

CITY OF VALLEJO PLANNING COMMISSION

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

MONDAY
5 MARCH 2007

7:00 P.M.

City Hall
555 Santa Clara Street
Vallejo, California 94590

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: November 20, 2006; February 5, 2007.
- E. CONSENT CALENDAR AND APPROVAL OF THE AGENDA
- F. REPORT OF THE SECRETARY
 - 1. Upcoming Meeting of Monday, March 19, 2007
 - a. Inclusionary Housing Ordinance, continued from March 5, 2007.
 - b. Development 06-0018 for a new custom home in Hiddenbrooke located at 1757 Durrow Ct. Continued from the meeting of March 5, 2007.
- 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. Inclusionary Housing Ordinance. Continued from the meeting of February 21, 2007.

Staff recommends a continuance to the meeting of March 19, 2007.
 - 2. Planned Development 06-0018 for a new custom home in Hiddenbrooke located at 1757 Durrow Ct. Proposed CEQA Action: Exempt. Continued from the meeting of February 5, 2007.

Continued to the meeting of March 19, 2007 at the request of the applicant.
 - 3. Use Permit 06-0018, is a request to modify the Planning Commission additional conditions placed on an Ice Cream Commissary located at 1853 Broadway Street. Proposed CEQA Action: Exempt. Continued from the meeting of February 5, 2007.

Due to the fact that these conditions were required by the Planning Commission, Planning Division recommends the Planning Commission reconsider the merits of the Applicant's request.
 - 4. Use Permit 06-0021 for beer and wine service at an existing Mexican restaurant located at 1598 Fairgrounds. Proposed CEQA Action: Exempt.

Staff recommends **approval** based on the findings and conditions.
 - 5. Use Permit 04-0022 for a self-service refueling center, fast food and sit-down restaurant on a vacant parcel fronting on Sonoma Blvd. Proposed CEQA Action: Mitigated Negative Declaration.

Staff recommends **adopting** a Mitigated Negative Declaration subject to the findings contained in the

attached resolution.

Staff recommends **approval** of Use Permit #04-0022 subject to the findings and conditions.

L. OTHER ITEMS

None.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

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- A. The meeting was called to order at 7:01 p.m.
- B. The pledge of allegiance to the flag was recited.

C. ROLL CALL:

Present: Commissioners Peterman, Manning, Legalos, Turley, Engelman.

Absent: Salvadori, McConnell.

- D. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 6, 2006 AND THE REGULAR MEETING OF NOVEMBER 6, 2006.

On a motion by Commissioner Peterman the minutes of September 6, 2006 were unanimously approved with Commissioner Manning abstaining.

With Commissioners Peterman and Manning abstaining from the vote and two Commissioners absent action could not be taken and the item was continued to the meeting of January 4, 2007.

E. CONSENT CALENDER AND APPROVAL OF THE AGENDA

On a motion by Commissioner Peterman the consent calendar and agenda were unanimously approved.

F. REPORT OF THE SECRETARY

- 1. Upcoming Meeting of Monday, November 20, 2006
 - a. Use Permit 06-0014 and Planned Development 06-0020. Applications for Costco expansion and tire center relocation/enlargement. Continued from the meeting of November 6, 2006.
 - b. Use Permit 546A appeal of staff determination concerning Rose Imports located at 3273 Sonoma Blvd.
 - c. Use Permit 06-0018 is an application for an Ice Cream Commissary located at 1853 Broadway Street.
 - d. Use Permit 06-0020 is an application for outdoor storage in the South Vallejo Industrial park located at 100 Corporate Place Suite A (PetroChem).

G. CITY ATTORNEY REPORT

Claudia Quintana: As I stated to you last time I attended the League of California Cities legislative briefings wherein they gave a whole lot of us attendees a list of the new laws for this year. What I am going to do, because there are laws that pertain to what you are doing here, in prepare a brief and hand it out in the next 2 to 4 weeks. On November 7, 2006 the City Council voted to go ahead with a resolution of intention to study whether or not the City of Vallejo needed an inclusionary housing ordinance. Staff is going to be working on that particular issue. The Housing Department is conducting some focus groups to get some information. It will probably be before you in either December or January to consider. I just wanted to alert you to that.

H. COMMUNITY FORUM

None.

I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS

None.

J. LIAISON REPORTS

1. Council Liaison to Planning Commission

None.

2. Planning Commission Liaison to City Council

Gerald Davis: Good evening Mr. Chairperson and Commissioners. I would first of all like to congratulate Gail Manning on her appointment to the Planning Commission. We had several excellent candidates and I think we have made a great selection. I wish her well. This is also my first chance to see Mr. Hazen in action, I understand he is the new Planning Manager for the City of Vallejo and I would like to welcome him also. About the biggest thing, and your Chairperson was there last Monday night, was the property that Wal-Mart bought on Redwood and Sonoma Blvd. It was a 5 hour meeting with 58 speakers. The end result was that the Council did vote to proceed with studies such as EIR and Economic Development studies and so forth. We certainly received the letter from the Planning Commission and took that into account. The majority of the Council, which was 4 to 3 in this case, believed that we needed the information to make a rational decision. That was our belief in how we voted how we did. The City Attorney has already mentioned the Inclusionary Zoning, which I personally oppose. That was 6 to 1 and that is the way it goes but the reason I opposed it, just so you know, and I am not lobbying you now, we have many ways of taking care of affordable housing. This was demonstrated most recently by the Bordoni Ranch approval where it was worked out where there would be 20 units of granny houses built into that. We will see what staff comes up with and what your advice on it is. I appreciate all the hard work that you are doing. Any questions?

K. PUBLIC HEARINGS

1. Zoning Map Amendment 05-0002, Planned Development 05-0012, and Tentative Map 05-0004. Applications for six units located at Illinois and Fern Street. Proposed CEQA Action: Mitigated Negative Declaration.

Staff recommends that the Planning Commission recommend City Council **approval**.

Darren Goon: On your dais tonight there is a handout for the PowerPoint presentation. You will also notice there is a memo to modify Public Works condition of approval #7, located on page 22 of the Staff Report. *Darren read both the old language and the new language.*

The project is located on Illinois Street. There is a neighborhood of existing single family homes are located to the west and south of the subject property. To the north are two detached multi-family residential units. Located to the east of the subject property is a legal non-conforming truck storage and maintenance facility.

There are four components to this project. First it requires a Mitigated Negative Declaration. Staff feels that to rezone the subject property and construct six single

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family dwellings could have a significant effect on the environment. However, the negative declaration and the initial study with the mitigation measures should make this project impacts less than significant. This initial study was made available for public review October 25, 2006. With the mitigated negative declaration staff concludes that potential adverse environmental effects of this problem would be less than significant.

The second component of this project is a Zoning Map Amendment. The property is currently zoned Intensive Use Limited (IU-L). The applicant is proposing to rezone this project to Planned Development Residential (PDR). That would yield a density of 12.76 units per gross acre. The General Plan for this property allows a density of 17.4 or more units per acre.

The third component of this project is the Planned Development Master Plan for the six residential units. These would be two-story detached manufactured dwelling units. The applicant will be making a presentation as well, which you have in front of you on the dais.

A couple things I want to point out: Staff is recommending staff is recommending Planning Condition of Approval #4 (Prior to Building Permit Submittal) that would require the applicant to work with staff to redesign and enhance the street-facing building elevations on the two units that are visible from Illinois Street. We felt it was necessary to enhance the most visible sides of the project. The Master Plan basically creates the Zoning for this project. PD allows for a varied amount of uses, setbacks and site development standards. Although the open space for these homes is minimal there is a building setback from property line to the house of about 20 feet.

To further enhance the streetscape and interior landscaping, staff has also recommended a condition that all five-gallon trees be upsized to 15 gallon trees per Planning Condition of Approval #8f (Prior to Building Permit Submittal).

In order to construct the proposed six homes, the two parcels, APN#'s 0056-024-080 and 090 (subject property), must be rezoned from Intensive Use Limited (IU-L) to Planned Development Residential (PDR) (Attachment C). The site development standards for each planned development are established on a case by case basis.

Darren gave a PowerPoint presentation on the project which included slides showing the parcels that would be rezoned and the zoning of the surrounding parcels, a brief overview of the site plan, landscaping including the fact that the tree size had been upsized to 15 gallon trees, floor plans, elevations, storm water prevention plan and erosion control, site utility plan, and their grading and drainage plan.

Staff feels that a planned development will create compact and well designed neighborhood that will create an individual open space with each home.

The last component of the project is a tentative map. The site is .47 acres. They want to divide that into six parcels. The proposed parcel sizes range from 1,936 square feet to 3,915 square feet. Lot dimensions would be approximately 54 feet x 72.5 feet. Two of the lots are proposed to be 40.5 feet by 72.5 feet. The remaining two lots would be 45.5 feet by 72.5 feet. Staff reviewed the map with the subdivision review guidelines, and the City's code on tentative maps and found that this project is consistent. Staff feels that this is a good project for this site. We feel that it is going to enhance the area. It will also serve as a transition between the low density uses and the adjacent legal non-conforming uses.

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Staff recommends that the Planning Commission forward a recommendation to the City Council **ADOPT** a Mitigated Negative Declaration subject to the mitigation measures contained in this report.

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Zoning Map Amendment #05-0002 subject to the findings and conditions provided in this report.

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Planned Unit Development #05-0012 subject to the findings and conditions provided in this report.

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Tentative Map #05-0004 subject to the findings and conditions provided in this report.

Any questions?

Commissioner Peterman: I remember a few months ago we had an issue with someone who lived near Couch Street with a facility that had a lot of noise nearby where they lived. I noticed that this has a truck maintenance and storage facility. Do you know the hours of that by any chance?

Darren Goon: It is pretty much just a daytime thing. It has been there for many, many years. During my site visits I never saw much activity going on. However, I do not know the exact operation hours or what they store in there.

Commissioner Peterman: There is no actual guest parking except in front of the garages.

Darren Goon: That is correct.

Commissioner Peterman: I love the fact that they are going to replace those chain link fences with wooden fences. I thank you also for increasing the sizes of the trees. I would hope that they would put landscaping along the fences between them and the truck maintenance and storage yards to further dampen that. I am glad that there are backyards so the families can enjoy being in the backyards. Good job with all of that thank you.

Commissioner Turley: The package shows one car garages. However, on the second page it seems that they are two car garages. Can you comment on that please?

Darren Goon: They would be two car garages. The applicant can better explain why the elevations show one car garages but the sit plan shows two car garages. In my conversations with the applicants they have expressed that they will all be two car garages.

Commissioner Turley: Page 2 shows the garages exactly opposite of each other. Is that correct?

Darren Goon: Yes.

Commissioner Turley: I am a little concerned about two people across the street from each other backing out at the same time and causing a problem in the

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neighborhood. Is it at all feasible to stagger the garages so when they back out they would not have a chance to back into their neighbor?

Darren Goon: That is something that staff could work out with the applicant. The applicant is in the audience tonight and they have a representative from their manufacturer. They can give you their input on that also.

Commissioner Turley: I think you said there would be an association there, right?

Darren Goon: Condition number 7 that Public Works is modifying says that there would not be an HOA but they would have CC&Rs which are privately enforced.

Commissioner Turley: Would the cleaning and maintaining of the main driveway be included in that?

Darren Goon: There is something that could be added into their CC&Rs.

Commissioner Turley: Standing in the street looking at this project, on the right hand side is where they store these moving trucks, right?

Darren Goon: Correct.

Commissioner Turley: These trucks are roughly 15 feet high. If you put a six foot fence in there, there will be about 9 feet of ugly trucks showing above the fence. How would a 15 foot fence along that one line work so that the houses would be shaded from those ugly trucks parked there?

Darren Goon: Staff would have to research that and check if that could be made as part of the planned development.

Don Hazen: We have had some preliminary discussions with that adjacent property owner. I believe they may in the near future be submitting a residential housing project for that site. In addition to that staff would not recommend a 15 foot high fence. There is just not a lot of activity occurring on that site right now and I think the highest and best use of that underutilized parcel is eventually going to be more of a residential nature. Such a tall barrier would not be a good idea from the Police standpoint of stopping crime. They would not want to create such a blind spot back behind those units.

Commissioner Manning: Thank you for such a nice report. It made my job easy. When you say enhancements on the Illinois Street side, what do you mean by that?

Darren Goon: If you look at the site plan on page two of the attachments there would be a porch of some sort there. Staff would like the opportunity to work with the applicant to come up with an enhanced elevation, something that would give it some visual interest as viewed from Illinois Street so it look more like the front of a house. That could be achieved through several things: landscaping, trim, the addition of a porch.

Chairperson Legalos: On page 25 it refers to the map as a vesting tentative map. We have had some controversy over that language earlier this year. On page one it says it is a tentative map.

Darren Goon: To clarify that, it is a tentative map. The word vesting was a typo on staff's part. We apologize for that.

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Chairperson Legalos: I also had a question on the fence and the truck storage. The tentative map shows a seven foot fence. I thought that the height limit in Vallejo was six feet.

Darren Goon: That is correct. Staff added a condition about the modification of the fence. If you give me just a minute I can find that condition for you. That is prior to building permits for Planning, on page 12, Condition number 6. So we have addressed that.

Commissioner Legalos: Thank you. I am sorry I missed that. The last question I have is on the Neg Dec. Some of the items listed in the Neg Dec at the bottom of the page I do not find listed in the check sheet such as aesthetics and there are others.

Don Hazen: I can address that. What is on the cover sheet are all of the categories. Only the ones that are checked off have the mitigation measures. What you are looking at is just the standard form and then the Xs are on the ones that are applicable.

Chairperson Legalos: On the standard form they have not indicated impacts for several areas.

Don Hazen: Only the ones with Xs have impacts.

Chairperson Legalos: Was there an error in the report?

Darren Goon: There was an error underneath the section that says Environmental Factors Potentially Effected. It is possible that we may have missed an X or inadvertently put an X somewhere.

Chairperson Legalos: Well the Xs are not there but the items are listed in the report as items where there is an impact. I am looking at the first page of the Neg Dec., the last paragraph where it lists initial study identified potential impacts and you have about eight areas listed there. The checklist does not identify impacts to four of those areas.

Don Hazen: We would want you to look at the actual checklist. The other references are in error. If the City Council ultimately adopts the Neg Dec that cover sheet would be corrected and what gets actually recorded at the Clerk's office will be the actual mitigations based on the checklist itself. I apologize for that confusion.

Chairperson Legalos opened the Public Hearing.

John Piccolo-Wignall: I am the Principal Partner in the CLW Partnership. Primarily I am here to address some of your questions. I would like to address the misspelling of the projects name. It is Paissano Villages, which means good friends in Italian. The reason I came up with that is two fold. My aunt and uncle, who I love very dearly own Paissano's restaurant here in Vallejo. The whole intent of this Paissano Villages Planned Development is to bring together close friends. The intent of marketing this project is for young couples to get a starter home and everyone conversing and watching together to facilitate a proper environment for the growing family. I want to address the access and egress for the project. I sat in detail with the City Engineer regarding the driveways. It satisfied his requirements for backing up. The radius was sufficient to make sure the cars were not going to be backing into each other. It is a relatively small project. I came before this Commission about 18 months ago with the intent of putting apartments on the project. There were some concerns from the neighbors that addressed the preference for having single family homes there. After

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speaking with the Planning Division they basically convinced me to look at PUDs. After a lot of soul searching I was persuaded to look at single family residences in the form of a PUD. I have been working with the City for about a year and a half and I am satisfied with this project. I know there may be some people in the audience that may have some concerns about the water runoff and things of that nature but I have been working with the City for a long time to address all these problems. I have a couple representatives here to speak on my behalf regarding modular homes as well as my Civil Engineer to discuss some of the issues regarding site drainage and soil erosion and things of that nature. Feel free to ask them up whenever you would like. They will be happy to answer any questions you have. Do you have any questions for me?

Commissioner Manning: In your drawings you have pictures of front porches. Do you intend to put front porches on the front of the homes?

John Piccolo-Wignall: Staff has asked me to increase the visual impact of the homes on Illinois Street. Certainly I was planning on doing that as well as the front elevations on the remaining four homes. The plans that you see before you basically came from the factory. They are generic. My intent is to enhance all of the homes whether it be different variations in the pitch of the roof, porches with brick or stone or stucco, or a combination of things. I will do it to all of the houses. I do not want to give special treatment to the ones that face Illinois.

Commissioner Manning: I have a suggestion. I would encourage you to look at the neighborhood around you; particularly on Fern Street. There are great old homes there. There is also the Historic Museum. You could go and look at old homes there.

John Piccolo-Wignall: I welcome your input. You can put any conditions you wish with me having to adhere to the architectural concerns you might have. I am currently doing 8 homes in Fairfield and these questions are not new to me. I am prepared to address them with staff.

Commissioner Manning: I was happy to see that the trees were upgraded from 5 gallon to 15 gallon trees. Have you gotten the tree list from the City?

John Piccolo-Wignall: Yes. I do quality projects. I just want to express that to you tonight. I was born and raised here in Vallejo. This is pretty much my home. I went to school here. I have my name on this project as well as my other projects and I stand by my work.

Commissioner Manning: You will look to the neighborhood around you in picking the trees?

John Piccolo-Wignall: Staff is working with us on a list of trees that will fit the neighborhood.

Commissioner Manning: The Beautification Commission has put together a list of accepted trees for the City of Vallejo. The trees should not only fit the neighborhood but come off that list.

Commissioner Legalos: On the tentative map in between the garages that are built out to the road it shows some dots and dashes. Then Attachment A, which shows the drawing of the façades it shows what looks like a fence that is probably about 4 or 5 feet wide. What is the actual spacing between the garages?

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John Piccolo-Wignall: Between the garages we cannot abut them together. There has to be a one hour separation between them based on staff's recommendation. We are actually separating them by one inch to adhere to the guidelines for an appraisal standpoint. They cannot be like condominiums. They have to be physically separated.

Commissioner Legalos: How does one maintain those walls with only one inch between them?

John Piccolo-Wignall: There will be a façade board covering that up. There is no reason for any maintenance in that one inch space between those walls.

Commissioner Legalos: The material does not need to be painted or cleaned?

John Piccolo-Wignall: No because if you look at the ridge line it is a dado it is not a valley going between the garages. There are going to be pretty much touching gables. There won't be anything coming down there. In actuality there will be a piece of sheet metal about 12 inches long that will actually connect the two. But from a structural standpoint for intensive purposes they will not be attached.

Commissioner Legalos: They will be independent?

John Piccolo-Wignall: Yes.

Commissioner Legalos: This is a small thing. It will just be an architectural enhancement.

John Piccolo-Wignall: Probably.

Otis Orsburn: I am with Silvercrest Western Homes. We are the manufacturers of factory built housing. Essentially what we find with the type of homes that we build is that there is a lot of misconceptions and fears that people have on the quality and durability and the compatibility of our homes with existing neighborhoods. *Mr. Orsburn did a PowerPoint that showed examples of homes his company provides. The quality, enhancements, floor plans, elevations, and manufacturing process were all discussed. All homes meet standard building code. They can have one, two or three garages and there are various types of architecture and models. Factory tours are given every Saturday in Woodland if anyone is interested in coming.*

Commissioner Turley: This type of home is new to me. I would like to ask you how many modules per house that you are going to be building here are there?

Otis Orsburn: With this particular product there are two home sections per home; a lower floor and a second floor.

Commissioner Turley: From the time you set the first module how long does it take to complete that home?

Otis Orsburn: It is really up to the general contractor. Typically a home from start to finish should be about 30 days.

Commissioner Turley: If you build the two or three modules in Woodland why are you then building the garages on site?

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Otis Orsburn: It is the difference in elevation. There is a small crawl space in the California built homes and the garages are on grade. There is a crawl space that is transportable and you build the garage to meet the difference in elevation.

Commissioner Turley: So you are saying there is a crawl space under the houses?

Otis Orsburn: Yes there is of about 15 inches.

John Moore, 1132 Tennessee St, Vallejo: My purpose is to share some experiences that I have had with this particular neighborhood over time and also to tell you that I represented the applicant in the acquisition of the property and also the owners of the property to the west and east of the property. About 15 years ago one of my clients wanted to do something similar with this property and unfortunately his partner wanted to do a commercial project. At that time Mike Meiring indicated to us that the City was really looking to do a rezone of the entire area to bring it more in line with its intended use. As you know there is a significant amount of spot zoning in Vallejo. This property at that time was MDR. Seeing what this applicant is wanting to do is bringing to the forefront what the City of Vallejo Planning staff has been trying to do in this neighborhood for the past 15 years. I am certain that the quality of work that he is capable of doing will enhance and encourage other property owners in that neighborhood to bring the same quality projects into that neighborhood. I hope you will give this project your favorable consideration and approve it and recommend to the City Council their approval. Thank you.

Phil Eifstrom: I am here tonight to represent Mr. Buck Kamphausen. We own the property at 623 Broadway, which includes the trucking facility adjacent NE of the property. We have no problems with this project and are very impressed with what we have seen so far. We highly recommend that you approve this project. Thank you.

Chairperson Legalos: Would it be possible to park those trucks on the other side of the lot so that they would not be adjacent to the homes that are being built?

Phil Eifstrom: What I would do is let Mr. Sessler address that. I am just here representing the owner.

Fred Sessler, 617 Amador St, Vallejo: I am here to ask for approval of this particular development. I will address the trucks and boxes that are in the other lot at the other moment. This project is the perfect example of infill which the Council has been asking those of us in the industry to do for some time. I feel that the manufactured home is just as good as one that would be built by any other construction company. I have given the tenant of the property with the trucks and boxes notice to move. I hope to have that cleaned up within the next 30 to 60 days. We do plan a residential project on our property. We do plan to come in and ask you to rezone the other property. Right now these two properties are zoned industrial. That means we could put warehouses into that single-family neighborhood. With his development and our development we think we would be improving that neighborhood very much and cleaning it up. We hope to accomplish something for the City Of Vallejo. I hope you approve this project.

Mike Coakley, 1516 Vervais Ave, Vallejo: I am a property manager and I drive all over town every day trying to locate people and residents. In 1954 I had a girlfriend that lived on that street and I know the neighborhood well. That street is a very narrow street and I understand that. All I see is that looking at that area it has been kind of a blight. I think that what these two owners are trying to do is nothing but positive for Vallejo. It is a step forward. They are fixing the inside of the City first

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which is what I think more cities should do. I hope you give a favorable opinion to this. Thank you.

Jack Ohringer: I am probably the closest person to this project. I live at 1727 Fern but my property does abut the project. I have properties on Illinois and Fern. I like the project. I am very happy that they are not putting apartments there. I would have been very unhappy with apartments. I read in the paper about affordable housing. While I agree with the idea I don't like the way it sounds. It has a temporary affect on the builder and a long term affect on the neighborhood. It is not very pleasant to have your property affected. Anyway I am for the project and as the closest person to it I thought I would express that.

Chairperson Legalos closed the Public Hearing.

Commissioner Engelman: If there are no further statements from the Commission I would like to offer approval of the project.

Two additional speakers came forward, Commissioner Engelman delayed her motion until after they spoke and Chairperson Legalos reopened the Public Hearing.

