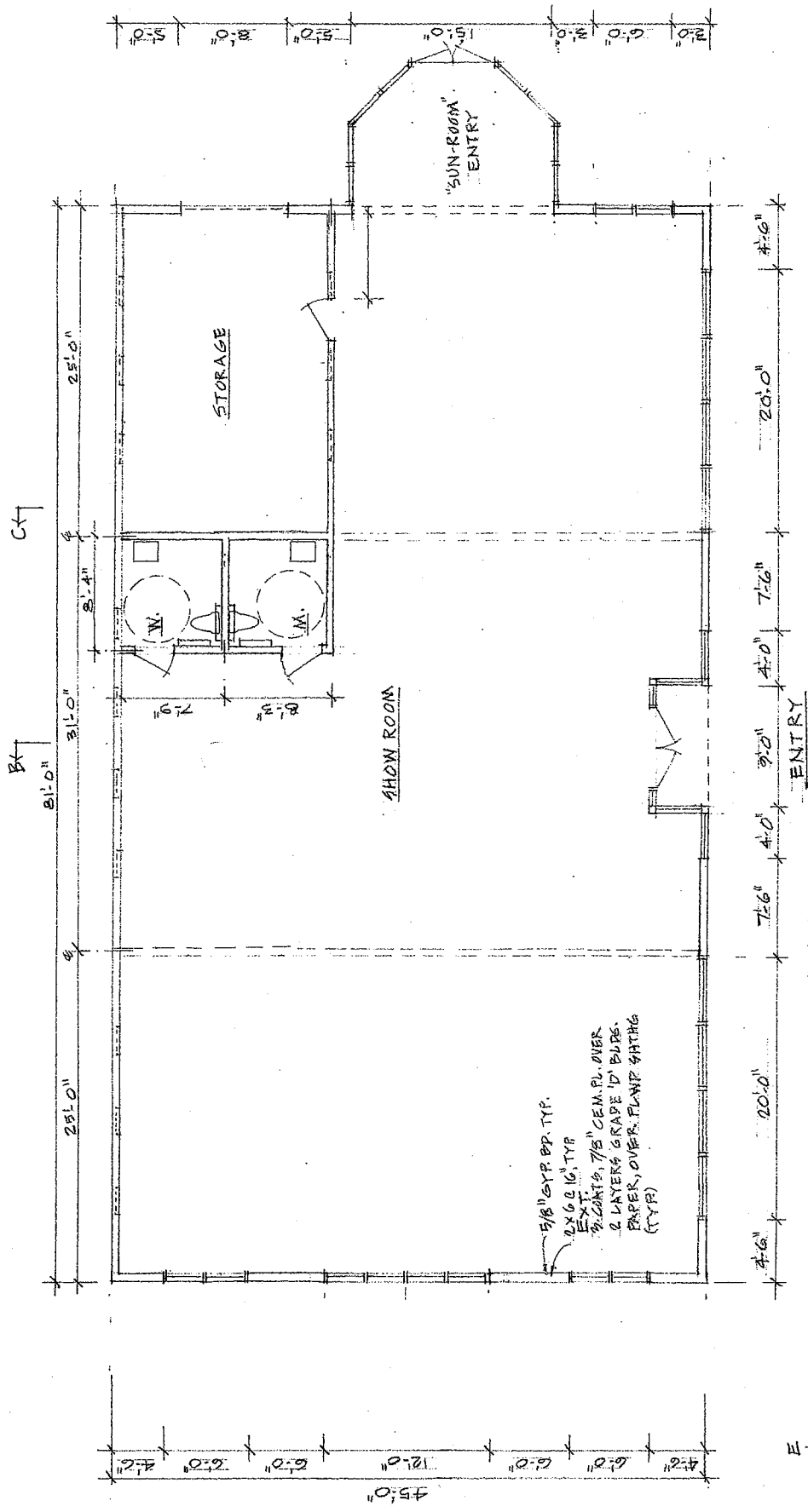
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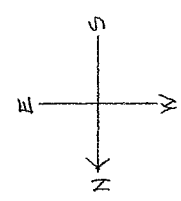
SITE PLAN		ARCHITECT C-18950 08	7A
SUNROOM SHOWROOM SONOMA BLDG. VALLEJO JIM & PAM CONNER 221 SIMS AVENUE VALLEJO, CA 94590		MR. ASHOK KERR 5201 VAN FLEET AVE RICHMOND, CA 94804 (510) 528-3728	1