Cecil Pearson: I have observed this vacant lot for a long time. The housing that is being proposed on there is being rezoned to be a mobile home park. The rezoning is required because the lots are substandard in size. If they built some of the houses that they showed and had some character to them that would be good. There is room for three large homes on that lot, manufactured or not. When you put six on that lot, side by side, it allows for only two car spaces. There are four bedrooms and three bathrooms in each one of those units. That is a bigger potential for four cars to be parked next to that house which is going to overload that parking area since there is only two parking spaces per house. The houses are double stacked. They are only 15 feet wide. They are not 30 feet wide. They are 15 feet wide and 26 feet tall. That is like a big silo with a garage tacked on the side of it. The storage lot next to it would love to see this project go in there because then they would rezone their lot and do the same thing. What we would have is a high-density modular home park. It is not going to fit into the neighborhood because it is just stacked up houses. It is not what they built it is how many they built. The streets there are deteriorating. Our street is almost a gravel road now. Our street is a thoroughfare all the way from Broadway to Sonoma. There is no speed bumps and no stop signs. People travel that street at 40 or 50 miles per hour. If you put a whole bunch more house in there with 4 bedrooms in them it sounds like you would either end up with a whole lot of people in there or a whole lot of kids with traffic zooming down the street. There is poor lighting on the street. Napa Street is the same. All the neighborhood streets are deteriorated and narrow. This project would put a lot of traffic on them. This is a flood area. There is only four storm drains on that street, all the way from Broadway to Sutter. In the last flood that street flooded so much people were running a boat up and down that street. The sewers fill up and backed into the houses. The infrastructure is not ready to be increased with more houses of that density until it is fixed. I don't think they should build it. I need to add that I have a petition that is signed by 58 of the residents opposing this.

Jeri MacDonald: I have heard many people speak here this evening for this project. I actually I actually live in the neighborhood. The neighborhood in which these units are proposed is full of beautiful ornate stucco homes built in the 1930s. I ask that the City Council drive by if they are unfamiliar with the area. People have been restoring, fixing up, painting these homes. They have been putting a lot of money, work and effort into fixing their homes. I have spent \$40,000 on my home so far. I do not want a multi-unit, high-density, over-crowded, and over-stressed, six-unit complex at the

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end of my street in a very little lot. If you have not seen the size of this lot please do so. If the developer wants to develop six units that is way too much. I think it would be much too much traffic. The architectural history of the neighborhood is not in mind in this development. Already the developer has cut down a huge palm tree that was on the property and put up a cyclone fence. Garbage continues to grow on this site. I think the neighbors have been very concerned. The developer said he was listening to the residents of the neighborhood. I find that hard to believe. This is the first time I have ever see him. I ask that four units, at most, be allowed on this lot and that they reflect the time period and style of the other homes in this area as you did for the Star Mansion area. The beauty of this neighborhood continues to improve and I would hope that it is not going to be undermined by manufactured housing. I do not think the drawings and material that has been given to the Commission reflects the true nature of this development. Please take this statement to hand. Reconsider what is being built. I do not want my property value to diminish. I want that area to continue to grow and become a beautiful section of Vallejo. Thank you.

Chairperson Legalos reclosed the Public Hearing.

Commissioner Turley: I thought this project was clear sailing until the last two speakers. This gentleman mentioned that he had a petition with 58 signatures against this project. I am just a little disappointed that a large part of these 58 people did not show up tonight to explain their comments in person. However, assuming that the petition is legitimate, I am concerned about these 58 signatures. He also mentioned the storm drains are overloaded. On this project there are a lot of surface areas and all that water is going to be dumped into the street. I am concerned about having to row a boat down the street. I would like to see a little more input from the Commissioners. Just to rubber stamp this project and find out it contributes unfavorably to a bad situation would not be acceptable. Those are my comments for now.

Chairperson Legalos: Because the applicant has asked for an opportunity to respond to some of the concerns that were raised and I am going to reopen the Public Hearing for the second time.

John Piccolo-Wignall: There has been a misinformation campaign that Cecil Pearson has been conducting for the last two weeks. I spoke with Darren Goon a couple weeks ago regarding public comments and there were very minimal public comments to this project. When it was brought to our attention that this individual was going around misinforming the general public about this project my partner and I, over the last three days, have contacted several members that reside in that area and for every single one, with the exception of one or two, we were able to persuade them that this was not a trailer park, these were not inferior homes, these are all built to UBC standards, and in fact our standards exceed the standards required by the Vallejo Building Division. Number two, addressing the issue of the water in the storm drains, the storm last year had an impact on all of the State of California. It was pretty much a 100 year flood. I have my Civil Engineer here tonight who has worked extensively with Mr. Sharife in Public Works to address any concerns about erosion and surface water, and things of that nature. I just wanted to address those two points and if there were any other questions feel free to ask.

Commissioner Manning: Can you tell us roughly how much you are going to ask for each of those homes?

John Piccolo-Wignall: My partner, Ray Jackson, he is an appraiser, and we have estimated for our market the going rate that a 3 bedroom 2 ½ bath home goes for

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\$410,000 and the larger units would go for about \$435,000. It is approximately what the current market is for that area.

Commissioner Turley: Mr. Chairperson could you please ask Mr. Cecil Pearson to bring his petition up for us to examine.

Chairperson Legalos: Yes, thank you Commissioner Turley. I would request that Mr. Pearson bring the petition up and give it to Ms. Marshall please.

Commissioner Engelman made a motion that the Commission take a short break to examine the petition.

AYES: Engelman, Turley, Manning, Legalos, Peterman.

NOS: None.

ABSENT: McConnell, Salvadori.

Motion carries.

The Commission took a seven minute break and reconvened at 8:40 pm.

Commissioner Turley: Mr. Chairperson do you know of anyone here tonight that knows about the flooding condition on that street in the past. I mean an engineer. Perhaps if Brian Dolan were here tonight, because he has been here a long time, he might know. When this project was approved by Public Works did they take into consideration that these storm sewers were overloaded? Did they take into consideration of all the water that would be collecting on this project dumping into the street? Can you answer that please?

Chairperson Legalos: I think I will ask Mr. Hazen to respond to that.

Don Hazen: The Public Works Department has approved this application and what they submitted to you for your consideration are conditions of approval. In the conditions they do have things related to flooding and hydrology and those sort of infrastructure impacts. There is no Public Works representative here this evening but I think we have to assume that those conditions they recommended are conditions of approval. So these are simply engineering matters that they reviewed when these plans moved forward. We got no indications from Public Works that there are unavoidable impacts that this project did not address to their satisfaction.

Commissioner Turley: Do you happen to know if larger storm drains have been installed since the last flood?

Don Hazen: That I certainly could not tell you but they are not asking for oversized storm drains in this project's conditions of approval.

Commissioner Turley: Mr. Chairperson if this street was flooded out and they were rowing boats down there and you are adding to that situation small storm drains don't make sense.

Chairperson Legalos: I think we need to get some factual information about the flooding situation and potential on that street.

Commissioner Engelman: On page 11 on hydrology and watercology the applicant is required to make mitigations as stated in a letter 2/26/06 by the Waterfront Engineering. They also have conditions from VSFCO. On page 13 the Public Works Department has requires them to comply with the City of Vallejo flood protection.

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Prior to building permit submittal a geotechnical report must be submitted for review which will give you your water and drainage and soil circulation. Drainage, irrigation, site grading, utility and landscape plans must be submitted for review and approval. If you start looking through the conditions of approval the staff has been pretty adequate. We have to remember here that we are only a recommending body we are not the final authority. This will be forwarded to the City Council for final approval. It is their jurisdiction for the streets and the conditions of the roads and the condition of landscaping. Our duty is to recommend approval or not. The applicants and the opponents have the right to state their case before the City Council. In the conditions of approval the staff has already made the necessary requirements to mitigate the problems that were brought up tonight. That is happening all over the City with the roads. That is one of the main complaints we hear.

The first tape stopped and the second one did not click on automatically as it should have. A comment by Chairperson Legalos and one by Commissioner Manning was missed.

Commissioner Peterman: One of the concerns of the neighbors seems to be the lighting issue.

John Piccolo-Wignall: We have a standard established by the Police Department that deals with the lighting. We will have the project lit per Police Department standards. We have used that on other projects here in Vallejo and it seems to work well. There are motion detectors and things of that nature. Going to the concerns about the price of the homes. I did a project on Monterey Street last year which sold for \$460,000. There were granite counter tops and Brazilian hardwood floors. It was very nice.

Commissioner Peterman: I also would like to say that I totally support infill because as I drive around Vallejo I see a lot of blighted areas and I think we really need to do something about those little pockets of blight. I totally support that kind of infill that will help to develop it and make it into a residential neighborhood.

Commissioner Turley: It seems like our responsibility is to ask all the questions and get all the answers. As far as I am concerned I do not have an answer right now as to whether this project will adversely affect the flooding conditions on that street. If we postponed this to the next meeting we would not have to re-discuss the entire project all we would have to do was determine the flooding situation. I would hate to have this go to City Council and then they had questions about the water and ask the Planning Commission what they were thinking. I will not be able to support this project.

Don Hazen: I think it is staff's responsibility to provide those answers for you. I would like to draw your attention to page 13 of the initial study checklist, subsection D. Staff was required to prepare the initial study and one of the things that we look at in the environmental review is if there will be any runoff or drainage issues. Section D, which the Public Works Department provided specifically says that this project is a small residential project that is less than one acre. All site drainage will be directed to the City storm drainage system. Conditions initiated by VSFCD will prevent the project from having any significant drainage, flooding or water quality impact. I believe that addresses the issue. I just wanted to reiterate that for the record and hope that that would address that issue.

Commissioner Engelman: I have no problem with this project. Chairperson Legalos reminded me of a project we turned down and got soundly overturned at City Council. That is when our liaison came to us and said that he would appreciate it if we would

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try to improve on what we feel about these infill projects. Anyway, I do feel this is a good project. The neighbors do have some concerns and I hope that between now and the time this goes to City Council you will take measures to alleviate some of these concerns. I will move that we recommend that the City Council adopt a mitigated negative declaration subject to the findings contained in this report and that we send recommendations to the City Council that they approve Zoning Map Amendment #05-0002, approve Planned Unit Development #05-0012, and approve Tentative Map #05-0004 with the findings and conditions in the staff report incorporating the change in Public Works Condition #5 on page 22 to read as noted in the memo provided to the Commission by staff.

Claudia Quintana: On a rezoning the Commission needs to find that it is consistent with the General Plan so I would ask that you include that finding in your motion and your reasons why it is or is not.

Commissioner Engelman: I will add that we find that it is consistent with the General Plan. Does that clear it up.

Claudia Quintana: Yes.

Don Hazen: I would just like to add one thing. If we could also add as part of that motion that staff clean up the document to eliminate any inconsistencies related to the environmental review so that what we forward to City Council would be a good clean, consistent document.

Commissioner Peterman: I would like to add a friendly amendment that the applicant take into account and consideration the nature and character of the neighborhood when working on the exteriors of the buildings.

Commissioner Engelman: I will add the cleaning up of the environmental review and accept Commissioner Peterman's friendly amendment.

Chairperson Legalos: Concerning the petition that we have received, we have discussed some of the issues with Mr. Hazen and Ms. Quintana. The statement that the six houses overcrowds the lot is true is it were zoned low density residential. However it is presently zoned Intensive Use Limited and will be rezoned to Planned Development and this does not apply. We, on this Commission, several months ago approved a project with higher density on Sonoma Blvd, and prior to that we approved phase two of Sycamore Place. This project is consistent with other projects that we have approved. The City Council has the auspice to look favorably with this kind of development. That said we have had a request to reopen the public hearing so the opponents could give us a re-rebuttal. I am not going to do that. That is not part of our process. However, the opponents of this proposal will have the opportunity to speak before the City Council if we do recommend a recommendation of approval.

AYES: Engelman, Turley, Manning, Legalos, Peterman.

NOS: None.

ABSENT: McConnell, Salvadori.

Motion carries.

These findings are made based upon all evidence in the record including the staff report, all of which are incorporated by reference.

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- A. The proposed Zoning Map Amendment as conditioned is consistent with the General Plan.
- B. The proposed Zoning Map Amendment is necessary for the development of the six family homes.
- C. The proposed Zoning Map Amendment is necessary for the future orderly and consistent development of the subject area.

Planned Unit Development (Master Plan / Unit Plan)

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Planned Unit Development (Master Plan / Unit Plan) #05-0012 subject to the findings and conditions provided in this report.

Findings:

These findings are made based upon all evidence in the record including the staff report, all of which are incorporated by reference.

- A. The proposed master plan is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report. The project is not located in a specific plan area.
- B. The master plan furthers the stated purpose of the planned development district per Section 9 of this report.
- C. The master plan is in conformity with public convenience, the general welfare and good land use practice.
- D. The master plan will not be detrimental to health, safety and general welfare per Section 9 and the proposed Mitigated Negative Declaration.
- E. The master plan will not adversely affect the orderly development or the preservation of property values.
- F. The unit plan is consistent with the intent, purpose and development standards of the master plan per Section 9 of this report.
- G. The unit plan serves to achieve groupings of structures which will be well related one to another and which, 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 Section 9 of this report.
- H. The unit plan is of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

Tentative Map

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Tentative Map #05-0004 subject to the findings and conditions provided in this report.

Findings:

These findings are made based upon all evidence in the record including the staff report, all of which are incorporated by reference.

- A. The Tentative Map is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report.
- B. The Tentative Map will not result in any significant environmental impacts that cannot be mitigated per Section 2 of this report.
- C. As conditioned, the Tentative Map meets the specific standards prescribed in the Zoning Ordinance as discussed in Section 4 of this report.
- D. As conditioned, the Tentative Map is in conformance with the Subdivision Map Act and the Subdivision Ordinance as discussed in Section 5 of this report.

CONDITION COMPLIANCE REQUIRED PRIOR TO BUILDNG PERMIT SUBMITTAL:

Planning Division

1. Prior to submittal of final map, submit a numbered list to the Planning Division stating how each project requirement 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 a complete set of construction plans to the project planner for review and approval.
3. The project shall comply with all measures included in the Mitigated Negative Declaration.

MITIGATION MEASURES

Air Quality

Construction Phase:

- 1) Water active sites at least twice daily.
- 2) Cover all trucks hauling dirt, sand, soil, or other loose materials. Maintain at least six inches of freeboard.
- 3) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- 4) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- 5) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- 6) Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas

(previously graded areas inactive for ten days or more).

- 7) Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- 8) Limit traffic speeds on unpaved roads to 15 mph.
- 9) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- 10) Replant vegetation in disturbed areas as quickly as possible.

CULTURAL RESOURCES

- 1) In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified.

HYDROLOGY AND WATER QUALITY

- 1) The project is located within a 100-year flood zone. The applicant shall mitigation measures as proposed in the letter dated February 16, 2006 by Waterfront Engineering.

NOISE

- 1) Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- 2) The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 3) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.
- 4) During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- 5) Mechanical ventilation such as air conditioning systems shall be required for all dwelling units on site to ensure that windows can remain closed for prolonged periods of time to meet interior noise standards.

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4. Prior to building permit submittal, submit a colors and materials board, showing the exterior materials to be used. T-111 or Panel Siding shall not be used on this project.
5. Prior to the building permit submittal, submit details of the window, door and garage trim to the project planner for review and approval.
6. Prior to building permit submittal, submit details and location of any proposed fencing to the Project Planner for review and approval. Fencing shall comply with Section 16.70 of the Vallejo Municipal Code. The fencing shown on page C-1 of the submitted plans calls for seven (7) foot high wood fencing, the maximum height of fencing shall not exceed six (6) feet per Section 16.70. 060F of the Vallejo Municipal Code.
7. Prior to building permit submittal, work with staff to revise the two side elevations for the two units that front on Illinois Street. The revised elevations shall be enhanced architecturally to provide more visual interest as viewed from Illinois Street.
8. Prior to building permit submittal, the applicant shall work with staff to revise the landscape plans to meet City requirements. Submit 2 sets of revised 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. The use of a variety of plant materials including perennials and ornamental grasses.
 - b. A minimum of 1 City-approved street tree per unit to be planted at least 6 feet from any sewer line;
 - c. Specification of low growth type species adjacent to doors, windows and walkways;
 - d. Low-water using and drought-resistant plant materials;
 - e. Screening of required backflow preventer;
 - f. All trees to be minimum of 15 gallon, double staked; at least 50% of the proposed shrubs shall be a minimum of 5 gallon;
 - g. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage.
9. Prior to building permit submittal, submit an official stamped certification by a licensed and registered engineer or architect that the proposed project and structure complies with Section 7.98 (Floodplain Management Regulations).

Building Division

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1. Prior to building permit submittal, submit a revised roof plan. The roof valleys as presently illustrated show roof valleys dumping water over and at the property lines
2. Prior to building permit submittal, submit plans showing that the garage walls at the property line have a one-hour construction.

Public Works Department

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. (PW1)
2. Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR) and secure their approval.
3. Comply with the City of Vallejo Flood Damage Protection Ordinance (Section 7.98 of the Vallejo Municipal Code).
4. Prior to building permit submittal, submit a geotechnical investigation report for this project for review.
5. Prior to building permit submittal, submit a site grading, drainage, improvement, utility and landscaping and irrigation plans for review and approval. Site plan shall show all proposed and existing improvements and utility services. Secure approval of the site plan prior to building permit submittal.
6. Prior to building permit submittal, establish a common access, drainage, parking and utility easements with in the common area for the benefit of all six units.
7. Prior to building permit submittal, underground overhead utility wires fronting the property. All proposed utility wires serving the lots shall be under-grounded.
8. Prior to building permit submittal, dedicate a six foot Public Utility Easement fronting the property along Nigh & Mississippi Streets to the City of Vallejo.
9. Dedicate a six foot wide Public Utility Easement along Illinois Street fronting the property.
10. Prior to building permit submittal, submit an address map for review and approval.

11. Owner of the property shall request in writing from the Public Works Department to assign an address for each lot.
12. Prior to building permit submittal, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports. (PW3)
13. Prior to building permit submittal, or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
14. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards (PW 10).
15. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way (PW 11).
16. Prior to building permit submittal, submit a traffic control plan to the Department of Public Works for review and approval (PW 12).
17. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance (PW 15).
18. The project is located within the 100-year flood zone and shall therefore comply with Chapter 7.98 – Flood Damage Protection, VMC. Prior to obtaining a grading permit, apply to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision (CLOMR). Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR). Prior to obtaining a certificate of occupancy or acceptance by the City, whichever is applicable, obtain an approved Letter of Map Revision from FEMA. It will take FEMA at least 90 days to obtain CLOMR or LOMR. FEMA can be contacted by telephone at

9415)923-7177, or FEMA, Mitigation Division, Building 105, Presidio of San Francisco, San Francisco, CA 94129-1250. (PW18)

19. Prior to building permit submittal, submit a final a final map prepared by a qualified civil engineer or land surveyor for review and approval. (VMC 15.12.030)
20. Prior to recording the final or parcel map, the owner shall pay the City charges required by Solano County for providing copies of the recorded map to the City (\$15.00/Sheet).
21. Pay the map checking fee. (Resolution No. 02-55 N.C.)

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval 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 submittal, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:
 - 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.
 - g. 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 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 1. For single family residential units, the fire flow is 1500 gpm.
 2. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown and Caldwell dated April 1996
4. Prior to building permit submittal, hydraulic calculations demonstrating that the fire flow required by the Fire Marshall is satisfied shall be submitted to the Water Superintendent.
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.

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6. Each lot or unit shall be metered separately.
7. Prior to building permit submittal, hydraulic calculations shall be submitted to the Water Division demonstrating that the fire flow requirements are complied with.
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. The water service (if existing) on site may not meet Plumbing Code requirements for the number of fixture units in this development. Submit plumbing calculations that show the existing water service and/or meter size meets the current Plumbing Code requirements. If it does not, upsize the water service and meter size to recommended size. Application for water service changes should be directed to Water Engineering at 202 Flemming Hill Road, Vallejo, CA 94589.

Vallejo Sanitation and Flood Control District

1. Prior to building permit submittal, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. Prior to building permit submittal, submit a revised site utility plan showing the storm drain and sanitary sewer system within the lots private. The District's responsibility shall be from the ROW to the District's facility.
3. The existing sanitary sewer on the easterly side of your subdivision shall be protected and not encroached upon.
4. All individual parcels shall drain and sewer directly to the public system. Prior to building permit submittal, submit complete improvement plans and supporting documentation illustrating that the individual parcels drain and sewer directly to the public system. Please show the location of the sanitary sewer and cleanout on the site utility plan.
5. Prior to building permit submittal, the property owner shall submit a proposed easement description for approval by the District. Vallejo Sanitation and Flood Control District pipeline facilities shall be located in a 15 foot wide easements or street right-of-way.
6. Prior to building permit submittal, please show a manhole over the 12-inch SD pipe at the property line. Please show a Vallejo Sanitation and Flood Control District cleanout over the 6-inch SS pipe at the property line. The intention of this is to make the systems discernible between what is public and what is private. Please show the location on the drawings.
7. The sanitary sewer pipe size in Illinois Street is 15 inches not 18 inches.
8. Prior to building permit submittal, resubmit the design drawings showing the corrections above.

Fire Prevention

1. Prior to building permit submittal, resubmit plans showing an adequate roadway width. Access roads shall have an unobstructed width of not less than 20 feet. (2001 California Fire Code 902.2.2.1)
2. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story (including basement) there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level. (2001 CBC Section 310.9.1.1).
2. Prior to building permit submittal, submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
3. Prior to building permit submittal, the applicant shall install an approved and tested water supply system capable of supplying the required fire flow as determined by the Fire Chief. Water supply systems for staged construction shall provide required fire flows at all stages. (2001 CFC Section 901.4)
4. Additional fire hydrants may be needed, prior to building permit submittal, submit a complete set of plans for review and approval. Prior to building permit submittal, submit a complete set of plans for review and approval. All fire hydrants are to have a "blue dot" high way reflector installed on the adjacent street of the driveway to clearly identify the fire hydrant locations (2001 CFC Section 903, Appendix III-B)

CONDITION COMPLIANCE REQUIRED PRIOR TO OCCUPANCY/FINAL INSPECTION:

Planning Division

1. Prior to final occupancy install required landscaping as illustrated on the approved landscape plan.
2. 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. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping is complete and final in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.

Public Works

1. Prior to occupancy, remove and replace broken curb, gutter and sidewalk fronting the property as determined in the field by the City Engineer. (VMC, 10.04). Obtain a sidewalk permit from the Public Works Department prior to any work.
2. Prior to final occupancy, install frontage improvements as determined in the field by the City Engineer.

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3. Prior to occupancy/final building inspection, install the improvements required by Public Works including but not limited to streets and utilities. (PW16)
4. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (PW17)
5. Prior to release for occupancy, plant street trees in accordance with Vallejo Municipal Code, Section 15.06.190 and Regulations and Specifications for Public Improvements, Section 3.3.48. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (PW19)
6. Prior to occupancy, install required street tree fronting the property along Illinois Street. Street tree shall be selected from the City's approved street tree list. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48)

Fire Prevention

1. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Residential buildings shall have numerals or letters not less than 3 inches in height, and approved color that contrasts the background. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night (2001 CFRC Section 901.4.4; added VMC Section 12.28.170)
2. Prior to final occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.
3. Prior to occupancy/final building inspection, install "No Parking/Fire Lane" signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manual sign #R26F).
4. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story, (including basement) there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level.

Water Department

1. Prior to occupancy or final building inspection, install water appropriately sized water system improvements as required. Backflow device shall be installed in compliance with the Vallejo Municipal Code and in areas hidden from public view and/or shall be mitigated by landscaping.
2. Individual water services/meters for these units shall be situated only along the frontage at Illinois Street.

Vallejo Sanitation and Flood Control District

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1. If comments from VSFCDD and the City of Vallejo call for differing standards of development, the higher standard shall apply.
2. If any of the VSFCDD comments are in conflict with comments from the City of Vallejo request clarification.
3. Applicant shall pay all fees (plan review fees, connection fees, etc.) required by VSFCDD for the subject project.
4. Prior to occupancy/final building inspection, provide a standard VSFCDD cleanout at the right-of-way/easement line per District standards and a two-way cleanout at the building per U.P.C.
5. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
6. VSFCDD comments shall be understood to require modification of the project to any extent necessary to meet VSFCDD requirements, unless specifically stated.
7. Prior to occupancy, install VSFCDD cleanout per standard drawing number seventeen.
8. Prior to occupancy, install VSFCDD manhole (Sanitary and Storm Drain) per standard drawing number seven and eleven.
9. The VSFCDD would prefer the public portion of the sanitary sewer pipe material to be PVC SDR 26.
10. VSFCDD personnel shall inspect all work on the District's system.

Crime Prevention

1. Street number shall be displayed in a prominent location and be easily visible to oncoming emergency vehicles. The numbers shall be illuminated during darkness.
2. Post signs and paint curbs red which have emergency vehicle access lanes.
3. There shall be an illuminated map of the complex affixed at the entrance to the property that allows the viewer to see his/her location and the location of the units on the property.
4. All exterior lighting shall be sufficient to establish a sense of well-being to pedestrians and to facilitate the recognition of persons at a reasonable distance.
5. Metal halide bulbs are recommended.
6. All exterior lighting shall not trespass onto other adjoining properties.
7. Landscaping shall not block or obstruct the view of any door, window, or lighting fixture.

STANDARD REQUIREMENTS

Planning Division

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1. 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.
2. T-111 or panel siding shall not be used on this project.
3. All landscaping and fencing surrounding the proposed use shall be maintained in a clean, attractive, and well kept condition and any dead or dying material shall be replaced promptly. There shall be no barbwire or razor fencing allowed.

Public Works

1. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply.
2. Surface runoff from the site shall be intercepted on site and piped into the public storm drain system (No sidewalk cross drains allowed). Show the point connection of drainage pipe to public storm drain system. Surface drainage of each lot shall be directed to the court and shall not cross neighboring lots, unless a Homeowner Association established to maintain the private storm drain system.
3. The driveway approach and the common driveway inside the project shall not be less than 25 feet in width.
4. Multiple trenches require grinding and overlay along Illinois Street. Limit of work shall be determined by the City Engineer.
5. Water meters shall not be located with the driveway approach.
6. Identify public and private sanitary sewer and storm drain lines in the common court.
7. Establish a Home Owners Association for this project. All private improvements shall be owned and maintained by the homeowners association.
8. Remove and replace broken curb and gutter fronting the property as determined in the field by the City Engineer. (VMC, Section 10.04)
9. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
10. Construction inspection shall be coordinated with Public Works and no construction shall deviate from the approved plans. (PW13)
11. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
12. Standard driveway and approach shall be per City standard. (VMC Section 16.62.150)

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13. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply (PW 2).
14. Site grading shall comply with Chapter 12.40 - Excavations, Grading and Filling, (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor (PW 4).
15. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary (PW 5).
16. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the to the Department of Public Works shall shut down the grading operation (PW 6).
17. All dust and erosion control shall be in conformance with City standards and ordinances (PW 7).

Fire Prevention

1. The project shall conform to all applicable requirements of Title 19 (2001 CFC and all VMC Amendments)
2. Should security gates be desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.
3. Development sites shall be maintained weed free during construction. (2001 CFC Section 1103.2.4)
3. Every sleeping room below the fourth story shall have at least one exterior opening for rescue purposes. The opening shall be a minimum of 5.7 square feet, and 20 inches wide by 24 inches high. The finished sill height shall be no higher than 44 inches from the floor. Ladder access shall be provided for buildings over the first floor.

Water Division

1. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
2. Each unit or building structure shall be metered separately.
3. 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

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respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

Vallejo Sanitation and Flood Control District

1. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
2. The following permits are identified as being required from other agencies prior to construction: Building Permit from the City of Vallejo. Additional permits may be required. It is the responsibility of the applicant to determine any and all permits that are required.
3. After the plans are approved, submit a Construction Permit Application (SSI) Form for connection fee calculation (\$20 Submittal Fee). Non-residential developments shall also submit a Pre-treatment Questionnaire for review by VSFCO Pollution Control Department.
4. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
5. All individual parcels shall drain and sewer directly to the public system.
6. Non-VSFCO facilities serving more than one lot will not be allowed.
7. VSFCO's sanitary sewer or storm drains shall not be installed in the rear of any of the lots.
8. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.

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, mowing of lawns, 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. All applicable requirements of any law or agency of the State, City of Vallejo and any other governmental entity at the time of the recording of the Final Map shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
6. The subdivider 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 subdivision by

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the City. The City shall promptly notify the subdivider of any action. The City may elect, in its discretion, to participate in the defense of any action.

L. OTHER ITEMS

None.

Chairperson Legalos asked that the elections to Chair and Vice-Chair be put on the next Planning Commission agenda as an action item.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:00 P.M.

Respectfully submitted,



(for) BRIAN DOLAN, Secretary

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- A. The meeting was called to order at 7:00 p.m.
- B. The pledge of allegiance to the flag was recited.
- C. ROLL CALL:
- Present: Commissioners Manning, Salvadori, Peterman, McConnell.
- Absent: Turley, Legalos, Engelman.
- D. APPROVAL OF THE MINUTES.
- None.
- E. CONSENT CALENDER AND APPROVAL OF THE AGENDA
- On a motion by Commissioner McConnell the consent calendar and agenda were unanimously approved.
- F. REPORT OF THE SECRETARY
1. Upcoming Meeting of Monday, February 21, 2007
- Use Permit #546A – Appeal of staff determination concerning Rose Imports located at 1605 Solano Avenue.
 - Variance 06-0001 for shopping center i.d. sign at Redwood Plaza.
 - Use Permit 06-0021 for beer and wine service at an existing Mexican Restaurant located at 324 Virginia Street.
 - Use Permit 06-0024 for a new auto dealership, Team GMC, Pontiac, Buick located at Auto Mall/Columbus Parkway.
- G. CITY ATTORNEY REPORT
- None.
- H. COMMUNITY FORUM
- None.
- I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS
- None.
- J. LIAISON REPORTS
- Council Liaison to Planning Commission
- None.
- Planning Commission Liaison to City Council
- None.

K. PUBLIC HEARINGS

- 1. Code Text Amendment 06-0004.** Revision of Chapter 16.70 Screening and Landscaping Regulations.

Continued to the meeting of April 16, 2007.

- 2. Planned Development 06-0025** is an application for an addition to Zio Fraedo's. Proposed CEQA Action: Exempt. *Continued from the meeting of January 17, 2007.*

Staff recommends approval based on the findings and conditions.

After The Planning Commission conducted a public hearing including a staff report and discussion which included: project is adjacent to the Harbor Master's office by the Marina; building is owned by the City and leased to the restaurant owner; requesting demolition of existing banquet room and replace with new, larger banquet room; improved access to the building from the Promenade and a raised outdoor dining patio; compatible with the existing building; stucco siding; roofline similar to segments of the existing roof, composition shingle roofing material; windows to match existing; in the Vallejo Waterfront Planned Development Master Plan area; once DRB is formed these projects will be overseen by them; project is also within the jurisdiction of the Bar Conservation and Development Commission; proposal meets BCDC objectives; revisions included opening up the view corridor from harbor Way to the water and providing improved access to the water by widening the walkway adjacent to the building; with the conditions of approval the project conforms to the requirements of Waterfront Plan; Title 14 is applicable to the new portion of commercial projects; there are no special recycle requirements for restaurants as compared to other businesses in the City; there is no excess food program here in Vallejo.

Katherine Donovan did a PowerPoint presentation. A printed copy is attached to the minutes.

Vice-Chairperson Peterman opened the Public Hearing.

Tony LoForte: In regards to the excess food I do not believe the Health Department would allow us to distribute the food. There are no measures in place to use up the excess food. It is a good idea though. There are no official demands for recycling however, every bottle and can is picked up by a couple of individuals who have asked me if they could come and take them. We set them aside and they take them to the recycling center. We will put the appropriate lights in to meet Title 14 requirements. It saves money for us too.

Vice-Chairperson Peterman closed the Public Hearing.

Commissioner McConnell: I move that we approve Planned Development 06-0025 with the findings and conditions presented to us.

AYES: Manning, Salvadori, Peterman, McConnell

NOS: None.

ABSENT: Turley, Legalos, Engelman.

Motion carries.

Findings:

1. The project is exempt from CEQA per Section 15301, Title 14 of the California Code of Regulations per Section 2 of this report.
2. The proposed Unit Plan is consistent with the intent, purpose, and development standards of the Vallejo Waterfront Planned Development Master Plan and Design Guidelines per Sections 4 and 8 of this report.
3. The proposed Unit Plan is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report.
4. 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 8 of this report.
5. 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 8 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 three 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 the revised Waterfront Plan and Design Guidelines, 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 street trees chosen from the Street Tree Recommendations in Table 2.1 of the Waterfront Plan to be planted at least 6 feet from any sewer line;
 - d. sufficient canopy trees in the parking lot, planted evenly throughout the lot, to shade a minimum of 50 percent of the parking lot when the trees are mature (approximately 10 years);
 - e. specification of low growth type species adjacent to doors, windows, and walkways;
 - f. low-water using and drought-resistant plant materials;
 - g. planting areas shall be planted with a variety of trees, shrubs, perennials, and ornamental grasses so as to provide the maximum impact from the planting areas, with the planting areas adjacent to Harbor Way contain plantings of sufficient height and density to buffer the parking lot from Harbor Way and the future residential uses across the street;
 - h. screening of required backflow preventer;
 - i. 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;

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- j. irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping, and water usage; and
- k. 6 inch high curbing around planters.

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.

Crime Prevention

- 1. No noise or music from entertainment shall be heard from the exterior of the premises.
- 2. 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.
- 3. 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.

PROJECT REQUIREMENTS

Planning Division

- 1. Prior to building permit submittal, provide written approval of project from the Bay Conservation and Development Commission (BCDC).
- 2. The business shall comply with all conditions of approval for the original use permit for the restaurant, UP 1603.
- 3. As noted in the Waterfront Design Guidelines, all facades facing the outdoor patios and the Promenade shall be clear windows.
- 4. Per the Waterfront Design Guidelines, none of the trees that make up the eucalyptus alley along the Promenade shall be removed as part of this project.

Building Division

- a. Submit three sets of construction plans to the Building Division for review and approval. The project is to be designed to meet the requirements of the Uniform Building Code (as adopted).
- b. The project shall meet the requirements of Title 24 of the California Administrative Code for handicapped accessibility, including but not limited to ramps, parking spaces, and signage.

Vallejo Sanitation and Flood Control

- 1. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.

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2. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

Fire Prevention

1. The project shall conform to all applicable requirements of Title 19 – Public Safety, California Code of Regulations, Uniform Fire Code (as adopted), and Vallejo Fire Prevention Standards.
2. Prior to building permit submittal, building/construction plans and plans for required fire protection systems such as 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.
3. Prior to occupancy/final building inspection, install portable fire extinguishers as required by Fire Prevention Division.

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.
- 3. Use Permit 06-0018** is a request to modify the Planning Commission additional conditions placed on an Ice Cream Commissary located at 1853 Broadway Street.
Proposed CEQA Action: Exempt.

Due to the fact that these conditions were required by the Planning Commission, Planning Division recommends the Planning Commission reconsider the merits of the Applicant's request.

The applicant requested that the application be continued to a date certain due to a lack of a full Commission.

Commissioner Salvadori moved that the application be continued to the meeting of March 5, 2007.

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AYES: Manning, Salvadori, Peterman, McConnell
NOS: None.
ABSENT: Turley, Legalos, Engelman.

Motion carries.

4. Planned Development 06-0018 is an application for a new custom home in Hiddenbrooke located at 1757 Durrow Ct. Proposed CEQA Action: Exempt.

Staff recommends approval based on the findings and conditions.

The applicant requested that the application be continued to a date certain due to a lack of a full Commission.

Mr. Seamer, 1775 Landmark, Vallejo stated that he was against having the project continued as he had come to the meeting to speak tonight.

Commissioner Salvadori moved that the application be continued to the meeting of March 5 2007.

Commissioner McConnell: I would like to inform anyone here that they are welcome, even encouraged, to put their thoughts in writing and send them to the Planning Division whether or not they wish to come to the next meeting pertaining to this item.

AYES: Manning, Salvadori, Peterman, McConnell
NOS: None.
ABSENT: Turley, Legalos, Engelman.

Motion carries.

L. OTHER ITEMS

None.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:25 P.M.

Respectfully submitted,



(for) DON HAZEN, Secretary



LAW OFFICES OF JASON S. BUCKINGHAM, INC.

701 SOUTHAMPTON ROAD, SUITE 211, BENICIA, CALIFORNIA 94510

TEL: 707.745.2200 FAX: 707.780.6357 WWW.JSB-LAW.COM

02/26/2007

**TO: Marcus Adams
City of Vallejo, Planning Division**

FAX: 707-649-3540

PAGES: 1 (including cover)

RE: Continuance for Ron & Eunice Perez (PD #06-0018; APN 0182-215-070)

MESSAGE: Per our phone conversation today, this is a written request that the Planning Commission's review of the above referenced item be continued from the March 5, 2007 meeting to the March 19, 2007 meeting. The applicant needs to continue because the builder, Orin Wakefield, is not available on that date due to a prior commitment.

Please contact this office to confirm the continuance.

Thank you,

Jason S. Buckingham

This fax is from the Law Offices of Jason S. Buckingham, Inc., a law firm, and may contain information that is confidential or privileged. If you received this fax in error, please do not read, copy or distribute the fax or any attachments. Instead, please notify the sender and destroy this fax and any attachments. Thank you.



City of Vallejo Memo

To: Planning Commission
From: Planning Division, Marcus Adams *MA*
Date: March 5, 2007
Re: Item K3 (Modification of Conditions) Use Permit #06-0018, Ice Cream Commissary

BACKGROUND:

On December 4, 2006, the Planning Commission approved Use Permit #06-0018 to allow an ice cream commissary at 1853 Broadway Street. As part of the approval, the Commission added two conditions and modified one of the Planning Division conditions related to landscaping and fencing at the site. After calculating the cost of complying with the modified conditions, the property owner has requested the opportunity to have the conditions modified. Below are the approved conditions, followed by the property owner's statement and requests:

Planning Condition 2b- *Prior to building permit submittal, provide a revised landscaping plan illustrating:*

- *a new eight foot decorative wood fence from the front north end warehouse building wall to the north property line.*

"We request that this addition remain consistent with Staff's recommendations outlined in Section 6, paragraph 8; "...new eight foot chain/link fence with slats which would extend from the north end of the warehouse to the north property line." At this industrial site a "decorative" wood fence would appear curious and out of character with the existing appearance and use."

Planning Condition 2d- *Prior to building permit submittal, provide a revised landscaping plan illustrating:*

- *replacement (or elimination) of the front property line chain link fence with a wrought iron fence and gate.*

"The existing chain/link security fence is desired to remain in place as is. Landscaping at this boundary will improve the street appearance and aid in the general upgrade of the

site. Any type of rigid at this location will reduce the effectiveness of the purpose of the security fencing and be far too costly justify the application. The leased area is in the rear portion of the property, cannot be seen from any public view and has no connection with the front (Broadway) of the site. Current monthly lease is \$400 and it would take several years at this rate to recover the expense. The applicants request this item be modified to conform to staff observations.”

Planning Condition 2e- *Prior to building permit submittal, provide a revised landscaping plan illustrating:*

- new wrought iron fence at the south property line from Broadway Street westerly terminating at the existing building

“We request this fence remain in place as outlined above (Item 2d). The location of the property is in an area frequented on occasion by an undesirable human element and a rigid type fence will not allow for the protection of the premises. Transients, neighbors and unknown others occasionally throw trash and garbage over the existing fence and only constant monitoring and cleaning ensures the yard is kept presentable. Changing the nature of the fencing at this industrial site would be inconsistent with the nature, purpose, and intent of the zoning. Its cost would be prohibitive to the applicants and unconnected with their operation. Applicants request a modification to this recommendation to allow the existing fence.”

Planning Condition 2f- *Prior to building permit submittal, provide a revised landscaping plan illustrating:*

-a new wood fence at the north property line (abutting the mobile home park)

“The existing wood fence at this location is in good repair and its replacement would seem unnecessary and without identifiable purpose. The cost of any property fence should be shared by owners on both sides. Removing the existing fence and replacing it would benefit the Tall Trees property without cost to its owners and further have no connection with applicants’ designs.

RECOMMENDATION:

Due to the fact that these conditions were required by the Planning Commission, Planning Division staff has no recommendation to bring forward on the applicant’s appeal. If the Planning Commission approves this request or modifies its original conditions, the Commission must find that the original findings can still be made.

Findings:

These findings are based upon all evidence in the record including the staff report, testimony, and written correspondence, all of which is incorporated by reference:

1. As describe in Sections 5 and 9 of the attached staff report, the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use;
2. As described in Sections 3 and 4 of the attached staff report, the impacts, as described above, and t he location of the proposed conditional use are consistent with the city general plan.

Attachment A: Property owner's appeal statement letter

Attachment B: December 4, 2006 Planning Commission minutes

Attachment C: December 4, 2006 Planning Division staff report

Attachment D: Pictures of site

January 23, 2007

Application Number: Conditional Use permit #06-0018

Subject: Request for modifications to recommendations.

Reference is made to Conditions Of Approval;

Item 1; Accepted

Item 2a; Accepted

2b; We request that this addition remain consistent with Staff recommendations outlined in section 6, par 8; "...new eight foot chain/link fence with slats which would extend from the north end of the warehouse to the north property line." At this industrial site a "decorative" wood fence would appear curious and out of character with the existing appearance and use.

Item 2c; Accepted

Item 2d; The existing chain/link security fence is desired to remain in place as is. Landscaping at this boundary will improve the street appearance and aid in the general upgrade of the site. Any type of rigid fence at this location will reduce the effectiveness of the purpose of the security fencing and be far too costly to justify the application. The leased area is in the rear portion of the property, cannot be seen from any public view and has no connection with the front (Broadway) of the site. Current monthly lease is \$400 and it would take several years at this rate to recover the expense. The applicants request this item be modified to conform with staff observations.

Item 2e; We request this fence remain in place as outlined above (Item 2d). The location of the property is in an area frequented on occasion by an undesirable human element and a rigid type fence will not allow for the protection of the premises. Transients, neighbors and unknown others occasionally throw trash and garbage over the existing fence and only constant monitoring and cleaning ensures the yard is kept presentable. Changing the nature of the fencing at this Industrial site would be inconsistent with the nature, purpose and intent of the zoning. Its cost would be prohibitive to the applicants and unconnected with their operation. Applicants request a modification to this recommendation to allow the existing fence.

Item 2f; The existing wood fence at this location is in good repair and its replacement would seem unnecessary and without identifiable purpose. The cost of any property fence should be shared by owners on both sides. Removing the existing fence and replacing it would benefit the Tall Trees property without cost to its owners and further have no connection with applicants' designs.

All other recommendations are accepted hereby.

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14. Prior to start of construction submit a traffic control plan to the Department of Public Works for review and approval. (PW12)
15. Construction inspection shall be coordinated with the Department of Public Works and no construction shall deviate from the approved plans. (PW13)
16. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
17. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinances. (PW15)
18. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities. (PW16)
19. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk, or driveway approach as directed in the field by the City Engineer. (PW17)

Fire Prevention

1. Automatic fire sprinkler extinguishing systems are required for all residential, commercial, and industrial occupancies. (1998 CFC Section 1003.1.2. added VMC Section 12.28.190)
2. Development sites shall be maintained weed free during construction. (1998 CFC Section 1103.2.4)

Vallejo Sanitation and Flood Control District

1. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

GENERAL CONDITIONS

1. 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.

2. **Use Permit 06-0018** is an application for an Ice Cream Commissary located at 1853 Broadway Street. Proposed CEQA Action: Exempt.

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

Marcus Adams: The present application that we are about to discuss tonight for the ice cream commissary came to staff by means of a business license renewal that was brought to our Planning Division counter. Upon researching the use permit at the former location, 444 Arkansas, it was discovered that that use permit did not actually allow for the type of business that was going on there with the parking of the ice cream trucks and the commissary so the applicants were forced to find a new

location. Staff was pleased to be able to work with the applicant and to find a location within the City because of course we do not want to lose the business and considering how important our intensive use zoning districts can be. Sometimes we get plenty of requests to rezone those districts. This is a case where we had one and the applicant was able to utilize that space. Upon site visits to the location staff did see some room for improvement at this site. If you happened to go out there no doubt you saw the existing structure, the lack of landscaping, the old and deteriorating fencing. The old timers tell me that O'Connell Lumber use to be at that location. Before that it is questionable as to what was there. I am addressing the building because I feel that may come up and the uses that go on there. The building is not really being utilized right now. There is a small section where cars are being stored. There was a use permit that was approved for that site back in 1984 for auto towing and storage, auto mechanical and body repair, auto sales and auto part sales. I did try to research that further to find out if there were any specifications on that use permit as far as any detailed uses or landscaping plan. Unfortunately when we had to make way for our records storage that use permit is up in microfilm. I will have to research that further. For this current proposed use, the ice cream commissary, the improvement we would like to see is the replacement of the interior fence. There are some shipping storage units visible. In Intensive Use those type of units are allowed outside the building if they are screened sufficiently. We would like the fence to be 8' which is the maximum height allowed without having to go through the variance procedure. They about the Tall Trees Mobile Home Park. We are asking them to put some landscaping to screen the ice cream trucks and the goings and comings there from the mobile homes. We did ask too that they put some street trees in because there are none out there which will help improve the aesthetic view of the site. Any questions?

Commissioner Peterman: I feel very sorry that the applicants have had to go through all of this. I hope this does not happen again. In the staff report you talked about chain link fence with slats in it. I think those are just as ugly as chain link fence without slats. I would encourage you to have them build a fence that is wooden or something that is not quite so unpleasing to the eye.

Commissioner Turley: I went out there the other day and I could not get in on the property because it was all locked up. Will that front chain link fence be removed?

Marcus Adams: There are no plans to remove that fence. I did ask them to have that fence open so you all could get in and out. Possibly you went out before I requested that. They plan on keeping the fence there. They say they have a lot of problem with transients walking by and people going in there and abandoning vehicles. I have actually noticed abandoned cars in that area. Having the fence has kept the abandoned cars from being parked in that front. No they will not be replacing the front fence.