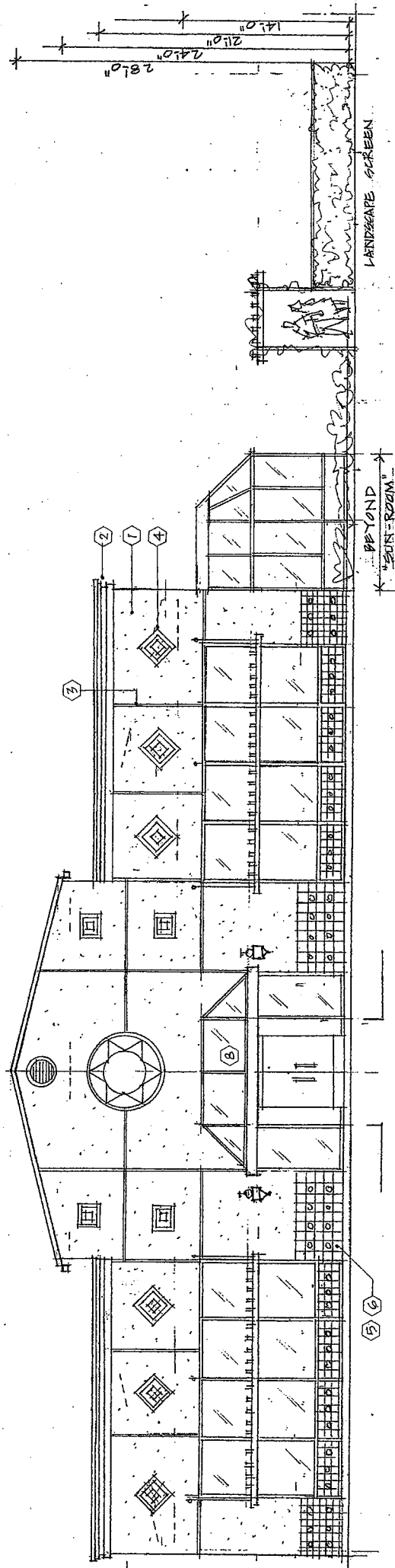


**GROUND FLOOR PLAN 1/8" = 1'-0"**

- NOTES: WINDOWS: "SUN-ROOM" WINDOW SYSTEM
2. ADA PARKING, SIDE WALK, RAMP, SIGNAGE, MAIN ENTRY, MEN'S, WOMEN'S, ALL ROOMS SHAW, COMPLY CURRENT CODES.
  3. GLASS CANDLEY OVER MAIN ENTRY 4'-0" x 15'-0" (N.A.E)
  4. TREMS 4'-0" x 7'-0", 13'-0", 21'-0" OVER WINDOWS AT SIDE WALKS



GROUND FLOOR PLAN	ARCHITECT C-18950	28 NOV. 2006
SUNROOM SHOW ROOM SONOMA BLVD, VALLEJO JIM & PAM CONNER 41 SLM'S AVENUE VALLEJO, CA. 94590	MR. ASHOKE KERR 5901 VAN FLEET AVE. RICHMOND, CA 94804 (510) 528-3708	A-2 2 OF 10

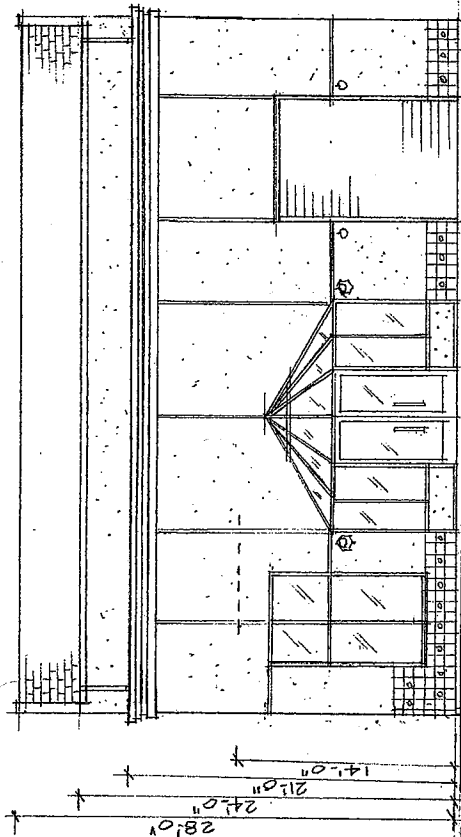


SONOMA BLVD. ELEVATION 18' 2 1/2"