Commissioner Turley: What do they do, open a gate?

Marcus Adams: The gate is wide enough that you can get a commercial vehicle in there. Most of the time they just have it open to where you can get a regular car in there or a pedestrian.

Commissioner Turley: I sure do think that front fence is ugly. I really do. That existing building on the left in the rear, is that going to be removed?

Marcus Adams: Not as part of this application. I spoke with the property owner, who just purchased the property last year, and he would eventually like to demolish the building and put a new building up or, if the framing is viable, use the framing and put

a new building up. As far as this project he is not planning on doing any alterations or improvements to the building. The Chief Building Official did get these plans routed to him and he had no comment regarding the structural stuff. Apparently he did not feel the integrity of the building was a public safety issue. That building is not being used for any activity besides storage.

Commissioner McConnell: I also had trouble seeing the property because it was locked. I did the best I could from across the street. It concerns me also that we are not going to be removing what is a very ugly exterior exposure. This is on a major artery in from Napa County. That entire area from Raileys to Broadway is in dire need of help. If we don't begin to make some changes I can see why cars will be dumped there. You start to change a neighborhood one place at a time. I think this is a opportunity to start that change. I agree with Commissioner Turley about removing that fence. I also have some concerns about what is going to happen to these buildings. You are asking us to approve a use permit which once in place will stay on the property forever. I do see that it is supposed to be for five vehicles and certainly I am going to condition that use permit for a maximum of five vehicles. Otherwise if we approve a use permit for storage as stated in here we would wind up having a large, large storage facility out there. It would never be changed. It would remain the same. I hope the applicant does not intend to leave it that way and I would like to have confidence in him accomplishing that but there is nothing before us to that effect at this time. With respect to these other buildings just what are they going to be doing with these?

Marcus Adams: Nothing. There is really only one other building on this site and when he gets funds to do something with this building he will maintain the use as is with a new building. I would like to comment on your comment about the landscaping. This site has been a problem to the City concerning abandoned vehicles. It has been a Code Enforcement issue. When I was analyzing how far we should go as far as improving the site we weighed incremental steps vs. no steps. I just think this is a case where if the conditions were too onerous more than likely the property owner would say to the prospective tenant that it would be way too much and he was not going to do anything and we would get no improvement on this site and it would become more of a Code Enforcement issue. We have a new property owner who is willing to work with us on making some improvements. They would cost him something but he is willing to do that because he does want to see improvement in that area.

Commissioner McConnell: I agree it is just a question of how far do we go and what do we ask for at this point in time. But the use permit stays there forever. Yet we are being offered a representation that I will do something with the property at some time in the future and am not saying what I will do. Seems like we are being ask to approve a pig in a poke here. I am prepared to proceed and probably grant this with the five trees that you are asking for but I would like to improve the appearance of this area to the extent that we possibly can. One of the things that concerns me, as with Commissioner Peterman, is the chain link fence and the slats. I think we have to do better all around the City, even in an industrial area. Especially when that industrial area is such a highly visible area as this one is. That is an area of town that is ripe for redevelopment and change. You indicate in your staff report that the applicant is willing to do something that is reasonable. Just what seems reasonable in the applicant's eyes other than 5 street trees? Anything?

Marcus Adams: There is landscaping that is going to go along the border adjacent to the mobile home park. They have been asked to no longer have storage of cars in front. I think he thought the conditions that I put in the staff report were reasonable

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and was willing to do those. I realize that we do not have a commitment on this but doing something to that building, even painting it, is in his plans.

Commissioner McConnell: Painting it would help. We are talking about an area that is next to a residential center really, the mobile home park. There are numerous people in that mobile home park that have to get up very, very early. Yet you are asking that the applicant have hours of operation up to one hour after sunset. During the summer that could be as late at 10:15 or 10:20. That might cause a noise problem for some people who have to get up at 4:00 and 5:00 in the morning. I think we need to think about how we are going to control light and sound out there. We are talking about 5 ice cream trucks. We need to give some consideration to the residents in the mobile home park.

Marcus Adams: I need to clarify that it is actually one hour after sunset and no leaving until after 9:00 am. The Commission could certainly put a different time on that. There are five stalls with tandem trucks so there would be a maximum of ten trucks.

Commissioner Turley: I do not think that tandem parking is going to work out very long. I think they will tire of having to move one vehicle to get another one out. Is there room there to have side by side parking somewhere?

Marcus Adams: It is a huge lot and I am sure you could get in side by side but that would increase his leasing area and cost. It would be hard to enforce that because staff could not see in to see if it was tandem or not.

Don Hazen: If this were regular customer parking we would be a little more suspicious of the tandem parking but this is basically just an industrial use and this is an operation that the applicant obviously consents to and the trucks would be leaving all at the same time so I think staff is comfortable that the tandem will work for this type of a use.

Commissioner Turley: On the landscaping could curbs and sprinklers be included?

Marcus Adams: The landscaping would have to be irrigated and that would be handled when we reviewed the landscape plans. Our code only requires that curbs are required only in certain conditions: if you abut a curb or a pedestrian path. That is not the case here. We could definitely put that in as a condition but as far as the code they do not have to meet that standard.

Commissioner Manning: Can you clarify what an ice cream truck is. Are these the trucks that drive around town?

Marcus Adams: The trucks that I have seen this operator use are the traditional ice cream trucks. They are not vans or pick ups.

Commissioner Salvadori: What percentage of this parcel is actually leasable space for this use?

Marcus Adams: I do not know for sure. I would guess it is along the lines of 15%. It is just a small area. It seems to me that having the trucks parked in a row would increase the impact to the neighbors.

Commissioner Salvadori: As other uses proposed for the remaining space in this parcel do you see additional use permits coming before the Commission?

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Marcus Adams: It is a very large site and I could see that possibly happening. You may see some amendment to the current use permit. There is always the issue of landscaping and parking. I think the amount of parking required when you start adding new uses would really limit how you can develop that property.

Chairperson Legalos: I was there this afternoon and saw the bus. Are they planning on moving that bus out of there?

Marcus Adams: I asked them to start the bus so I could make sure it was not a non op. It started. He said the operators of that bus do not plan on keeping it there for long. There is nothing that I found that would not allow that bus to be there.

Chairperson Legalos: I concur with concerns expressed by other Commissioners about the fence. I think it should be replaced. The fencing between the trailer park and the front parking lot is a dilapidated wooden fence that has been repaired with sheets of plywood. I think that definitely needs to be replaced. That is incredibly ugly. This area is becoming attractive. The left you have the shopping center where Raileys is and it is nicely landscaped. The trailer park could look a little better but is certainly better than this parking lot. I have questions about the travel trailer that is parked just inside the second fence. What is that being used for?

Marcus Adams: That is being used as a residence for the on-site guard. I went to look at the use permit. Back in the 70s and 80s it was not uncommon for on site guards to be part of the plan. That permit is in storage and I will have to retrieve it and look at that. If it is not part of the permit the options we would have we could qualify it with live work or just eliminate it totally. Environmental health and restroom facilities would have to be considered along with proper electrical connections.

Chairperson Legalos: I had the impression that there may be more than a guard thing there. There are three children's bicycles parked near the trailer as well as a number of fishing poles. They do not look like things that a guard would use.

Marcus Adams: I think he likes to fish from my discussions with him. I have been there three times and never saw anyone but him. He, I don't want to say eccentric, but he collects a little bit of everything. They may be for grandkids but I don't believe kids are living there.

Chairperson Legalos: The last time I was there, there was some sort of blasting that was going on that was creating a cloud of white powdery dust and a great deal of noise from a large compressor mounted on a pick-up truck. The dust was so thick that I could not see the operator. It was blowing over the trailer park. Is that an approved use? What was happening there?

Marcus Adams: It would be an approved use under the old use permit in 1984. I will have to get the old report and see if there is anything about the uses having to be enclosed.

Chairperson Legalos: It was being done indoors. It was a tent like structure that was parked along the storage area. The front flap was open and the stuff was pouring out.

Don Hazen: Maybe I could suggest that the owner, if he is here tonight, might be able to answer all those questions.

Marcus Adams: He is not.

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Chairperson Legalos opened the Public Hearing.

Applicant: We have a very small ice cream business. We have only 10 trucks. The trucks do not make noise. When we come back to the shop there is no music, no nothing. They do not turn on the music until they go far away. We do not disturb anyone. Fifteen years we were across the street and we never had a complaint. We do not cause anyone any problems. We want to be good neighbors. Our business is the children. We do not turn on music in the yard. We do not have to turn it on. We do not allow anyone to even test their music in the yard. If they want to test it they test outside that. These are small ice cream trucks. Our trucks are all professional ice cream trucks.

Chairperson Legalos closed the Public Hearing.

Commissioner McConnell: I move that we approve use permit 06-0018 with the findings and conditions in the staff report as well as 1) that the front fence be replaced without chain link; 2) that the planting strip along the north boundary next to the mobile home park be planted in an area of not less than a 3' planting strip; 3) the storage for vehicles will be limited to not more than 10 ice cream trucks; 4) there will be no testing of sound equipment or amplified speaker systems at the yard location.

The meeting was turned over to Commissioner Peterman so Chairperson Legalos could make a friendly amendment.

Chairperson Legalos: I would like to add a friendly amendment that the wooden fencing between the auto parking lot and the trailer park be replaced with new wooden fencing and that the chain link fencing on the front and the side of the parking lot that is adjacent to the mall be replaced with iron fence.

Commissioner McConnell: That is fine but I am not sure if we want to restrict the back fence to wood only. I agree the rear fence should be replaced as well.

Chairperson Legalos: I was not actually referring to the rear fence I was referring to the fence to the right that is now a wooden fence between the trailer park and the site. But now that you mention it the rear of the front parking lot should also be replaced with more attractive fencing. I would not restrict that to wood.

Commissioner Salvadori: I am kind of concerned about the requirement for the wood fence. Do we know that the wood fencing is on this parcel and not something that was constructed by the trailer park to protect their homeowners? If we don't know that I do not know that we can issue this requirement.

Don Hazen: Typically in a case like this it behooves the owner to hire a surveyor if they have to because the condition is to put it on their side. Then if they find out it is someone else's parallel fence they will typically go to the mobile home park owner and tell them they are going to replace the fence and find out if they mind if they tear the existing fence down. Once you impose that condition they are required to find out where their property line is.

Chairperson Legalos: I am assuming that since the repairs were made from the parking lot side that it may be the parking lot owner's but that may be an incorrect assumption.

Commissioner Manning: I want a clarification on the restriction of 10 trucks. They are a small business and had to relocate already. If they want to grow their business one more truck we are saying they can't.

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Commissioner McConnell: That is correct. My concern here is that the use permit stays with the property forever. I share your concern about the need for increase but that would probably be a minor application that could be handled by staff. I do not want to have an open-ended use permit where all of a sudden we are looking at as many cars as can be placed on that lot as possible. I am happy to accommodate some number larger than but keep in mind that we do not want to open the door to everything out there either.

Commissioner Salvadori: If the business owner decided to change the configuration of his business and they were smaller trucks and put 20 there what is the negative impact on the surrounding area or on his property? It is a fleet storage area. The trucks are gone during the day during the peak buying hours and are back before there is really any inconvenience for anyone around. I just think this requirement is not protecting the land use but trying to run the business. He could decide to have more trucks of a smaller size better meets the customer requirements. I would find it hard to support a motion that restricted him to 10 vehicles.

Commissioner McConnell: We also have a responsibility to the citizens who live in this area. Added trucks obviously bring more pollution and noise and potential for accidents. If we can find a common ground between 10 and some other reasonable number or there is a staff procedure by which that number can be based upon I think we should entertain that as well.

Commissioner Turley: On the other hand suppose he decided to have some larger trucks.

Commissioner Manning: I think it is great that we are discussing and trying to improve the look of that neighborhood. It is turning around so the suggestions with the fencing and landscaping are really helpful. The other point for the small business here is staff has gone out of their way to try and keep them in the community and work with them to find another location. Part of what we want to do as a community is continue to encourage small businesses like this as a part of the diversity of our community. We had an applicant before this for a big box now here is a small box. We want to encourage those types of businesses to stay here. Now, I do not know what the right proposal here is but I would like to hear another suggestion that would not just lock them into 10 trucks.

Don Hazen: If you do limit the number of trucks it would have to come back before you again to increase the number of trucks. It is being approved as a use permit through the public hearing process. If you are comfortable with the hours of operation and are comfortable with the applicant's testimony that they just virtually get in the trucks and drive them off the site, is it possible that these trucks are no different than someone pulling into a shopping center? Maybe you condition the use that it can only be used for startup and shutdown. Maybe there is not a need to limit the amount of trucks if they comply with all the other conditions.

Commissioner Salvadori: I would like to submit a substitute motion, that we approve use permit 06-0018 with the findings and conditions in the staff report and with the additional conditions that the front fence be improved and the landscaping on the front be improved and the landscaping on the side be increased to a three foot planting area. Those would be my only other conditions.

Commissioner McConnell: I am not locked into the idea of 10 vehicles. We should have some way in our procedures by which we could accommodate a reasonable expansion of a business without having to go all the way back to a use permit procedure. It seems like overkill. That may be an example of how our permitting

process needs to be studied and altered. I am uncomfortable, at the same time, with just having an open end permit out there. There has to be some sort of reasonable accommodation, whether we increase it to 15 or 20, it needs to be put in place so we don't have a run amuck situation.

Don Hazen: In the exhibit that shows the site plan layout the leased area is shaded out. By approving the use permit tonight you are approving that layout of the site. If they were to add additional parking spaces you can see by the layout that they would only be able to add them on the interior of the site. If neighborhood compatibility is your concern you can see that they cannot physically add any more parking spaces along that common property line by virtue of that layout.

Commissioner McConnell: If they wanted to expand they would have to come back to us right?

Don Hazen: It looks like they could put 4 or 5 more spaces on the interior but beyond that they would have to come back.

Commissioner McConnell: Then I will modify my motion to include your suggestion as to limiting the number of vehicles.

Commissioner Salvadori: Could we vote on my substitute motion?

Commissioner Peterman: Could you please restate your motion.

Commissioner Salvadori: It is that we approve use permit 06-0018 with the findings and conditions in the staff report and with the additional conditions that the front fence be improved and the landscaping on the front be improved and the landscaping on the side be increased to a three foot planting area. Those would be my only other conditions.

Chairperson Legalos: When you say the front fence are you including the fence around the perimeter of that lot or just the fence parallel to Broadway?

Commissioner Salvadori: The fence along Broadway.

Chairperson Legalos: My suggestion was the fence along Broadway as well as the fencing on the two sides. I believe there is already a condition about improving the fencing in the back of the front section.

Commissioner Salvadori: Yes. The additional condition is to not have a chain link fence along Broadway.

Chairperson Legalos: That is correct and also to replace the wooden fencing.

Commissioner Salvadori: I did not put that in as part of my motion.

Chairperson Legalos: I would then like to offer a friendly amendment.

Commissioner Salvadori: I do not want that particular friendly amendment. The leased area is about 15% of the area and we are trying to make the new fence contingent on this application. I think that is overkill. But I do think they need to make the driveway side improved and more consistent with what we would like to see in that area.

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Commissioner Legalos: To require that I think would be consistent with decisions this Commission has made in the past where we have take the opportunity to make requirements that exceeded what some people might consider reasonable in terms of the scope of the application.

Commissioner McConnell: What we are attempting to do is reach middle ground here. *Commissioner McConnell read the Code concerning Intensive Use.* The street trees and the additional strip landscaping is the only requirement we are asking for. We are attempting to accommodate the applicant but I don't think we want to give away the store. The proposed amendment from Commissioner McConnell basically is a laissez faire position with no improvement at all. We do have to start taking a stand if we want to improve it recognizing the need to balance the needs of small businesses. But what we are talking about here is the property owner. That is not necessarily a small business man here. We are talking about improving the general appearance of this area which over time will impact the entire area. I think it is a reasonable accommodation to restrict this to getting increased fencing but not insist upon the full landscape requirement as mandated by the intensive use district. I will be voting in opposition to Commissioner Salvadori's motion but would encourage adoption of my motion as modified by Commissioner Legalos and presented as the main motion.

Commissioner Turley: The way to improve a neighborhood is one parcel at a time and I think that is a good point.

Vice-Chair Peterman: Can we call for the vote on the substitute motion now, please Ms. Marshall.

AYES: Manning, Salvadori.

NOS: McConnell, Legalos, Peterman, Turley.

ABSENT: Engelman.

Motion fails.

Vice-Chair Peterman: Now we move to Commissioner McConnell's motion. Perhaps you could restate that.

Commissioner McConnell: I move that we approve use permit 06-0018 with the findings and conditions in the staff report as well as 1) that the front fence be replaced without chain link; 2) that the planting strip along the north boundary next to the mobile home park be planted in an area of not less than a 3' planting strip 3) there will be no testing of sound equipment or amplified speaker systems at the yard location; 4) the approval as to the shaded area on Attachment A for parking purposes 5) and the back fence as suggested by Commissioner Legalos will also be required.

Chairperson Legalos: Just to clarify the fencing that I would like to see replaced is all of the fencing around the front section. I believe the back fence is already a condition of approval. It is the front fence parallel to Broadway and the fence between the trailer park and this parking area in question. The fence on the left side of the parking area and adjacent to the shopping mall.

Commissioner Salvadori: You are talking about basically all the fencing that is the perimeter of the lot that would be replace with non-chain link fence.

Chairperson Legalos: All of the fencing that is the perimeter of the front lot.

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Commissioner Salvadori: Now I am confused. The area that is under consideration for the ice cream area is in the back.

Chairperson Legalos: That is correct.

Commissioner Salvadori: So would you please describe to me, again the perimeter of the fencing you are talking about.

Chairperson Legalos: The fencing that is parallel to Broadway. The fencing that is on the left towards the shopping center as you face the property, back to Broadway.

Commissioner Salvadori: That is from Broadway to the end of the property line.

Chairperson Legalos: No, Broadway to the structure, to the end of the building.

AYES: Manning, McConnell, Legalos, Peterman, Turley.

NOS: Salvadori.

ABSENT: Engelman.

Motion carries.

Vice-Chair Peterman turned the meeting back over to Chairperson Legalos.

Findings:

These findings are based upon all evidence in the record including the staff report, testimony, and written correspondence, all of which is incorporated by reference:

9. As describe in Sections 5 and 9 of this report, the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use;
10. As described in Sections 3 and 4 this report, the impacts, as described above, and the location of the proposed conditional use are consistent with the city general plan.

CONDITIONS OF APPROVAL (Revised conditions from Planning Commission are identified in *italics*):

Planning Division

11. 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.
12. Prior to building permit submittal, provide a revised plan illustrating the following:
 - a) boundary landscaping at a minimum depth of *three* feet along the north property line for a linear distance of 95' (the proposed leasing area). The plant variety proposed for the required landscaping shall reach a mature minimum height of eight feet and shall function as screening for the proposed use. The selected plant variety shall also consist of a compact evergreen type and shall reach a minimum height of two feet within twelve months of planting.
 - b) a new eight foot *decorative wood fence* from the front north end warehouse

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building wall to the north property line.

c) four street trees for the street frontage on Broadway Street. Staff recommends that the applicant select a variety consistent with other street trees at adjacent properties or at Vallejo Transit or a variety from the City of Vallejo street tree list. Mature height of the variety chosen shall take into account the power lines on Broadway Street.

d) *replacement (or elimination) of the front property line chain link fence with a wrought iron fence and gate*

e) *new wrought iron fence at the south property line from Broadway Street westerly terminating at the existing building*

f) *a new wood fence at the north property line (abutting the mobile home park)*

The proposed landscaping shall meet the following standards: three 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. Four City-approved street trees to be planted at least 6 feet from any sewer line;
 - b. Low-water-using and drought-resistant plant materials;
 - c. Screening of the required backflow preventers;
 - d. All trees to be a minimum of 15-gallon, double staked; at least 50 percent of the proposed shrubs shall be a minimum of 5-gallon;
 - e. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage; and
 - f. Six inch high curbing around planters.
13. Prior to final inspection/occupancy, all required landscaping and screening material shall be installed to the satisfaction of the Planning Division.
 14. Prior to final inspection/occupancy, provide written confirmation from Solano County Resource Management that all requirements have been satisfied.
 15. No mechanical repair, maintenance, or cleaning of the trucks shall occur at the property.
 16. Hours of operation (leaving and arriving) for the ice cream trucks shall be restricted from 9:00 a.m. to one hour after sunset.
 17. *Emissions, dust, and all other airborne particles and fumes from outdoor uses shall be contained with an enclosed temporary structure and shall not violate Bay Area Air Quality Management standards.*
 18. *There shall be no testing of amplified sound systems of the ice cream vehicles at the project site.*

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
2. 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

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Division for review and approval. All applicable plan review and inspection fees shall be paid.

11. A fire alarm system will be required for this project.
12. If security gates are desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.
13. Additional fire hydrant(s) may be required. Submit a complete set of plans 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. (1998 CFC Section 903, Appendix III-B) Hydrant map is needed.
14. Automatic fire sprinkler extinguishing systems are required for all residential, commercial, and industrial occupancies. (1998 CFC Section 1003.1.2 added VMC Section 12.28.190)
15. Prior to occupancy/final building inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (1998 CFC Standard 10-1; NFPA 10)
16. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as 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. (1998 CFC Section 901.4.4; added VMC Section 12.28.170) Minimum 6" addresses.
17. Prior to occupancy/final building inspection, install "No Parking Fire Lane" signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway. (CVC Section 22500.1; CalTrans Traffic Manual, sign #R26F)
18. Prior to occupancy/final building inspection, all applicable fees shall be paid and a Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.

STANDARD REQUIREMENTS

Planning Division

24. All parking spaces shall be demarcated, per City of Vallejo standards.
25. 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.
26. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
27. All mechanical equipment and utility meters shall be screened in a manner approved by the Planning Division. Electrical transformers shall be screened or placed underground.
28. All vents, gutters, downspouts, flashings, electrical conduits, etc., shall be painted to match the color of the adjacent surface.

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29. All roof-mounted mechanical devices and their components such as air conditioners, heating equipment, exhaust fans, vents or ducts, or similar equipment shall be screened from view in a manner approved by the Planning Division. All wall-mounted air conditioners shall be flush mounted.
30. Obtain an inspection from the Planning Division prior to final inspection/occupancy. All inspections require a minimum 24-hour notice.
31. 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.
32. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which violates the conditions of this use permit or other applicable City regulations, and Planning staff is unable to obtain compliance or abatement, staff will refer the use permit to the Planning Commission for possible suspension or revocation per Section 16.82.110, Vallejo Municipal Code.
33. The applicant shall establish a recycling program for the building in coordination with the Planning Division and when established, either participate in the Citywide commercial recycling program or demonstrate to the satisfaction of the Planning Division that the established recycling program is sufficient.

City and Traffic Engineer

20. Submit site grading, drainage improvement and utility plans for review and approval. Site plan shall show all existing and proposed improvements. Prior to building permit secure approval of site plan.
21. The proposed building is at the border of 100 year flood zone. Therefore, prior to building permit, provide evidence that the building pad is not in the flood zone.