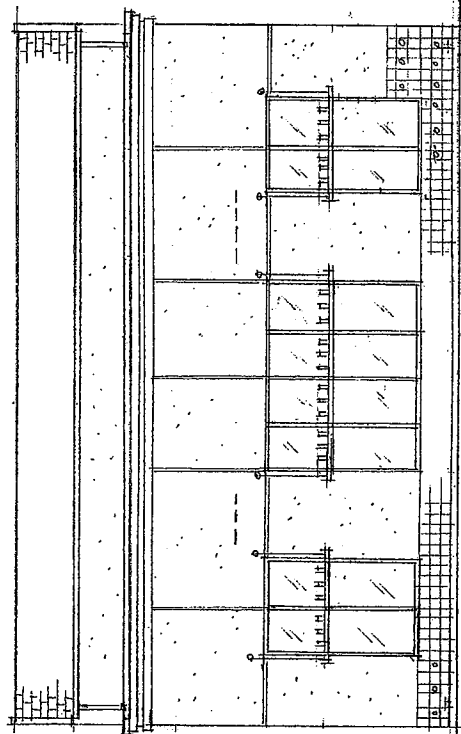
- KEY:
- ① CEMENT PLASTER, COLOR "MAJORCA 0145"
  - ② PARAPET WITH SHADOWLINE PROJECTIONS  
CEMENT PLASTER, COLOR "COTTO Q181"
  - ③ JOINTS, METAL, U-SHAPE, 2" WIDE, 5/8" DEEP
  - ④ DECORATIVE "BASE-RELIEF" CEMENT PLASTER  
SHADOWLINE PROJECTIONS, COLOR "COTTO Q181"
  - ⑤ WALL TILES, FIELD 12" x 12", "RAJAH RED T105"
  - ⑥ BORDER TILES AT TOP 5" x 9", "AUTUMN MIST/MULTI T593"

- ⑦ TRELLIS, REDWOOD
- ⑧ GLASS CANOPY
- ⑨ DECORATIVE LIGHT FIXTURE

WEST ELEVATION		ARCHITECT C-18950 28.NDY.12014
SUN ROOM SHOWROOM SONOMA BLVD, VALLEJO JIM & PAM CONNER 21 SIMS AVENUE VALLEJO, CA 94590		MR. ASHOKE KERS 1301 VAN FLEET AVE RICHMOND, CA 94804 (510) 528-3728
		A 3 3 OF 10



SOUTH ELEVATION 1/8" = 1'-0"



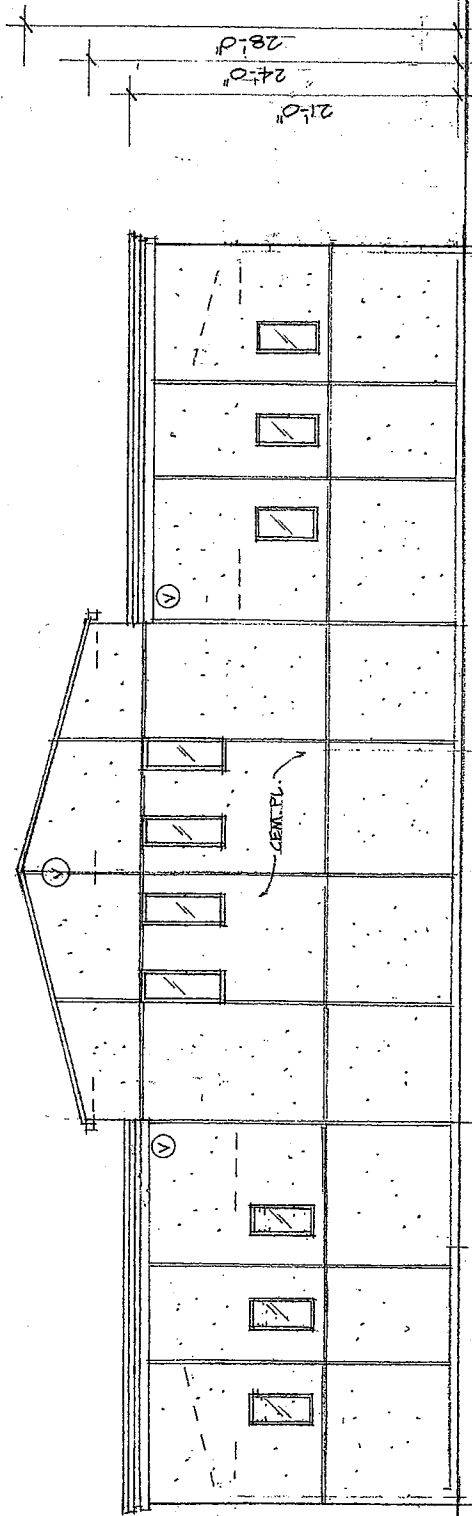
NORTH ELEVATION 1/8" = 1'-0"