(The following conditions may apply)

22. Prior to building permit issuance, 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. (PW1)
23. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (PW2)
24. Prior to building permit issuance, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports. (PW3)
25. Site grading shall comply with Chapter 12.40 – Excavations, Grading, and Filling (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer, with the cost of the study to be borne by the developer/project sponsor. (PW4)

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26. In design of grading and landscaping, line-of-sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line-of-sight of traffic and must be set back as necessary. (PW5)
27. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the Department of Public Works shall shut down the grading operation. (PW6)
28. All dust and erosion control shall be in conformance with City standards, ordinance, and NPDES requirements. (PW7)
29. Prior to building permit issuance or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the Department of Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
30. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
31. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work for utility trenches in existing public streets. All work shall conform to City standards. (PW10)
32. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way. (PW11)
33. Prior to start of construction submit a traffic control plan to the Department of Public Works for review and approval. (PW12)
34. Construction inspection shall be coordinated with the Department of Public Works and no construction shall deviate from the approved plans. (PW13)
35. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
36. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinances. (PW15)
37. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities. (PW16)
38. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk, or driveway approach as directed in the field by the City Engineer. (PW17)
39. The project is within the 100-year flood zone and shall therefore comply with Chapter 7.98 – Flood Damage Protection, VMC. Prior to obtaining grading permit, apply to Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision (CLOMR). Prior to obtaining building permit, apply to FEMA for a Letter of Map Revision (LOMR). Prior to obtaining certificate of occupancy or acceptance by the City, whichever is applicable, obtain an approved Letter of Map Revision from FEMA. It will take FEMA at least 90 days to obtain

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CLOMR or LOMR. FEMA can be contacted at telephone (415) 923-7177, or FEMA, Mitigation Division, Building 105, Presidio of San Francisco, CA 94129-1250. (PW18)

Vallejo Sanitation and Flood Control District

2. Prior to building permit submittal, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
3. The project as submitted was incomplete. The following information is needed:
 - c. All proposed and existing District facilities to serve the project. Provide site utility plan showing existing and proposed sanitary sewer and storm drain facilities, mains, laterals, connections, etc.
 - e. Please show location of sanitary sewer and cleanout on site utility plan.
4. Prior to occupancy/final building inspection, provide standard VSFCD cleanout at the right of way/easement line per District standards and a two-way cleanout at the building per the U.P.C.
5. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
6. Pave and stripe area for proposed stock room and parking lot area if applicable.

Fire Prevention

1. Development sites shall be maintained weed free during construction. (1998 Section 1103.2.4) CFC

Solano County Resource Management (Environmental Health)

1. Plans have not been received regarding this project. Please contact Pam Jones @ 707 784-3321 for submittal requirements.

GENERAL CONDITIONS

2. 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.

3. **Use Permit 06-0020** is an application for outdoor storage at the South Vallejo Industrial Park located at 100 Corporate Place Suite A (PetroChem). Proposed CEQA Action: Exempt.

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

Marcus Adams: The applicant, PetroChem, has an existing outdoor storage use that is occurring within the South Vallejo Industrial Park area. This came to our knowledge through a complaint from an anonymous person. Upon inspection we did find out that the use was occurring without the proper permits. You do need a use permit to have outdoor storage if it is not one of the original outdoor storage areas that were allowed when the South Vallejo Industrial Park was first created. Upon



STAFF REPORT

CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing: December 4, 2006 **Agenda Item: K2**

Application Number: Conditional Use Permit #06-0018 as governed by Section 16.82 of the Vallejo Municipal Code (V.M.C.)

Recommendation: Recommend **Approval** of Use Permit #06-0018 subject to the findings and conditions contained in the staff report.

Project Description: The applicant has applied for a conditional use permit to establish an ice cream commissary/fleet storage facility at the rear of a site currently occupied by multiple tenants engaging in miscellaneous warehousing and storage activity. The proposed project would include a new 640 square foot storage room and a five space parking lot for the ice cream trucks. The proposed project is illustrated on a site plan and elevations drawn by Rommel Mendez, dated September 21, 2006 (see Attachment 1)

Location: 1835 Broadway Street; APN 0052-110-150

Applicant: Rommel Mendez, *for Pawar Gurdeep*
454 Topsail Drive
Vallejo, CA 94591

Property Owner: Ron Brazell
2 Coghlan Street
Vallejo, CA 94590

Environmental Review: The proposed use of “ice cream commissary” is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) because the project would consist of small storage building not exceeding 10,000 square feet in floor area and would not involve the use of significant amounts of hazardous substances, per Section 15303 (Class 3 [e]: New Construction or Conversion of Small Structures of Article 19 (Categorical Exemptions) of Title 14. California Code of Regulations Chapter 3.

General Plan: Employment

Zoning: Intensive Use (IU)

Surrounding Land Use: The subject site is encompassed by the Park Place shopping center to the south, Tall Trees mobile home park to the north, Vallejo Transit maintenance yard to the east and O’Connor Lumber to the west.

Public Notice: Notice of the proposed project was sent to property owners within 500 feet of the subject property and the applicant on November 2, 2006. Comments received are addressed in Section 7 of this report.

1. PROJECT DESCRIPTION:

In the summer of 2006, representatives from 5 Star Ice Cream, an ice cream truck operation, came to the city to renew their business license at their storage yard located at 444 Arkansas Street. Although 5 Star had been operating from this location for years with active business licenses, after research of department records, staff discovered the zoning designation for their location did not allow an ice cream commissary use and that they would need to find another location zoned for their desired use.

After visiting multiple locations and checking with staff to confirm zoning/land use compatibility, 5 Star signed a lease for the proposed site for their commissary, which will include a new storage building with walk-in freezer and outdoor parking for ten ice cream trucks (parked in tandem within five delineated spaces). The site currently hosts a warehouse building which was formerly occupied by O'Connor Lumber and is now for the most part, vacant with some auto storage occurring in a small section of the building.

2. PROJECT SITE LAND USE HISTORY:

In 1978, Site Development permit #78-57 was approved to allow the use of lumber and hardware sales and storage. The large warehouse structure on the lot currently was utilized for the lumber use. In 1980, Use Permit #1741 was approved to allow a temporary workshop for training the developmentally disabled. In 1984, Use Permit #1963 was approved to allow auto storage/towing; repair, auto body, and auto sales/auto part sales at the site.

3. CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATIONS:

The zoning classification of Intensive Use (IU) is identified as being "clearly compatible" with the Employment land use designation (pg. 111-27, General Plan). The General Plan identifies the South Vallejo Industrial Park Plan as the development master plan for which design standards and use regulations should be identified.

4. CONSISTENCY WITH THE GENERAL PLAN DEVELOPMENT GOALS:

The IU zoning districts in the city are generally recognized as districts zoned for industrial or light industrial uses, depending on their proximity to less intense districts. Applicable general plan development goals would be related to "industrial" policies. Though the four industrial development goals are mainly related to proposed development, Industrial Development Goal 2, and its associated policy (see below), could be considered applicable for this proposed project:

-To have a higher percentage of residents working in the Vallejo area

Policy 1. Review large vacant acreages for potential development; existing industrially zoned areas should not be rezoned unless the zoning is inappropriate.

Due to the ability of the applicant to find a location that is acceptable for his proposed use, the small business will continue to be able to operate out of Vallejo and employ Vallejo residents.

By maximizing the intensity of the warehouse/storage use at the lot, it is hoped that the property owner will improve the condition of the lot for intensive uses. Continued maintenance of the lot and having active tenants at the site will lessen the likelihood of real estate developers/speculators inquiring about rezoning the lot for non-industrial/warehouse uses.

5. ENVIRONMENTAL REVIEW:

The proposed use of "ice cream commissary/fleet storage" is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) because the project would consist of small storage building not exceeding 10,000 square feet in floor area and would not involve the use of significant amounts of hazardous substances, per Section 15303 (Class 3 [e]: New Construction or Conversion of Small Structures of Article 19 (Categorical Exemptions) of Title 14. California Code of Regulations Chapter 3.

6. CONFORMANCE WITH APPLICABLE ZONING REGULATIONS:

The subject site is zoned Intensive Use (IU) and is subject to Chapter 16.34 of the Vallejo Municipal Code (V.M.C.). The proposed use of an 'ice cream commissary,' which would be categorized under the "wholesaling, storage, and distribution: light" commercial use type, is a permitted use. The proposed use of 'fleet storage,' which is categorized under the "automotive and equipment: storage, non-operating vehicles" commercial use type, is a permitted use subject to major use permit approval.

Other applicable zoning ordinance sections are as follows:

PARKING. Off street parking requirements are determined by the use(s) on a parcel, per Section 16.62.100 V.M.C. The proposed ice cream commissary use would have a parking requirement of four spaces for the first 5,000 square feet of floor area.

Five tandem parking spaces are proposed for the project for a total of ten parking spaces. The proposed 640 square foot storage building would require four spaces.

REQUIRED SCREENING. Section 16.70.060(C) V.M.C. identifies the screening requirement for IU zoned districts and automotive and equipment type uses.

Notwithstanding the provisions of an applicable zone, fences, walls and other screening on any building site with an automotive and equipment use typed, except sales/rental-light equipment, required screening shall not be more than eight feet in

height. Fences, walls and other screening on any building site with an automotive and equipment sales/rental-height use shall not be more than six feet in height.

The proposed ice cream truck fleet storage area is in the rear north-west corner of the site, abutting mobile homes within the Tall Trees mobile home park. Staff recommends as a condition of approval that the applicant install boundary landscaping at a minimum depth of two feet along the north property line for a linear distance of 95' (the proposed leasing area). The plant variety proposed for the required landscaping shall reach a mature minimum height of eight feet and shall function as screening for the proposed use, as detailed in Section 16.70.030(A)(5) V.M.C.

Staff will also recommend as a condition of approval that the existing interior chain link fence/gate with red slats be replaced with a new eight foot chain link fence/gate with slats which would extend from the front north end warehouse building wall to the north property line. This new fence would then screen the shipping cargo containers which are currently visible from Broadway Street.

REQUIRED LANDSCAPING. Section 16.70.070(G) V.M.C. identifies the landscaping requirement for IU zoned districts.

Notwithstanding the provision of an applicable zoning district, on any building site with an automotive and equipment use type, only the following landscaping shall be required in accordance with the regulations of Section 16.70.1690. Boundary landscaping is required for a minimum depth of five feet along all property lines abutting streets except for the area required for street openings and the area within four feet on either side of street openings.

Currently, there is no boundary landscaping for the front of the parcel which fronts Broadway Street. Staff is not familiar with the landscape history of the site, but it appears from the estimated age of the asphalt and chain link fence at the front of the property, there has not been landscaping at the front of the lot for quite some time, if ever at all.

Staff believes for the small amount of improvements that are being proposed for the site, a requirement for the property owner to rip out five feet of the existing asphalt to provide boundary landscaping would be onerous. In discussions with the property owner, who just purchased the property this year, it was told to staff that he does plan on doing something with the existing warehouse building, i.e. refurbish or demolish, in the future. The property owner did state to staff though that he would be willing to improve the property with new landscaping within reason, with such improvements as street trees. Staff informed the property owner that at that time of proposed future larger scale development, staff will require conformance with the boundary landscaping requirement.

Staff will recommend as a condition of approval, planting of a minimum of four street

trees for the street frontage on Broadway Street. Staff recommends that the applicant select a variety consistent with other street trees at adjacent properties or at Vallejo Transit or a variety from the City of Vallejo street tree list. Mature height of the variety chosen shall take into account the power lines on Broadway Street.

6. DEPARTMENT REVIEW AND COMMENTS:

Notice of the application and accompanying plan was sent to the Building Division, Traffic and City Engineer, Vallejo Sanitation and Flood Control District, the Water Superintendent, Solano County Environmental Health Division and Fire Prevention, comments received can be found in the conditions of approval of this report.

7. PUBLIC COMMENTS:

The proposed project was mailed to property owners within a 500 foot radius of the subject site and the applicant on November 2, 2006. As of the date of this report, no comments were received.

8. REFERENCES:

California Environmental Quality Act (CEQA Guidelines 2006), Section 15303 (Class 3 [e]: New Construction or Conversion of Small Structures of Article 19 (Categorical Exemptions) of Title 14

City of Vallejo General Plan, pages II-8 & III-27

City of Vallejo Zoning Ordinance: Chapter 16.62- Off-Street Parking and Chapter 16.70- Screening and Landscaping Regulations

South Vallejo Industrial Park Policy Plan, Section III & IV

9. STAFF ANALYSIS:

Staff is pleased with the applicant's proposal for an ice cream commissary and fleet storage facility at the proposed location, and believes, as noted in Sections 3,4,&6, that the proposed land use, and associated development is compatible with the existing land use at the site, and is also consistent with the general plan and zoning ordinance. Staff does realize however that the deteriorating warehouse building, shipping containers, and lack of landscaping at the site fails to promote a positive visual image to passer-bys from Broadway Street.

As noted in Section 6 of this report, staff does not believe the association between the proposed level of improvements for the site, and requiring improvements for the site in general, including the warehouse building, is a strong enough nexus for this project. However, staff believes that the curb appeal improvements which will be required as part of this project will aid in screening the unsightliness of the property

and will hopefully be an impetus for the new property owner to further improve his property in order to better attract future tenants and maximize his investment.

Due to the proposed project's proximity to the mobile homes at Tall Trees Mobile Home Park, staff recommends that the hours of operation (leaving and arriving) for the trucks be restricted from 9:00 a.m. to one hour after sunset. Staff also recommends that no mechanical repair, maintenance, or cleaning of the trucks occur at the property.

10. STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of Use Permit #06-0018 subject to the following findings and conditions:

Findings:

These findings are based upon all evidence in the record including the staff report, testimony, and written correspondence, all of which is incorporated by reference:

1. As describe in Sections 5 and 9 of this report, the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use;
2. As described in Sections 3 and 4 this report, the impacts, as described above, and the location of the proposed conditional use are consistent with the city general plan.

CONDITIONS OF APPROVAL (Revised conditions from Planning Commission are identified in *italics*):

Planning Division

1. 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, provide a revised plan illustrating the following:
 - a) boundary landscaping at a minimum depth of *three* feet along the north property line for a linear distance of 95' (the proposed leasing area). The plant variety proposed for the required landscaping shall reach a mature minimum height of eight feet and shall function as screening for

the proposed use. The selected plant variety shall also consist of a compact evergreen type and shall reach a minimum height of two feet within twelve months of planting.

b) a new eight foot *decorative wood fence* from the front north end warehouse building wall to the north property line.

c) four street trees for the street frontage on Broadway Street. Staff recommends that the applicant select a variety consistent with other street trees at adjacent properties or at Vallejo Transit or a variety from the City of Vallejo street tree list. Mature height of the variety chosen shall take into account the power lines on Broadway Street.

d) *replacement (or elimination) of the front property line chain link fence with a wrought iron fence and gate*

e) *new wrought iron fence at the south property line from Broadway Street westerly terminating at the existing building*

f) *a new wood fence at the north property line (abutting the mobile home park)*

The proposed landscaping shall meet the following standards: three 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. Four City-approved street trees to be planted at least 6 feet from any sewer line;
 - b. Low-water-using and drought-resistant plant materials;
 - c. Screening of the required backflow preventers;
 - d. All trees to be a minimum of 15-gallon, double staked; at least 50 percent of the proposed shrubs shall be a minimum of 5-gallon;
 - e. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage; and
 - f. Six inch high curbing around planters.
3. Prior to final inspection/occupancy, all required landscaping and screening material shall be installed to the satisfaction of the Planning Division.
 4. Prior to final inspection/occupancy, provide written confirmation from Solano County Resource Management that all requirements have been satisfied.

5. No mechanical repair, maintenance, or cleaning of the trucks shall occur at the property.
6. Hours of operation (leaving and arriving) for the ice cream trucks shall be restricted from 9:00 a.m. to one hour after sunset.
7. *Emissions, dust, and all other airborne particles and fumes from outdoor uses shall be contained with an enclosed temporary structure and shall not violate Bay Area Air Quality Management standards.*
8. *There shall be no testing of amplified sound systems of the ice cream vehicles at the project site.*

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
2. 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.
3. A fire alarm system will be required for this project.
4. If security gates are desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.
5. Additional fire hydrant(s) may be required. Submit a complete set of plans 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. (1998 CFC Section 903, Appendix III-B) Hydrant map is needed.
6. Automatic fire sprinkler extinguishing systems are required for all residential, commercial, and industrial occupancies. (1998 CFC Section 1003.1.2 added VMC Section 12.28.190)
7. Prior to occupancy/final building inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (1998 CFC Standard 10-1; NFPA 10)
8. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as 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. (1998 CFC Section 901.4.4; added VMC Section 12.28.170) Minimum 6" addresses.

9. Prior to occupancy/final building inspection, install "No Parking Fire Lane" signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway. (CVC Section 22500.1; CalTrans Traffic Manual, sign #R26F)
10. Prior to occupancy/final building inspection, all applicable fees shall be paid and a Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.

STANDARD REQUIREMENTS

Planning Division

1. All parking spaces shall be demarcated, per City of Vallejo standards.
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, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. All mechanical equipment and utility meters shall be screened in a manner approved by the Planning Division. Electrical transformers shall be screened or placed underground.
5. All vents, gutters, downspouts, flashings, electrical conduits, etc., shall be painted to match the color of the adjacent surface.
6. All roof-mounted mechanical devices and their components such as air conditioners, heating equipment, exhaust fans, vents or ducts, or similar equipment shall be screened from view in a manner approved by the Planning Division. All wall-mounted air conditioners shall be flush mounted.
7. Obtain an inspection from the Planning Division prior to final inspection/occupancy. All inspections require a minimum 24-hour notice.
8. 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.
9. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which

violates the conditions of this use permit or other applicable City regulations, and Planning staff is unable to obtain compliance or abatement, staff will refer the use permit to the Planning Commission for possible suspension or revocation per Section 16.82.110, Vallejo Municipal Code.

10. The applicant shall establish a recycling program for the building in coordination with the Planning Division and when established, either participate in the Citywide commercial recycling program or demonstrate to the satisfaction of the Planning Division that the established recycling program is sufficient.

City and Traffic Engineer

1. Submit site grading, drainage improvement and utility plans for review and approval. Site plan shall show all existing and proposed improvements. Prior to building permit secure approval of site plan.
2. The proposed building is at the border of 100 year flood zone. Therefore, prior to building permit, provide evidence that the building pad is not in the flood zone.

(The following conditions may apply)

3. Prior to building permit issuance, 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. (PW1)
4. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (PW2)
5. Prior to building permit issuance, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports. (PW3)
6. Site grading shall comply with Chapter 12.40 – Excavations, Grading, and Filling (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer, with the cost of the study to be borne by the developer/project sponsor. (PW4)
7. In design of grading and landscaping, line-of-sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground

utility boxes, etc. shall not block the line-of-sight of traffic and must be set back as necessary. (PW5)

8. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the Department of Public Works shall shut down the grading operation. (PW6)
9. All dust and erosion control shall be in conformance with City standards, ordinance, and NPDES requirements. (PW7)
10. Prior to building permit issuance or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the Department of Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
11. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
12. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work for utility trenches in existing public streets. All work shall conform to City standards. (PW10)
13. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way. (PW11)
14. Prior to start of construction submit a traffic control plan to the Department of Public Works for review and approval. (PW12)
15. Construction inspection shall be coordinated with the Department of Public Works and no construction shall deviate from the approved plans. (PW13)
16. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
17. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and

a separate "Labor and Materials Surety" in amounts stipulated by City ordinances. (PW15)

18. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities. (PW16)
19. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk, or driveway approach as directed in the field by the City Engineer. (PW17)
20. The project is within the 100-year flood zone and shall therefore comply with Chapter 7.98 – Flood Damage Protection, VMC. Prior to obtaining grading permit, apply to Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision (CLOMR). Prior to obtaining building permit, apply to FEMA for a Letter of Map Revision (LOMR). Prior to obtaining certificate of occupancy or acceptance by the City, whichever is applicable, obtain an approved Letter of Map Revision from FEMA. It will take FEMA at least 90 days to obtain CLOMR or LOMR. FEMA can be contacted at telephone (415) 923-7177, or FEMA, Mitigation Division, Building 105, Presidio of San Francisco, CA 94129-1250. (PW18)

Vallejo Sanitation and Flood Control District

1. Prior to building permit submittal, 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:
 - c. All proposed and existing District facilities to serve the project. Provide site utility plan showing existing and proposed sanitary sewer and storm drain facilities, mains, laterals, connections, etc.
 - e. Please show location of sanitary sewer and cleanout on site utility plan.
3. Prior to occupancy/final building inspection, provide standard VSFCD cleanout at the right of way/easement line per District standards and a two-way cleanout at the building per the U.P.C.
4. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
5. Pave and stripe area for proposed stock room and parking lot area if applicable.

Fire Prevention

1. Development sites shall be maintained weed free during construction. (1998 CFC Section 1103.2.4)

Solano County Resource Management (Environmental Health)

1. Plans have not been received regarding this project. Please contact Pam Jones @ 707 784-3321 for submittal requirements.

GENERAL CONDITIONS

1. 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.

EXPIRATION

Approval of a use permit shall expire automatically twenty-four months after its approval unless authorized construction has commenced prior to the expiration date.