NORTH & SOUTH ELEVS.  
 SUNROOM SHOWROOM  
 SONOMA BLVD., VALLEJO  
 JIM & PAUL CONNER  
 241 SIMS AVENUE  
 VALLEJO, CA 94590

ARCHITECT C-18950-28 NOV 1986  
 MR. ASHOK KERS  
 3201 VAN FLEET AVE  
 RICHMOND, CA 94804  
 (510) 528-3728

A-14  
 4 OF 10





EAST ELEVATION 1/8" = 1'-0"

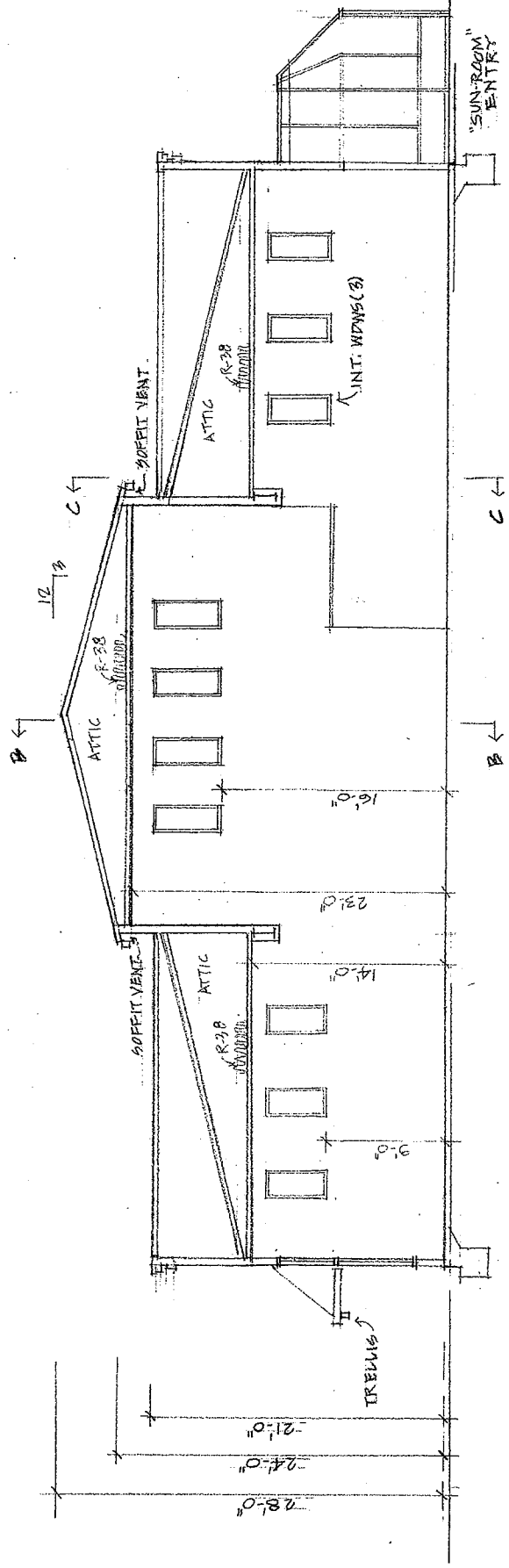
EAST ELEVATION

SUNROOM SHOWROOM  
 SONOMA BLVD., VALLEJO  
 JIM & PAM CONNER  
 24 SIMS AVENUE  
 VALLEJO, CA 94590

ARCHITECT C-18950 28 NOV 1996

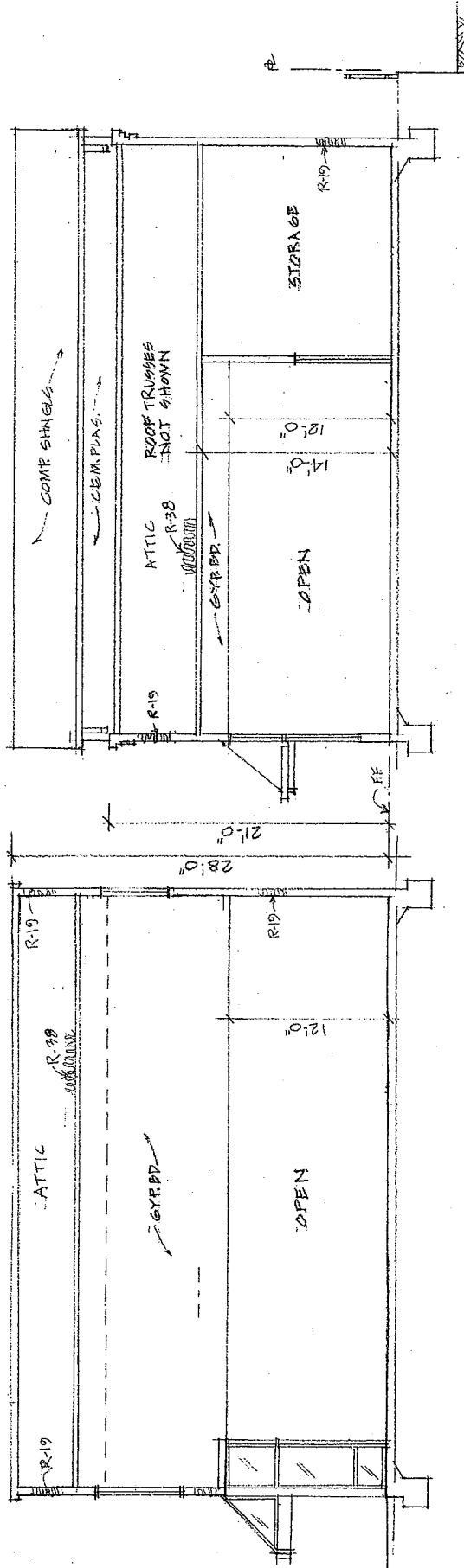
MR. ASHOK KERS  
 5201 VAN FLEET AVE  
 RICHMOND, CA 94804  
 (510) 528-2728

A#5



SECTION A-A 1/8"=1'-0"