Prepared by: _____
Marcus Adams, Associate Planner

Reviewed by: _____
Don Hazen, Planning Manager

Attachment A: Site plan and elevations
Attachment B: pictures of site
Attachment C: Conflict of Interest Map

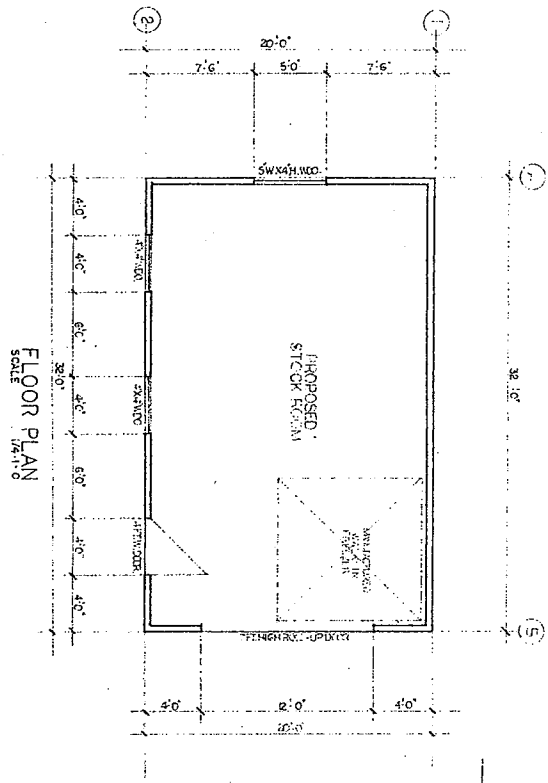
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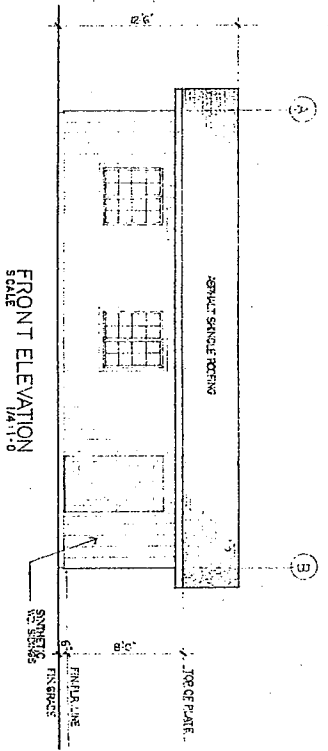
Prepared by: Marcus Adams
Marcus Adams, Associate Planner

Reviewed by: Don Hazen
Don Hazen, Planning Manager

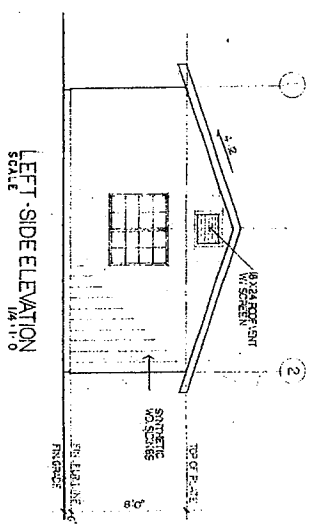
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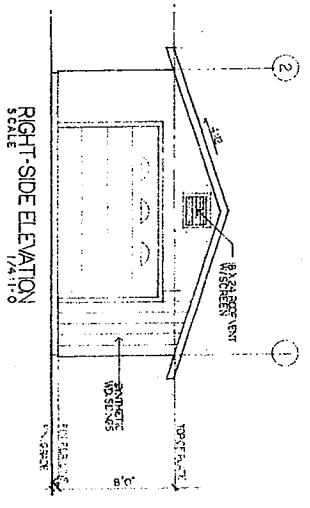
FLOOR PLAN
SCALE 1/4"=1'-0"



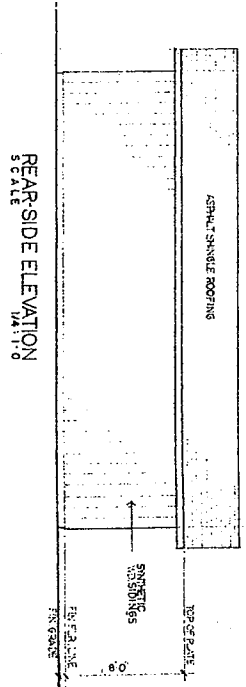
FRONT ELEVATION
SCALE 1/4"=1'-0"



LEFT-SIDE ELEVATION
SCALE 1/4"=1'-0"

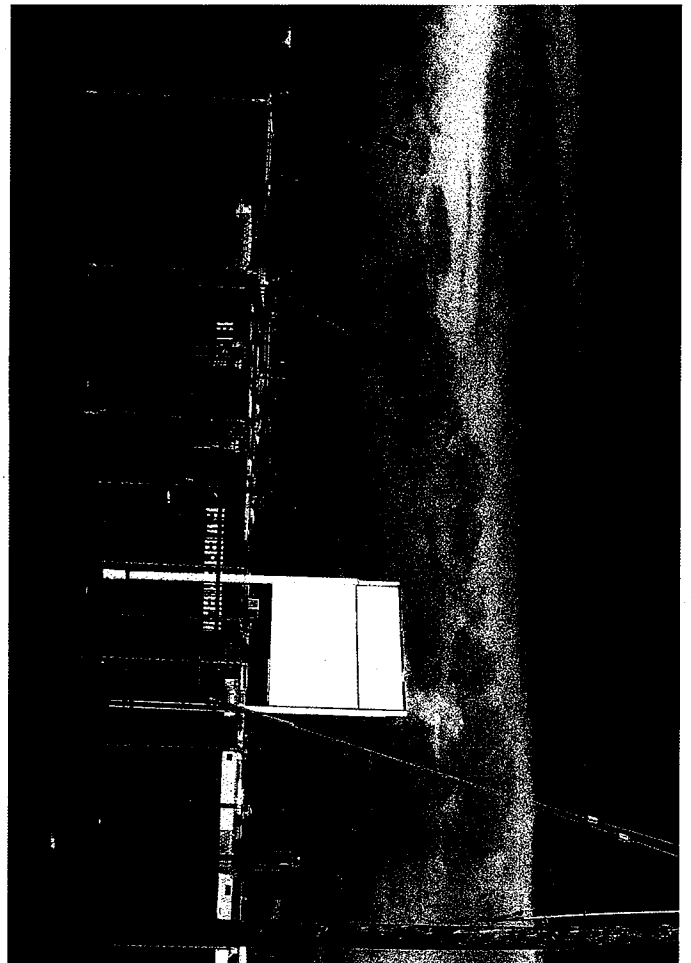
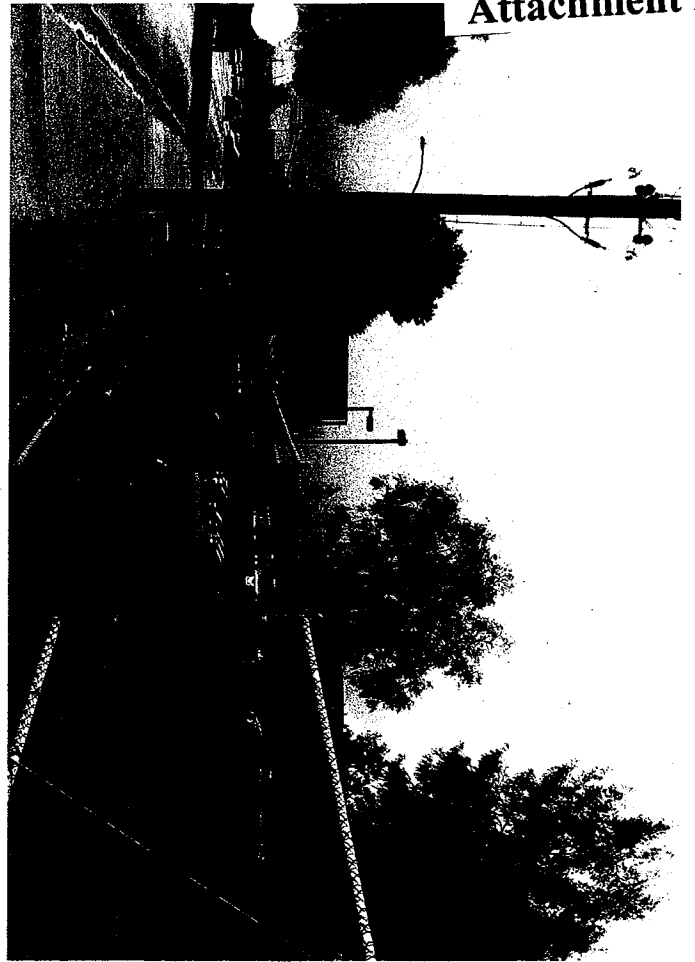
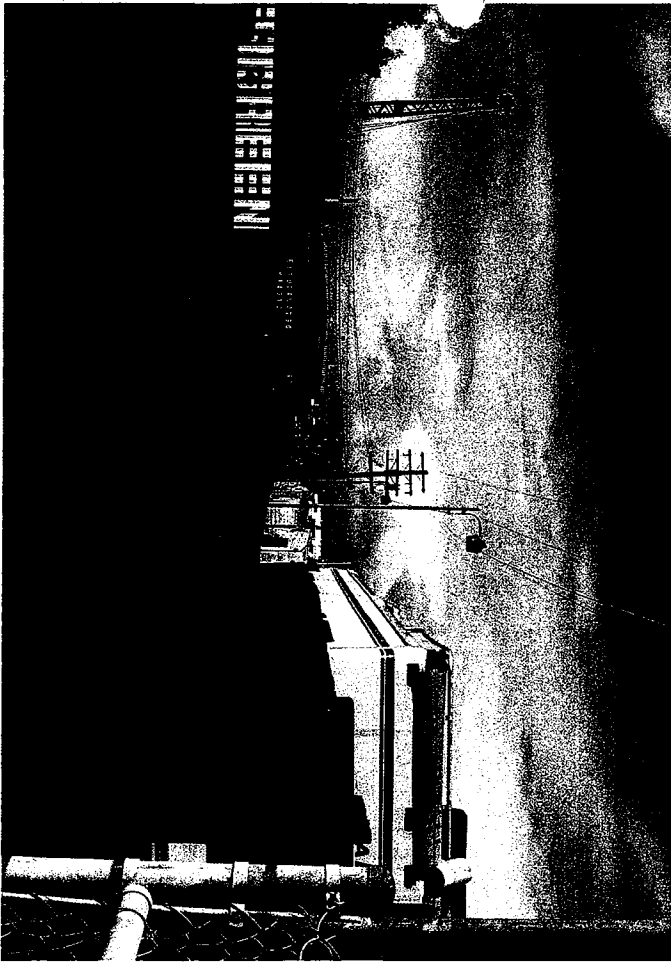


RIGHT-SIDE ELEVATION
SCALE 1/4"=1'-0"

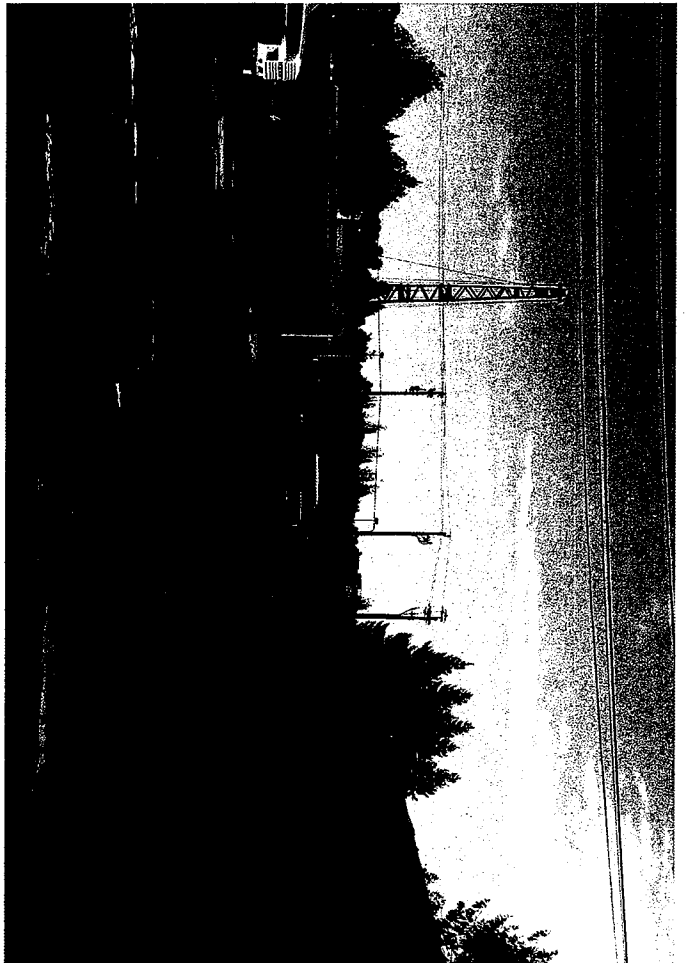
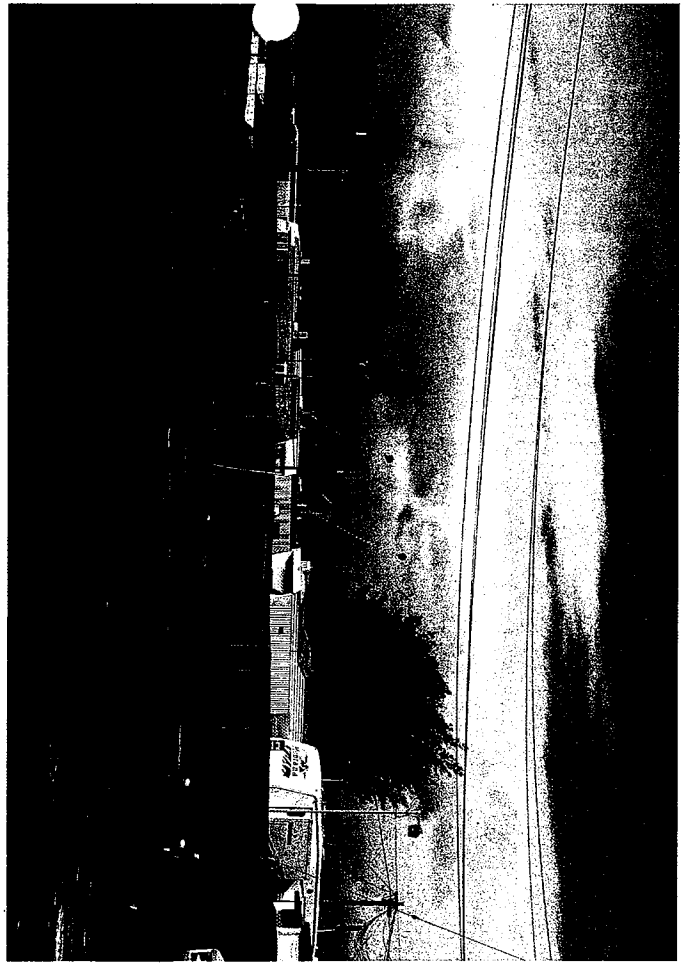


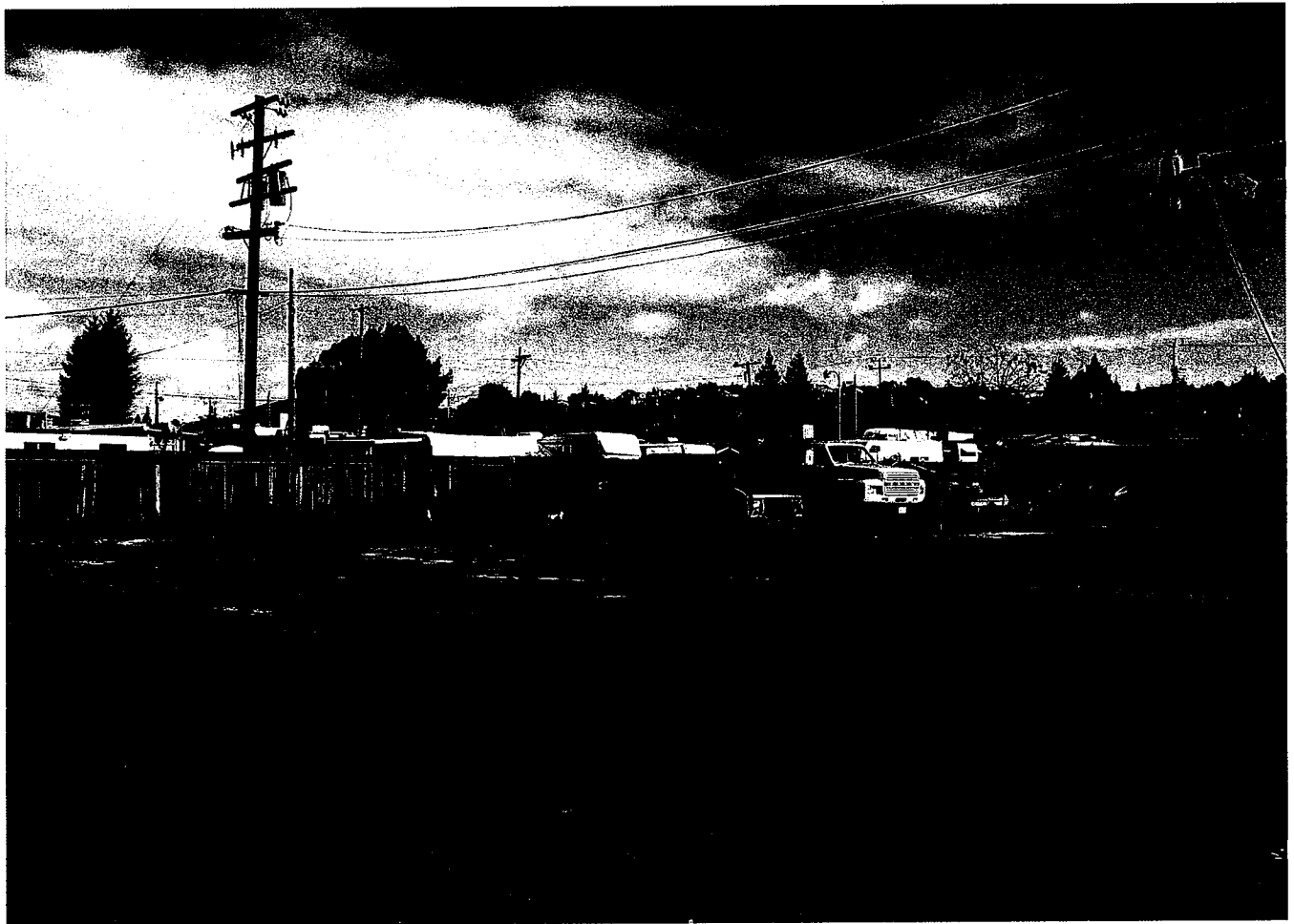
REAR-SIDE ELEVATION
SCALE 1/4"=1'-0"

2	PROJECT : ICE CREAM TRUCK - COMMISSARY.	RICHARD B. ROYCE 198 Laurel Drive Vallejo, California 94591 Phone # 707/244-0200 Fax # 707/244-0200
	LOCATION : 635 BROADWAY ST. VALLEJO CA. 94589	
SCALE : 1/4"=1'-0"	OWNER : GURDEEP PAWAR	PLANNING DESIGN
DATE : _____	TEL. : 707/1712-6761	











STAFF REPORT CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing: March 5, 2007

Agenda Item: K4

Application Number: Use Permit 06-0021, as governed by Chapter 16.82 "Conditional Use Permit Procedure" of the Vallejo Municipal Code.

Recommendation: **Approve** Use Permit 06-0021 subject to the findings and conditions contained in this report.

Location: 1598 Fairgrounds Drive **APN:** 0068-171-160

Applicant: Juana Flores
557 Cattail Drive
American Canyon, CA 94503

Property Owner: Donald C. Pipkins
457 Andover Street
San Francisco, CA 94110

General Plan: Retail Commercial

Zoning: Freeway Commercial

Existing Land Use: The property contains an existing restaurant.

Surrounding Land Uses: Adjacent to south is the Best Western Motel. To the north is a vacant parcel with a shopping center beyond. To the east are residential uses and to the west is a community park, with single-family residential uses beyond.

1. PROJECT DESCRIPTION

The applicants are applying for a use permit to allow alcohol service (beer and wine only) at an existing Mexican restaurant. This restaurant has been open at this location since November 2006 and is open seven days per week, 10 a.m. to 10 p.m. There would be no new construction associated with this application.

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 the

California Code of Regulations as it consists of the licensing of an existing private facility 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 Freeway Shopping and Service District (CF). The purpose of this district is to provide commercial goods and services in places conveniently and safely accessible from freeways. 0-Restaurants are an allowed use in this district; however, alcohol service requires approval of a major use permit.

PARKING. The property was constructed as a restaurant. The approval of a use permit for beer and wine service would not increase the square footage of the dining area so no new parking would be required for the approval of this use permit.

RESTRICTIONS FOR ON-SALE LIQUOR ESTABLISHMENTS.

The Zoning Ordinance 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 is an existing soundwall between the property and the residential properties behind.

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.*

Any exterior lighting for the project shall comply with this requirement as a condition of approval.

4. *Shall not sell alcohol for off-site consumption.*

The applicants do not plan to sell alcohol for off-site consumption and would not be approved through this permit for such sales.

5. *No exterior vegetation shall be planted that is susceptible to use as a hiding place for persons on the premises.*

No new vegetation would be planted near the building for this project.

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 NOTICING AND COMMENTS

A notice regarding the public hearing was sent to property owners within 500 feet of the property on February 6, 2007 and published in the Vallejo Times-Herald on February 13, 2007. No comments from the public were received regarding this project.

6. DEPARTMENT REVIEW AND COMMENTS

Plans for this project were reviewed by the Department of Public Works, Fire Prevention, Crime Prevention, and Community Development. Staff also contacted the Vallejo Alcohol Policy Coalition staff regarding this project. Comments from these agencies have been incorporated into this staff analysis.

7. 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 16.28 – Freeway Shopping and Service District

8. STAFF ANALYSIS

The application is for a major use permit for the on-site sale of beer and wine in conjunction with an existing restaurant. The restaurant is located on a commercial corridor, with residential use in back of that corridor. There is a large motel next door to the restaurant. Marine World is on the opposite side of Highway 37 from the restaurant. Although the property is zoned Freeway Commercial, it is not highly visible from the Highway 37 and is unlikely to draw much business from the highway. It appears that most of the business comes from the neighborhood and the motel next door, with some spill over from Marine World.

The main issues of concern related to this application would be its impacts on the adjacent residential uses. The restaurant is only open until 10 p.m., which will help minimize nuisance-related noise impacts. In addition, the restaurant is in the front of the lot, with plenty of parking directly adjacent to the building. There is a sound wall between the restaurant and the adjacent single-family residential uses.

Staff contacted the Crime Prevention Division to see if there were concerns about alcohol-related crime in this vicinity. Crime Prevention staff did not have any issues with the proposed beer and wine sales in conjunction with the existing restaurant. Staff also contacted staff for the Vallejo Alcohol Policy Coalition. VAPC staff met with the applicant to review the requirements of the zoning ordinance. He believes that the use will be a good addition to the neighborhood.

In reviewing the project, staff noticed that the signage at this restaurant is in excess of what is allowed in this zoning district. There is a sign permit for the property, but the total signage at the property was not included in the permit. As a condition of approval, the applicant shall revise their sign permit to include all signage on the property and shall remove or modify any signage that is beyond what is permissible.

Conclusion. Allowing beer and wine sales in conjunction with the existing restaurant is consistent with the restaurant use and, given that the restaurant is only open until 10 p.m. and there is an existing sound wall between the project and the adjacent residential uses, would not have significant impacts on the neighborhood.

9. STAFF RECOMMENDATION

Staff recommends:

That the Planning Commission **APPROVE** Use Permit 06-0021 subject to the findings and conditions contained in and attached to the resolution, Attachment 3 of this report.

10. **EXPIRATION**

Approval of the use permit shall expire automatically 24 months after its approval unless the conditions of approval have been met and the appropriate alcohol license has been received from the California Department of Alcoholic Beverage Control prior to the expiration date.

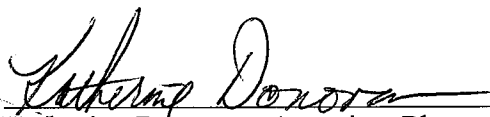
The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason 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.