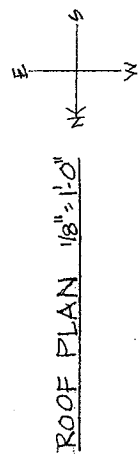
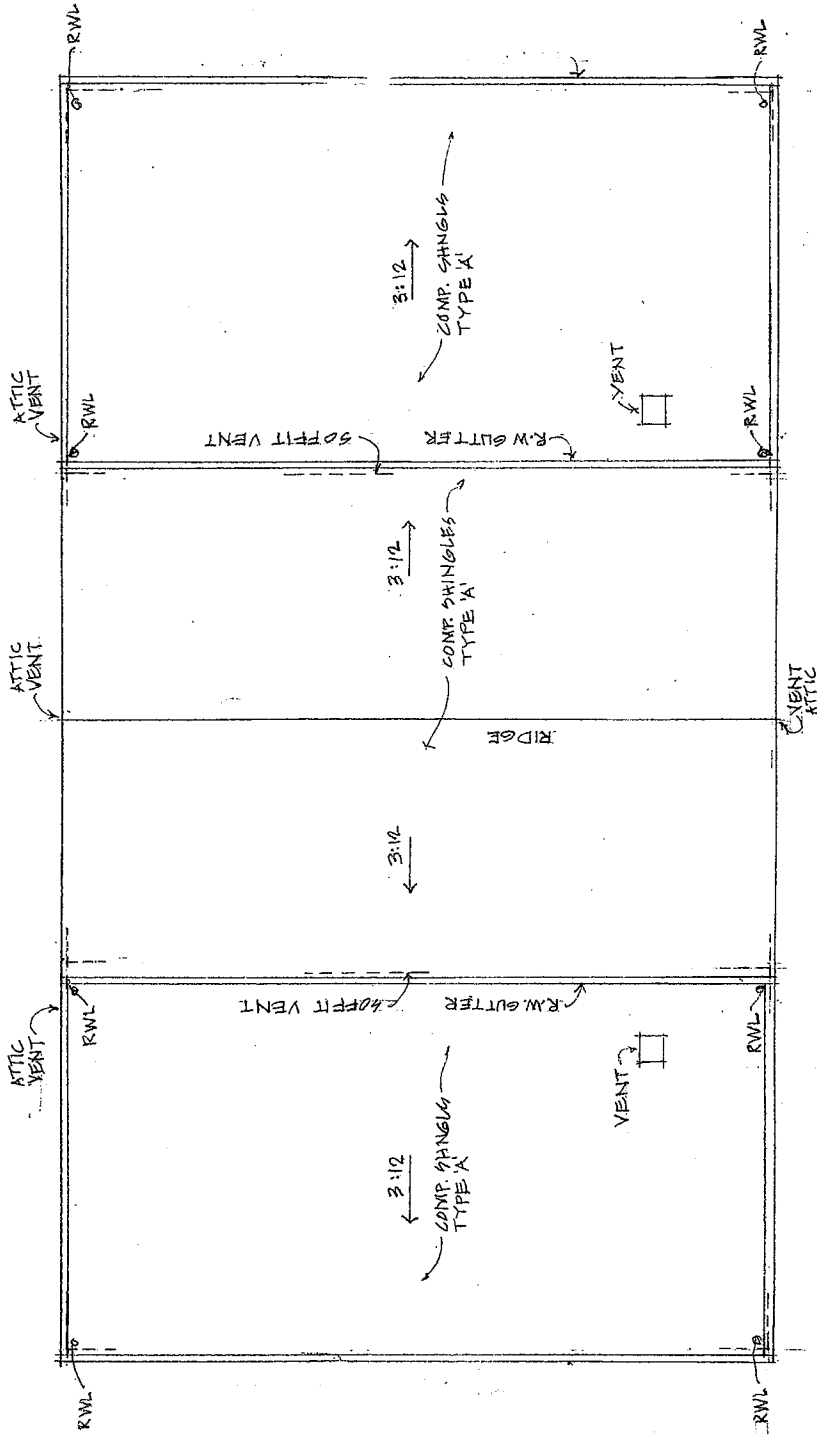
ARCHITECT C-18950 28 NOV 2006	SECTION A-A
MR. ASHOKE KERR 2901 VAN FLEET AV. RICHMOND, CA 94804 (510) 526-3708	SUNROOM SHOWROOM SONOMA BLVD, VALLEJO JIM & PAM CONNER 41 SIMS AVENUE VALLEJO, CA 94590
<b>A-6</b> 6 OF 10	



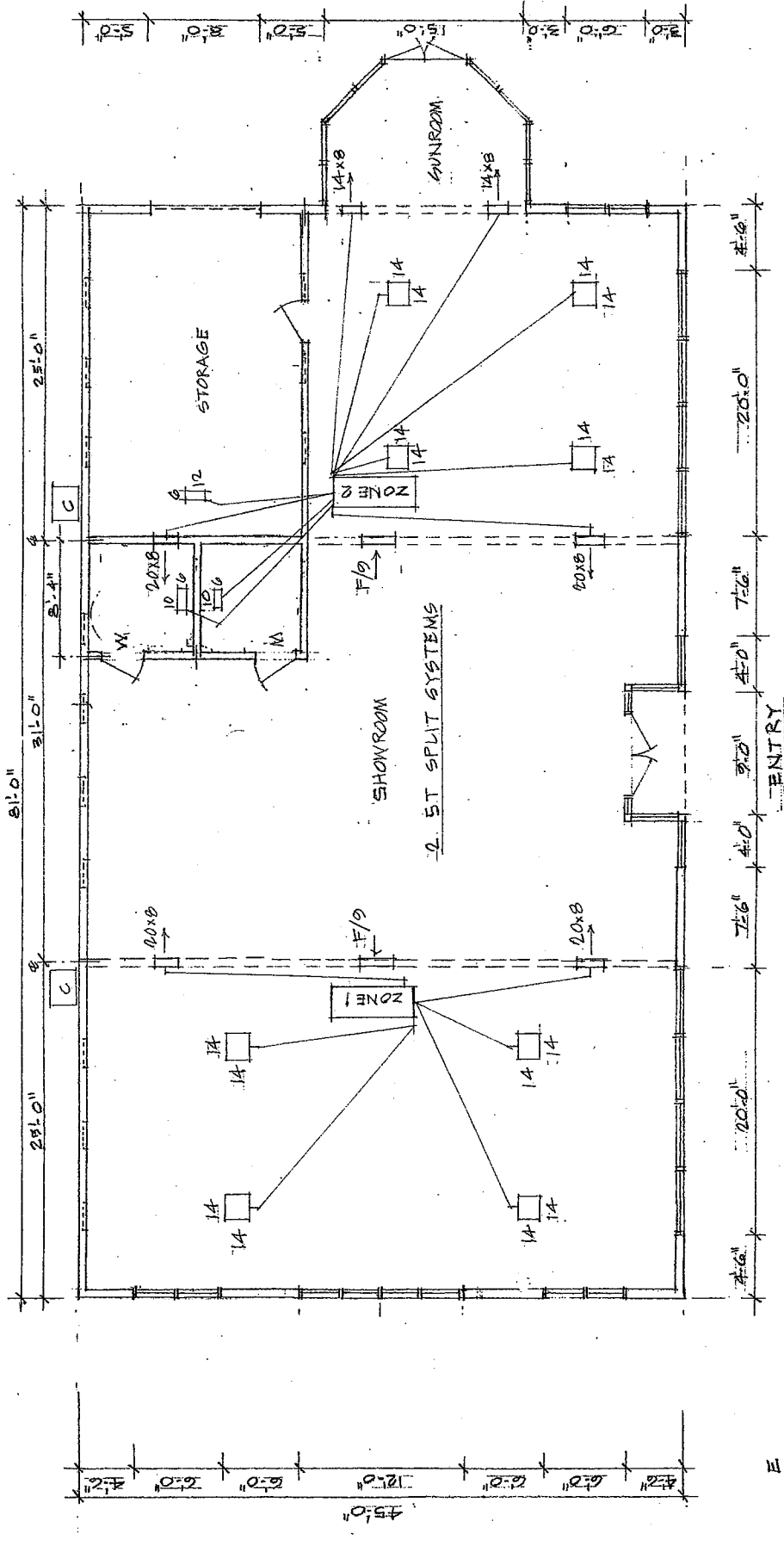
SECTION B-B 1/8"=1'-0"

SECTION C-C 1/8"=1'-0"

ARCHITECT C-18950 18 NOV 2006	ARCHITECT C-18950 18 NOV 2006
SECTION B-B, C-C SUN-ROOM SHOWROOM SONOMA BLVD, VALLEJO JIM & PAM CONNER 41 SIMS AVENUE VALLEJO, CA 94590	MR. ASHOKE, KERR 5921 VAN FLEET AVE. RICHMOND, CA 94804 (510) 528-3708
	A7 7 OF 10