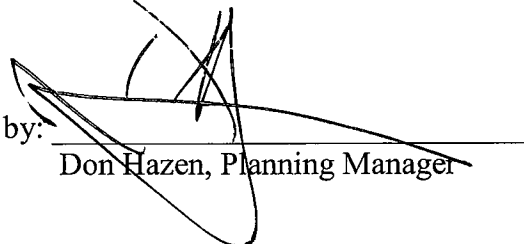
Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

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 – Site plan and photographs
- Attachment 3 – Resolution

Prepared by: 
Katherine Donovan, Associate Planner

Reviewed by: 
Don Hazen, Planning Manager

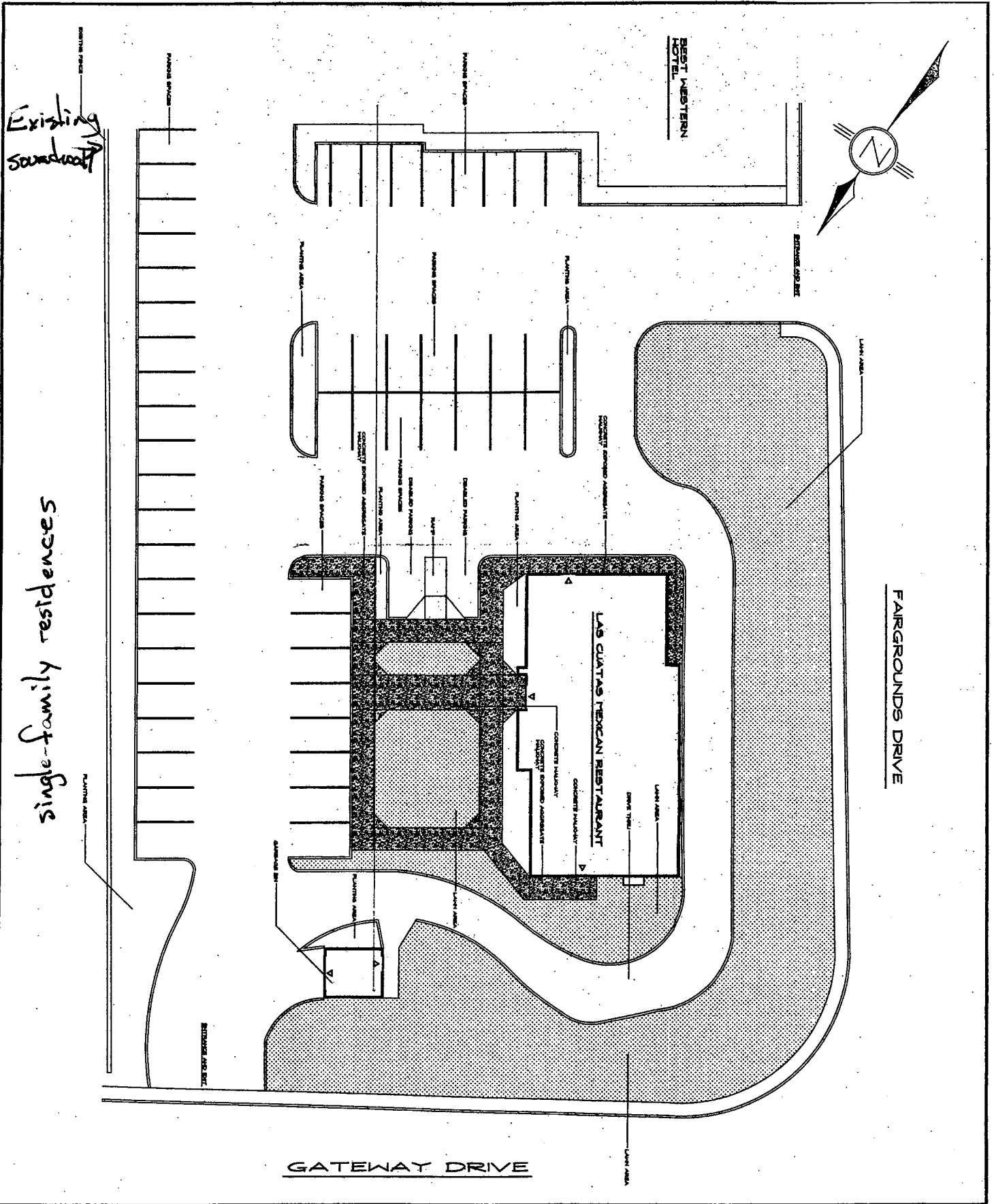
Conflict of Interest Map

Attachment 1

Use Permit #06-0021

1598 Fairgrounds Drive - (APN# 0068-171-160)





Existing
Sandwich

single-family residences

LAS CUATAS MEXICAN RESTAURANT
 1538 FAIRGROUNDS DRIVE
 VALLEJO, CA. 94595



DATE: 1/21/01
 DRAWN: [illegible]
 CHECKED: [illegible]
 APPROVED: [illegible]

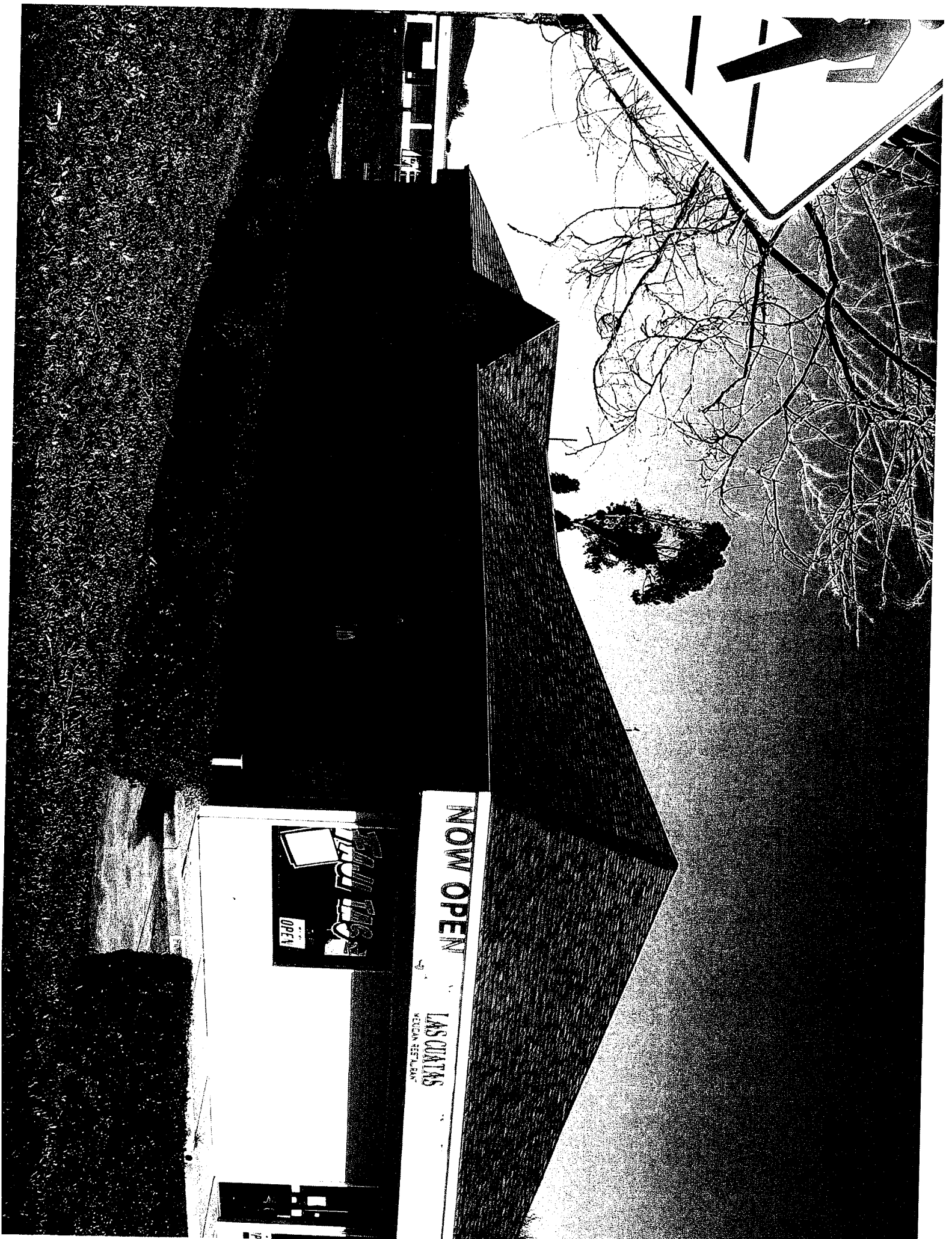
**LAS
CUATAS**

NOW OPEN

LAS CUATAS
MEXICAN RESTAURANT

OPEN

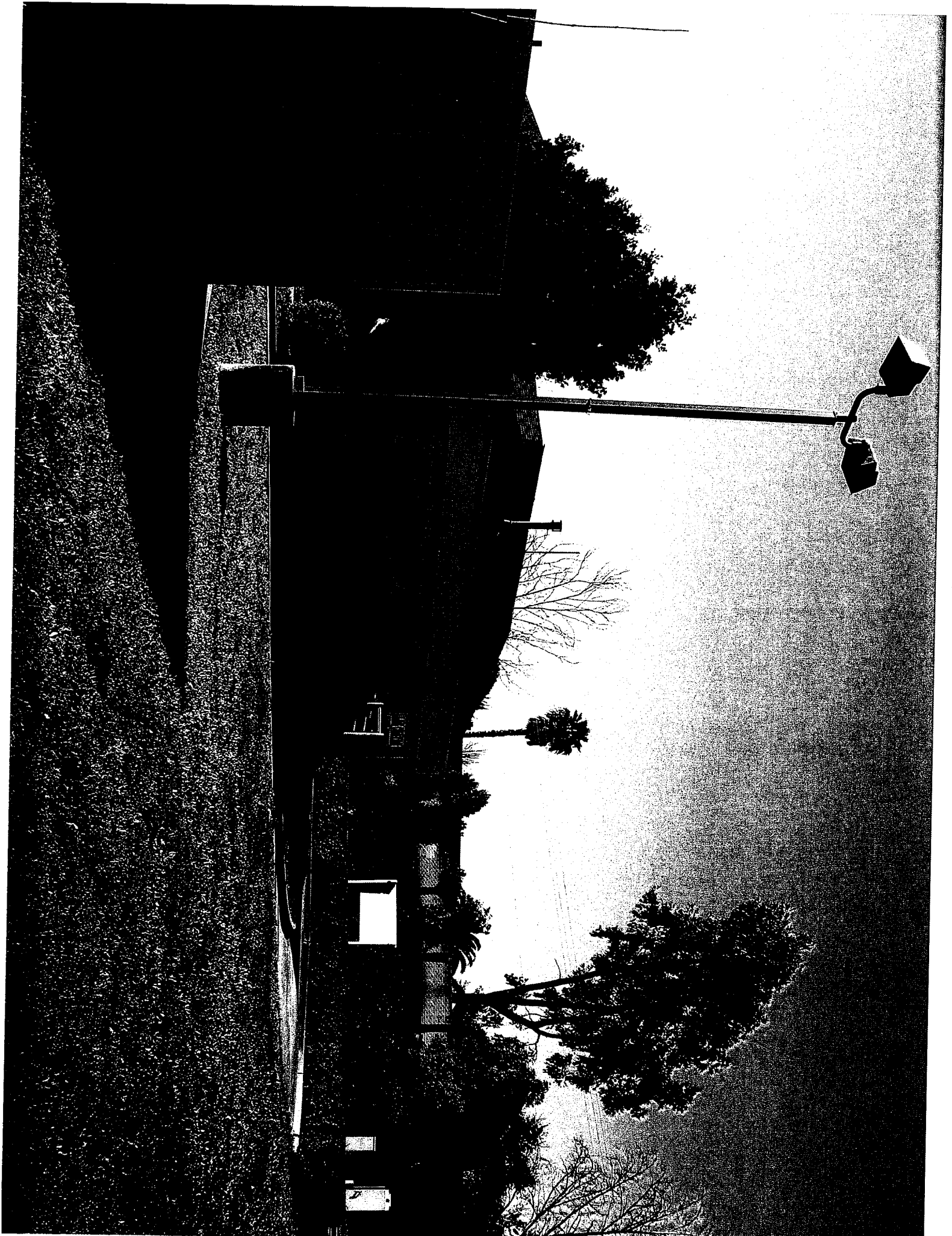
OPEN



NOW OPEN

LAS CUATRAS
VENECIA RESTAURANT

RESTAURANT
09231





CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-_____

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A CONDITIONAL USE PERMIT APPLICATION
UP 06-0021**

*On-site Sale of Beer and Wine in Conjunction with Restaurant
1598 Fairgrounds Drive
0068-171-160*

I. GENERAL FINDINGS

WHEREAS an application was filed by Juana Flores seeking approval for a conditional use permit to allow beer and wine service in conjunction with an existing restaurant;

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on March 5, 2007, at which testimony and evidence, both written and oral, were presented to and considered by the Planning Commission;

WHEREAS, based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

Section 1. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Title 14 of the California Code of Regulations as it consists of the licensing of an existing private facility involving negligible or no expansion of use beyond that existing at the time of approval.

III. FINDINGS RELEVANT TO USE PERMIT AND FINDINGS FOR PROJECT APPROVAL AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE GENERAL PLAN

Section 2. The Planning Commission finds that applicant submitted a Major Use Permit application, which is required for the on-site sale of alcoholic beverages. Use Permit approval is governed by Chapter 16.82 of City of Vallejo Municipal Code. The Use Permit is required for on-site sale of alcoholic beverages in the Freeway Commercial District pursuant to the City of Vallejo Municipal Code sections 16.28.030C1 and 16.57.020J.

Section 3. Planning Commission finds, based on the facts contained in sections 1, 2, 3, 4, 5, and 8 of the staff report incorporated herein by this reference, and given the evidence presented at the public hearing, and subject to the conditions attached to this resolution, that:

1. The location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.
2. The impacts, as described in subsection 1., and the location of the proposed conditional use are consistent with the city general plan.

IV. RESOLUTION RECOMMENDING APPROVAL OF THE CONDITIONAL USE PERMIT APPLICATION FOR UP 06-0021, SUBJECT TO CONDITIONS OF APPROVAL

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the conditional Use Permit application UP 06-0021 to allow the on-site sales of beer and wine in conjunction with a restaurant based on the findings contained in this resolution and subject to the Conditions of Approval attached hereto and incorporated herein by reference.

V. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the ___ day of _____, 2007, by the following vote to-wit:

AYES:
NOES:
ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

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. Sale of beer and wine shall be limited to the hours of 10 a.m. through 10 p.m. Sunday through Saturday.

PROJECT REQUIREMENTS:

A. Planning Division

1. All exterior lighting shall 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. No alcohol shall be sold for off-site consumption in association with this application.
3. All graffiti shall be removed from the building within one hundred twenty hours of its appearance on the property.
4. The applicants shall 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.
5. The following signs shall be prominently posted in English, Spanish, and the predominant language of the facility’s clientele:

- a. 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.)
 - b. "No Loitering or Public Drinking" signs shall be posted in the alcohol beverage display areas in a readily visible manner.
6. 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.
 7. 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.
 8. This use permit is for the specific type and size establishment and maximum hours of operation approved in this application. Should the type of alcohol license approved by ABC change or the size of the bar area of the restaurant or hours of operation be expanded, the use permit issued for on-site alcohol sales at this location shall become null or void, and a new use permit shall be required prior to resuming the sale of alcohol products.
 9. The applicant shall revise the sign permit application for this property to include all signage, including window signage, on the property. The signage shall be brought into conformance with the allowed signage for this zoning district.

B. Department of Public Works

1. Prior to implementation of use permit and any sale of beer and wine, re-strip the parking area. Directional arrows in the parking area shall be thermo-plastic.
2. Prior to implementation of use permit and any sale of beer and wine, remove and replace broken sidewalk adjacent to existing catch basin at the driveway approach on Fairgrounds Drive fronting the property. All broken curb, gutter, sidewalk, and driveway approaches shall be removed and replaced as directed in the field by the City Engineer. Obtain sidewalk permit from Public Works Department to perform this work.
3. Prior to implementation of use permit and any sale of beer and wine, install two required street trees fronting the property on Gateway Drive. Street trees shall be selected from the City's approved street tree list.

GENERAL REQUIREMENTS:

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.

STAFF REPORT

CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing:

March 5, 2007

Agenda Item: K-5

Application Numbers:

Mitigated Negative Declaration and Use Permit #04-0022 as governed by Section 16.82 of the Vallejo Municipal Code.

Recommendation:

Adopt a Mitigated Negative Declaration subject to the findings contained in the attached resolution.

Approve Use Permit #04-0022 subject to the findings and conditions contained in the attached resolution.

Project Description:

The project consists of a 12-pump service station with a 2,500 square foot convenience store, and a 900 square foot carwash; 15,500 square feet of retail space and a 3,800 square foot fast food restaurant space with a drive through. The project site is approximately three acres. The applicant is also proposing to operate entire shopping center twenty-four hours (seven days a week).

Location:

The proposed Vallejo Crossroads commercial project is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The project site is approximately three acres. (APN# 0067-150-320)

Applicant:

Pete Tobin / ARC Inc.
616 Marin Street
Vallejo, CA 94590

Property Owner:

Copeland Creek Apartments, LLC
336 Bon Air Center PMB#297
Greenbrae, CA 94904-3017

Project Sponsor

BPG, LLC Authorized Agent – Paul Ghafoori
1800 Sutter Street, Suite 775
Concord, CA 94520

Environmental Review:

An Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration were prepared by the City

and made available to the public for review on January 18, 2007.

General Plan: Employment

Zoning: Intensive Use

Surrounding Land Use: The project is located on the east side of Sonoma Boulevard approximately one half mile north of State Highway 37. An existing commercial center is located to the north of the subject property. To the south is the Vallejo Garbage Service Facility. Located to the east of the subject property is an existing mini-storage facility with Broadway Street beyond and State Highway 29 with residential uses beyond to the west.

Public Notice: Notice of the proposed use permit application was sent to property owners within 500 feet of the subject property and the applicant on January 18, 2007. At the time this report was prepared, staff did not receive any public comments.

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1. **PROJECT DESCRIPTION:** The proposed Vallejo Crossroads shopping center is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The proposal is contingent upon adoption of a Mitigated Negative Declaration. The project is also subject to a Major Conditional Use Permit to allow gasoline sales, convenience sales, fast-food restaurant space(s) with a drive-thru, and to allow twenty-four hour operations. The project includes a 12-pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 15,500 square feet of retail space and a 3,800 square foot quick service restaurant with a drive through. The project site is approximately three acres. The applicant is also proposing to operate twenty-four hours (seven days a week).
 2. **CONSISTENCY WITH THE GENERAL PLAN:** The General Plan Land Use designation for this site is Employment. The Intensive Use zoning district is considered clearly compatible with the Employment land use designation.
 3. **ENVIRONMENTAL REVIEW:** An Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration were prepared by the City and made available to the public for review from January 18, 2007 through March 5, 2007.
 4. **CONFORMANCE WITH ZONING REGULATIONS:**

Gasoline Fueling Station - Gasoline sales activities are permitted in the Intensive Use (IU) zone with the approval of a major conditional use permit. Chapter

16.82.060 of the VMC requires gasoline sales activities to meet the following requirements:

1. The use shall be located at the intersection of two major streets or a major and a collector street, or be part of a planned shopping center, freeway service complex, or other planned commercial concentration.

The project is a part of a planned retail shopping center.

2. Where the use abuts or is across an alley from a residential zoning district, it shall comply with all the following standards:

- a. A six-foot masonry wall shall be constructed along the property line that abuts the residential zoning district, or along the property line that is across the alley from said zoning district;

Neither property line abuts a residential district. However, should the applicant desire to have a wall it would be subject to the provisions of Section 16.70 of the Vallejo Municipal Code.

- b. All site lighting and lighted signs shall be directed away or shielded from the residential zoning district;

A final lighting plan illustrating that the light will be shielded from the residential zoning district west of the project will be required as a condition of approval.

- c. The use shall comply with the front and side yard requirements which apply to the affected residential zoning district. All required yards shall be appropriately landscaped.

The project property lines do not abut an adjacent residential zoning district. A final landscaping plan will be required as a condition of approval.

3. The use shall have a site area of at least fifteen thousand square feet when the use is not in conjunction with a planned complex.

The service station is located within a 130,175 square foot retail center and complies with this requirement.

4. Minor emergency health and safety services, including public restrooms, will be available to the motoring public when the availability of such services are considered on a city-wide basis.

The applicant has indicated to staff the tentative locations of public restrooms and an air and water station for the motoring public. The applicant is providing

public restrooms in the convenience store, quick service restaurants, and retail shop spaces. However, the final locations of the restrooms will be determined by the tenants.

Convenience Store – The proposal includes a convenience market associated with the gasoline fueling station. Chapter 16.82.060 of the VMC, Standards and Criteria for certain conditionally permitted uses requires that all convenience markets meet all of the following conditions:

1. The site shall be at least fifteen thousand square feet.

The site area is approximately 130,175 square feet and complies with this requirement.

2. The site shall be located on a collector street.

The site is located on State Highway 29 (Sonoma Boulevard), an arterial street and exceeds this requirement.

3. Lighting and signs shall not adversely affect any residential area, traffic safety or crime deterrence.

Prior to the building permit submittal, a final lighting plan illustrating that the project lighting will not adversely affect the residential area approximately 200 feet to the west of the project, traffic safety, or crime deterrence will be required as a condition of approval.

4. No automobile repairing/dismantling shall be permitted in or adjacent to the site.

Automobile repair/dismantling are not proposed as project components; however, a condition of approval prohibiting this activity will be required.

5. No outdoor storage shall be permitted.

Outdoor storage areas are not proposed as a project component; however, a condition of approval prohibiting this activity will be required.

6. Architectural features shall be similar to or blend in aesthetically with structures in the neighborhood and vicinity.

The subject site is vacant and architectural features of the project as proposed and conditioned will blend in aesthetically with surrounding structures on adjacent lots, the surrounding neighborhood, and vicinity.

7. Comply with the provisions of section R below relating to the sale of alcohol for off-site consumption. (Ord. 1318, 2 (part) 1994; Ord. 558 N.C.(2d), 2 (part), 1980.)

The applicant is not proposing the sale of alcohol for off-site consumption, should the applicant and/or tenants desire off-site alcohol sales they would be subject to the provisions of Section 16.82.060R of the Vallejo Municipal Code.

Carwash – The proposal includes a carwash that is associated with the convenience market and the gasoline fueling station. Chapter 16.82.060B of the VMC, Standards and Criteria for certain conditionally permitted uses requires that all automated carwashes meet all of the following conditions:

1. Automated car washes shall be located at least one hundred feet distant from any residential use or residentially zoned district.

The carwash is over 250 feet away from any residential use or residentially zoned district.

2. The applicant for the conditional use permit agrees to maintain the premises and agrees, that if the use of the car wash is abandoned and/or becomes a public nuisance, the city may provide for maintenance of the premises and place a lien against the property to cover the costs of maintenance.

The above restriction will be required as a condition of approval.

Fast-Food Restaurant Space– Fast-food restaurants with a drive-thru are permitted in the Intensive Use Zone (IU) with the approval of a major conditional use permit. Chapter 16.82.060 of the VMC requires that fast food restaurants meet the following requirements:

1. No fast-food restaurant (with a drive-through) shall be allowed except by a major conditional use permit.

The fast-food restaurant space is being reviewed as a part of this major conditional use permit and therefore complies with this requirement.

2. The site shall be at least fifteen thousand square feet when not in conjunction with a shopping complex.

The shopping center site area is approximately 130,175 square feet and exceeds this requirement.