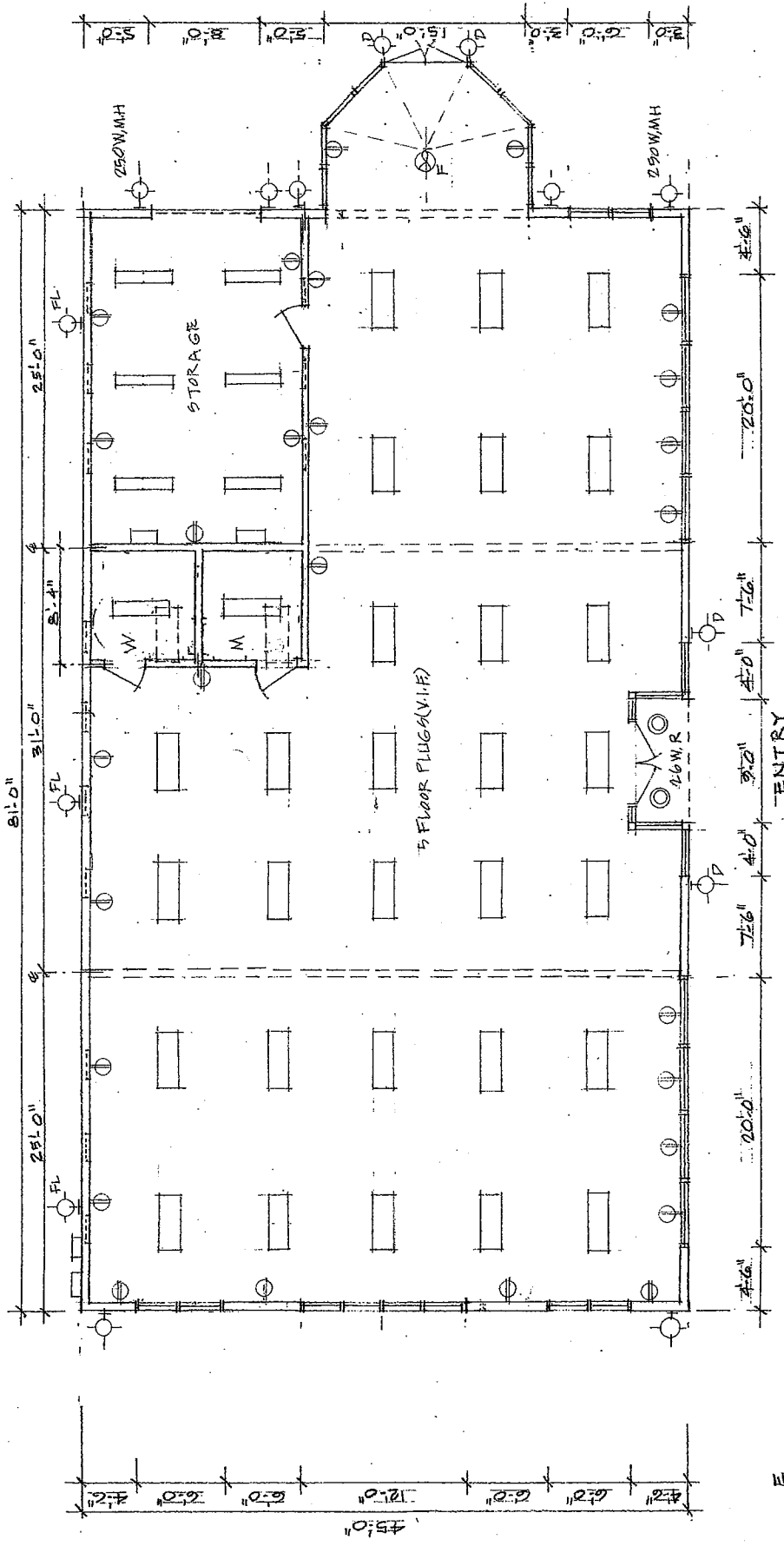
ARCHITECT C-18950 28 NOV 2006	<p><b>ROOF PLAN</b></p> <p>SLIN-ROOM SHOW ROOM  SONOMA BLVD, VALLEJO  JIM &amp; PAM CONNER  41 SIMS AVENUE  VALLEJO, CA 94590</p>
<p>MR. ASHOKE KERR  5901 VAN FLEET AVE.  RICHMOND, CA 94804  (510) 528-3708</p>	<p><b>A8</b></p> <p>8 OF 10</p>



MECHANICAL LAYOUT  
GROUND FLOOR PLAN 1"=8'0"

ARCHITECT C-18950	28. NOV. 2006
MR. ASHOK KERR 5901 VAN FLEET AVE. RICHMOND, CA 94704 (510) 528-3708	MECHANICAL LAYOUT
SUNROOM SHOWROOM SONOMA BLVD. YALLESJO JIM & PAM CONNER 41 SIMS AVENUE YALLESJO, CA. 94590	9 OF 10





ELECTRICAL LAYOUT  
GROUND FLOOR PLAN 1"=8'-0"

ARCHITECT C-189950 28 NOV 2006	MR. ASHORE KERR 5901 VAN FLEET AVE. RICHMOND, CA 94804 (510) 928-5708
ELECTRICAL LAYOUT	SHOWROOM SONOMA BLDG, VALLEJO JIM & PAM CONNER 41 SIMS AVENUE VALLEJO, CA 94590