3. The site shall be located on a major collector or arterial street.

The site is located on State Highway 29 (Sonoma Boulevard), an arterial street that complies with this requirement.

4. The proposed location of the fast-food restaurant shall not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, the necessity for turning movements due to the relation of its access to public roads and intersections, or its location in relation to other buildings or proposed buildings on or near the site and the traffic patterns from such buildings; or cause frequent turning movements across sidewalks and pedestrian ways, thereby disrupting pedestrian circulation within a concentration of retail activity.

Directional signs will be required as a condition of approval to insure that turning movements onto the property, and ingress and egress from State Highway 29 will not create a potential traffic hazard for vehicles or pedestrians.

5. No fast-food restaurant shall preempt frontage on any highway or public road in such manner so as to substantially reduce the visibility and accessibility of an interior commercial area zoned or proposed for commercial use that is oriented to the same highway or public road.

The proposed restaurant will not substantially reduce the visibility and accessibility of the interior commercial uses. The proposed quick service restaurant is being constructed in conjunction with the gasoline station and adjacent retail buildings as part of a proposed commercial retail center.

6. All lighting located on the premises shall be shaded and screened so as to be directed away from all adjoining residentially zoned or developed property.

A final lighting plan with the above specifications will be required prior to building permit submittal as a condition of approval.

7. An adequate number of litter and trash receptacles shall be provided on the premises, and the fast-food restaurant shall maintain an off-premises litter collection program within a four-hundred-foot radius of the restaurant to collect packages and containers which have been carried off the premises and improperly discarded by patrons of the restaurant.

A litter collection program with the above specifications will be required as a condition of approval.

8. The design of the restaurant structure by its adaptability, absence of trademark architecture, and character shall facilitate its ready conversion to other commercial uses.

The building as sited and designed will facilitate conversion to other commercial uses.

9. The applicant for the conditional use permit agrees to maintain the premises, agrees that if the use of the fast-food restaurant is abandoned and/or becomes a public nuisance, the city may provide for maintenance of the premises and place a lien against the property to cover the cost of maintenance.

The above restriction will be required as a condition of approval.

Retail Buildings – The project proposal includes 15,500 square feet of retail space. Retail Uses are allowed in the Intensive Use zoning district subject to the following standards, per Section 16.34 and Section 16.75.030 Site Development Standards of the Vallejo Zoning Ordinance:

Zoning. The property is located in a zoning district currently designated as Intensive Use (IU). This zoning designation encourages a wide range of commercial services, manufacturing, and wholesale storage and distribution can be undertaken in close proximity to one another without encroachment or disturbance of incompatible land uses. Typically, the intensive use district would be applied to areas where sufficient acreage is available for screening and buffering unsightliness, noise, odor, traffic and hazards associated with intensive uses from less intense districts and public rights-of-way. Supportive uses, such as certain retail sales and eating and drinking establishments, would be appropriate if properly oriented and are serving primarily the general commercial and industrial uses.

The proposed retail buildings are properly oriented and are compatible with the Intensive Use zoning designation.

Setbacks and Landscaping. The project site is an interior lot with frontage on Highway 29 (Sonoma Boulevard). There are no specific setback requirements in the Intensive Use District (IU). However, Section 16.70.070C of the Vallejo Municipal Code states:

1. Boundary Landscaping. Boundary landscaping is required for a minimum depth of four feet along all property lines abutting streets except for the area required for street openings.

The project proposes a minimum of ten feet of landscaping as measured from the property line which is consistent with this standard. In addition, the applicant is proposing landscaping in the forty-foot public right-of-way.

2. Vehicle Storage and Parking Areas. In addition to the landscaping required by subsection A, not less than two percent of any vehicle storage or parking area shall be landscaped.

The project is consistent with this standard, two percent is required and five percent is proposed.

3. **Additional Landscaping.** All portions of the building site, exclusive of structures, parking areas recreational uses, driveways and walkways shall be landscaped.

The proposed commercial center has approximately ten percent landscaping for the entire project site. The project site is consistent with the setback and landscaping requirements of the Intensive Use zoning district.

4. **Trees.** At least two street trees are required for each fifty feet of street frontage or fraction thereof.

There are approximately 328 linear feet of frontage along State Highway 29 (Sonoma Boulevard), seven street trees are required and eight street trees are proposed. As a condition of approval, the applicant will be required select street trees from the City's approved Street Tree list.

Height. The height limit within the Intensive Use District (IU) district is 75 feet.

The proposed structures are approximately 25.5 feet in height, which is consistent with Intensive Use zoning.

Parking. Per Section 16.62.100 E of the Vallejo Municipal Code, the minimum parking requirement for retail sales is one space for every 250-square-feet of gross first floor area. One accessible space is required for parking lots with 25 or fewer spaces. Minimum parking space dimensions are 18 feet by 9 feet for standard spaces, with an additional 5 foot wide aisle for accessible spaces. Back up space of 25 feet is required for 90-degree parking. The minimum width of commercial one-way driveways is 16 feet.

One hundred and ten parking spaces are provided on the site for both the convenience store and gasoline sales, retail buildings, and fast food restaurant space(s). The project is consistent with the parking standards for the proposed uses as illustrated on the submitted site plan. However, the square footage of the seating areas for the fast-food restaurant space(s) will be limited to the number of parking spaces provided and determined by Section 16.62 Off-Street Parking and Loading Regulations. In addition, the proposed retail spaces (Buildings A and B) meet the parking requirement for retail. The proposed shopping center can not support additional restaurants or eating and drinking establishments in the retail spaces, as a condition of approval staff is prohibiting restaurants or eating and drinking establishments from being located in the retail spaces, unless the applicant can demonstrate that they comply with Section 16.62 – Off-Street Parking and Loading Regulations.

Fencing. A fencing plan that complies with the zoning requirements, including a six-foot height limit, will be required as a condition of approval to maintain the privacy of the adjacent residential uses surrounding the proposed structure. The applicant

shall install and maintain a masonry wall and all landscaped buffers surrounding the property as a condition of approval.

There are no existing residential uses surrounding the proposed shopping center. Existing fencing surrounding the property is adequate. However should the applicant desire to install fencing it shall comply with Section 16.70 of the Vallejo Municipal Code.

Circulation and Access. The circulation pattern shall provide for pedestrian and vehicle connections with adjoining uses where such traffic is anticipated. Driveway intersections with arterial and major collector streets shall be kept to a minimum and shall be readily identifiable as access to the site. On large-scale projects, pedestrian traffic should be separated from vehicle traffic. Signalization and turning lanes may be required. Heavy truck traffic and loading areas should be kept separate from other traffic. Loading areas shall be screened from public view. Section 16.62.150B of the Vallejo Municipal Code states: "Except in the case of one-family and two-family dwellings in residential districts, vehicles shall drive into a street rather than back in."

The project has two driveways fronting on State Highway 29 (Sonoma Boulevard) and each driveway is limited to a right entrance in and a right entrance out. The Traffic Engineer has added a condition of approval prohibiting a median break in State Highway 29 (Sonoma Boulevard) southbound traffic for safety concerns. The project proposes two adjacent access points, one between the existing shopping center located to the north and the other between the existing self-storage to the east. According to the applicant, they have had discussions with the neighboring property owner(s) to the north to allow access between the two properties but no final agreement has been made. The other proposed access point between the self-storage facility and the subject property contains an existing easement that will be used for emergency access only.

The proposed project is consistent with the circulation and parking requirements for commercial developments. Interior access between both buildings is provided by twenty-five foot driveway aisles. Because this project is not considered a large-scale project, no separation of pedestrians and vehicles is required. There are no turning lanes or loading areas proposed for this project.

Traffic generated by this project will not be routed through the low density residential areas because the access to the site is provided on State Highway 29 (Sonoma Boulevard), an arterial.

Architectural Treatment. Overall architectural harmony is encouraged, with variation and interest provided through differing roof lines, canopies, building lines, setbacks, surface textures, colors and materials. Four-sided architectural treatment is appropriate on highly visible structures. The signing program should be an integral part of the building design in terms of size, placement, color and style. Open storage

and solid waste storage areas should be screened in a manner compatible with the primary architectural treatment.

The proposed project as conditioned is consistent with the architectural guidelines with respect to colors, façade treatments, building massing, form and organization. The proposed design of the three buildings offers a unique architectural style that incorporates the use of stone veneer, standing seamed metal roofing, cement plaster siding, stone block, and glass for exterior materials.

The proposed structures are architecturally compatible with the surrounding neighborhood. The massing of the proposed structures are respectful of other non-residential uses surrounding the property. The submitted building elevations illustrate one-story buildings with flat roves, parapets with pitched roofs, foam/plaster cornices and foam/plaster accents that create greater visual interest along State Highway 29 (Sonoma Boulevard).

Staff has added a condition of approval requiring that the applicant provide a detailed sign program. The sign program shall ensure that all signage in the plaza is consistent with Section 16.64 of the Vallejo Municipal Code and with the architecture of both buildings.

Four covered solid waste storage areas are proposed, one for each of the proposed buildings. No additional outdoor storage facilities are proposed for this project.

***Utilities.** Mechanical equipment, meter boxes and utility transformers shall be screened from view. Light standards shall be in scale and compatible with the adopted architectural style.*

As a condition of approval, the applicant shall provide staff with a revised site plan showing the location of all utility equipment and screen all such equipment from public view. Light standards shall be compatible with the architectural style.

***Signs.** Chapter 16.64 requires that no more than one of the following signs within the Intensive Use district may be permitted – one monument sign may be permitted not to exceed ten feet (10) in height and twenty-five (25) square feet in area; or one pole sign not to exceed twenty (20) feet in height and fifty (50) square feet in area provided the site meets all of the following requirements:*

- a. The site shall be accessible by automobile and have off-street parking on the site.
- b. The site shall have a minimum principal street frontage of one hundred feet.
- c. The sign shall not be within one hundred feet of another similar sign.
- d. When in the determination of the development services director no other type of sign will properly identify the building or site.

For gasoline and service station price signs, one sign is permitted per street frontage. A price sign on the premises of a gasoline or service station contains only the following:

- a. The price(s) of motor fuel
- b. The type(s)/grade(s) of motor fuel;
- c. Credit card logos accepted by the station.

The applicant has expressed to staff that the project sponsors would like to address all the signage as part of the master sign program. Staff is adding a condition of approval that will require the applicant to submit a sign program for the center prior to building permit submittal.

There is an existing off-site sign (billboard) located in the Caltrans Right of Way fronting the project site. If the proposed sign is to be altered, moved or relocated it would be subject to Section 16.64.110 of the Vallejo Municipal Code. In 1984, the City Council found that off-site signs adjacent to freeways and State Highways in the City have reached the saturation point. No new off-site signs are permitted to be constructed, erected or placed if the sign is designed to be viewed primarily by persons traveling on such a freeway. This section does not prohibit repairs or alterations to any such existing off-site signs, so long as such repair or alteration does not exceed twenty percent of the total value of the display in any calendar year.

All off-site signs are permitted subject to the securing of a use permit in each case, to be evidenced by a tag issued and affixed by the building inspector in a uniform and secure manner, off-site signs are permitted in the Intensive Use Zoning District provided they do not exceed thirty feet in height, nor exceed forty feet in height when located within one hundred feet of the right-of-way of a freeway or state highway. It is uncertain if the existing sign has zoning entitlements. Staff is continuing to research the legality of this sign.

Staff is adding a condition of approval that would require the applicant to comply with the off-site signage (billboard) regulations if the sign is to be altered or relocated as a part of this project.

Late Night Operations – The property is zoned Intensive Use (IU). Late night business operations (between the hours of twelve o'clock a.m. and six o'clock a.m.) are allowed with the approval a Major Conditional Use Permit per Section 16.57.030A (1) and are subject to the following standards of the Vallejo Zoning Code:

1. All late night business operations, located within three hundred feet of a residential use or zoning district, and commenced on or after the effective date of the ordinance codified in this section, shall require a major conditional use permit, as prescribed in Chapter 16.82.

The proposed project is located within three hundred feet of a residential district and as such is being addressed by this use permit.

2. All late night business operations, located within three hundred feet of a residential use or zoning district, and commenced before the effective date of the ordinance codified in this section, shall be issued a minor conditional use permit, as prescribed in Chapter 16.82, with the following exceptions or limitations:

There was not a past history of twenty-four hour operations at this site prior to the ordinance being codified. The requirements below do not apply to this project because late night operations were not being conducted prior to the adoption of this ordinance.

- a. The minor permit shall be issued without the necessity of the filing of an application or the payment of a fee;
 - b. The permit shall be conditioned on the operation of the business in such a manner as not to cause persons owning or occupying residential property within three hundred feet of the business to complain in writing to the city about its operation. No other condition shall be imposed on issuance of such permit;
 - c. Upon receipt of three written complaints, determined to be valid and in the form prescribed by the development services director, the minor permit shall be reviewed under the procedure set forth in the administrative rule promulgated by the city manager on the subject of mitigating adverse impacts of business operations;
 - d. If this review does not result in resolution of the complaints to the satisfaction of the development services director, then the minor permit shall be converted to and treated as an application for a major conditional use permit, without payment of a fee, and subject to review and processing in the manner as prescribed in Chapter 16.82 of the Vallejo Municipal Code.
- 5. DEPARTMENT REVIEW AND COMMENTS:** Notice of the application was sent to the Building Division, City Engineer, Vallejo Sanitation and Flood Control, Fire Prevention, Water Department, Vallejo Police Department and Vallejo Alcohol Policy Coalition (VAPC). Comments are incorporated in Section 7 of this report.
- 6. REFERENCES:**

- Vallejo General Plan
- Vallejo Zoning Ordinance
- §16.34 Intensive Use District Regulations
- §16.62 Off-street Parking and Loading Regulations
- §16.64 Sign Regulations
- §16.82 Conditional Use Permit Procedure
- 2006 California Environmental Quality Act Guidelines

STAFF ANALYSIS:

Gasoline Fueling Station

Gasoline sales activities are permitted in the Intensive Use (IU) zone with the approval of a major conditional use permit. The proposed gasoline sales use is consistent with the General Plan designation of Employment and the Zoning Code.

The applicant is proposing six fuel dispenser units (12-pumps) under a 3,760 square foot canopy. The proposed height of the canopy would be 25 feet and would match the proposed buildings in the shopping center with respect to exterior materials.

Convenience Store

The proposal includes a convenience market associated with the gasoline fueling station. The convenience market would be 2,500 square feet. Staff has determined that the proposed south elevation for the convenience store can be enhanced as viewed from the entrance to the carwash. This can be achieved by providing landscape trellis, or other architectural treatments to this elevation. Additionally, the applicant is not proposing alcohol related uses as a part of this use permit. Should the applicant desire to sell alcohol, they would need to apply for a separate use permit.

Carwash

The proposal includes a 900 square foot carwash that is associated with the convenience market and the gasoline fueling station. Staff has reviewed the landscaping in front of the carwash and is adding a condition that a landscape berm be installed in the front setback to screen the entrance to the carwash. In addition, the applicant shall be responsible for providing suitable landscaping to screen the carwash as viewed from State Highway 29 (Sonoma Boulevard).

Fast-Food Restaurant Space

Fast-food restaurants with a drive-thru are permitted in the Intensive Use Zone (IU) with the approval of a major conditional use permit. A 3,800 square foot quick service restaurant (fast food) with a drive-thru is proposed. The applicant is proposing several restaurants in one building. The proposed fast-food restaurant space(s) as conditioned will be compatible with the other proposed buildings on the site. Staff has reviewed the landscaping in front of the drive-thru and is adding a condition that a landscape berm be installed in the front setback to screen the drive-thru as viewed from State Highway 29 (Sonoma Boulevard).

Retail Buildings

The project proposal includes 15,500 square feet of retail space. Retail Uses are allowed in the Intensive Use zoning district subject to the following standards, per Section 16.34 and Section 16.75.030 Site Development Standards of the Vallejo Zoning Ordinance:

The applicant is proposing to construct 15,500 square feet of retail space. The proposed retail would be located in two buildings. The buildings would be one-story and be divided into eleven tenant spaces. The proposed site is approximately three acres.

Staff concludes that the retail buildings as conditioned create a unique architectural style that is of high quality and meets the expectations and requirements of the Vallejo Zoning Ordinance.

However, staff is requiring the applicant to enhance the proposed courtyard area proposed between the 1,200 square foot detached building and the 2,800 square foot tenant space (Building B). This can be achieved by additional landscaping, site furniture, or a water feature. Staff is also requiring as a condition of approval that the applicant to provide additional street trees in the parking areas.

Signs

The applicant is proposing to address the monument sign, a gasoline price sign, and signage for each individual tenant space as a part of the Master Sign Program. Staff is requiring the applicant to submit the Master Sign Program prior to building permit submittal, as a condition of approval of this project.

An existing off-site sign (billboard) is located in the Caltrans Right of Way fronting the project site. If the existing sign is to be altered, moved or relocated it would be subject to Section 16.64.110 of the Vallejo Municipal Code. In 1984, the city council found that off-site signs adjacent to freeways and State Highways in the city have reached the saturation point. No new off-site signs are permitted to be constructed, erected or placed if the sign is designed to be viewed primarily by persons traveling on such a freeway. This section of the Municipal Code does not prohibit repairs or alterations to any such existing off-site signs, so long as such repair or alteration does not exceed twenty percent of the total value of the display in any calendar year.

All off-site signs are permitted subject to the securing of a use permit in each case, to be evidenced by a tag issued and affixed by the building inspector in a uniform and secure manner, off-site signs are permitted in the Intensive Use Zoning District provided they do not exceed thirty feet in height, nor exceed forty feet in height when located within one hundred feet of the right-of-way of a freeway or state highway. A visual inspection by staff revealed no tag on the existing sign. The status of the existing billboard sign is uncertain. Staff is continuing to do further research to verify that this sign is consistent with the City's Zoning Code.

Staff is adding a condition of approval that would require the applicant to comply with the off-site signage (billboard) regulations if the sign is to be altered or relocated.

Late Night Operations

The property is zoned Intensive Use (IU). Late night business operations (between the hours of twelve o'clock a.m. and six o'clock a.m.) are allowed with the approval a Major Conditional Use Permit. According to the applicant, the late night operations would be primarily for the service station and convenience store and fast food uses. However, the applicant would like the option to allow other uses to operate after hours.

Staff concludes that the proposed 24 hour operations will not have an adverse impact on the surrounding neighborhood or adjacent properties. The impacts to the surrounding residential neighborhoods will be minimal as the closest residential neighborhood is located at a minimum distance of 120 feet west of the subject property across State Highway 29 (Sonoma Boulevard). Noise, lighting, and glare from the proposed project will be minimal as the closest residential area is located across from State Highway 29 behind a sound wall. The submitted lighting plan shows that illumination levels at the property line will be minimal.

Mitigated Negative Declaration

Staff prepared an Initial Study for the proposed project. The Initial Study identified potential impacts in the areas of aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and transportation/traffic. Staff concluded that there will be no significant adverse impact created as a result of the proposed project with the implementation of the mitigation measures and mitigation monitoring program attached with this staff report. No comments from the public or other agencies were received between January 18, 2007 and the time that this staff report was prepared.

7. STAFF RECOMMENDATION

Staff recommends that the Planning Commission **ADOPT** the Mitigated Negative Declaration and **APPROVE** Use Permit #06-0006.

The applicant or any party adversely affected by a decision of the Planning Division may appeal the decision by filing an appeal to the Planning Commission. Such appeal must be filed in writing with the Secretary of the Planning Division within ten

calendar days after the Planning Division's action. The Commission may affirm, reverse, or modify any decision of the Planning Division that is appealed.

EXPIRATION

This use permit shall expire automatically twenty-four months after its approval unless authorized construction has commenced prior to the expiration date.

Prepared by: Darren Goon
Darren Goon, Assistant Planner

Reviewed by: Don Hazen
Don Hazen, Planning Manager

- Exhibit 1: Resolution and Conditions of Approval
- Exhibit 2: Mitigated Negative Declaration and Mitigation Monitoring Report
- Exhibit 3: Plans
- Exhibit 4: Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-05

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A CONDITIONAL USE PERMIT APPLICATION
USE PERMIT #04-0022**

VALLEJO CROSSROADS RETAIL CENTER

The proposed Vallejo Crossroads commercial project is located on a three acre vacant parcel that is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29 (Sonoma Boulevard).

APN# 0067-150-320

I. GENERAL FINDINGS

WHEREAS an application was filed by Pete Tobin of ARC Incorporated seeking approval for a conditional use permit to allow a 12-pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 15,500 square feet of retail space and a 3,800 square feet of fast-food restaurant space(s) with a drive-thru.

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on January 18, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission,

WHEREAS based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

Section 1. On March 5, 2007, an Initial Study, Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the project were adopted.

Section 2. For this project, as described in the Mitigated Negative Declaration, the proponent agrees to comply with all mitigation measures contained in the Initial Study, and incorporated into the conditions of approval for this project.

III. FINDINGS RELEVANT TO USE PERMIT AND FINDINGS FOR PROJECT APPROVAL AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE GENERAL PLAN

Section 3. The Planning Commission finds that applicant submitted Major Use Permit application for a 12-pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 15,500 square feet of retail space and a 3,800 square feet of quick service restaurant space with a drive-thru in the Intensive Use Zoning District pursuant to the City of Vallejo Municipal Code sections 16.34 Intensive Use Regulations and 16.82 Conditional Use Permit Procedure. Use Permit approval is governed by Chapter 16.82 of City of Vallejo Municipal Code.

Section 4. Planning Commission finds, based on the facts contained in sections 1, 2, 3, 4, 5, 6, and 7 of the staff report attached herein and incorporated herein by this reference, and given and the evidence presented at the public hearing, and subject to the conditions attached to this resolution that:

1. The location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.
2. The impacts, as described in subsection 1. and the location of the proposed conditional uses are consistent with the City's General Plan.

IV. RESOLUTION RECOMMENDING APPROVAL OF THE CONDITIONAL USE PERMIT APPLICATION FOR THE VALLEJO CROSSROADS RETAIL CENTER, SUBJECT TO CONDITIONS OF APPROVAL

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Conditional Use Permit application (UP# 04-0022) for the proposed gasoline station, convenience store, carwash, fast-food restaurant space(s) with drive-thru and the retail buildings, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

V. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the ____ day of _____, 2007, by the following vote to-wit:

AYES:

NOES:

ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
MAJOR USE PERMIT #04-0022
(APN# 0067-150-320)

CONDITION COMPLIANCE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT:

Planning Division

1. Submit a numbered list to the Planning Division stating how each condition of project approval will be satisfied.
2. The proposed parking is adequate for the retail uses (Buildings A and B), however should the applicant desire to have restaurant or food uses in these retail buildings, the applicant would have to provide additional parking or demonstrate that the project complies with the parking regulations (Section 16.62 of the Vallejo Municipal Code). Prior to building permit submittal, submit a revised site plan showing the additional parking if food uses are desired in these buildings for review and approval.
3. Prior to building permit submittal, submit a revised landscape plan illustrating raised landscape berms in front of the fast food drive through and car wash site fronting Sonoma Boulevard to screen these uses. The revised landscape plan shall also include the incorporation of additional trees and tree wells between the parking spaces in the parking lot, and an irrigation plan for the existing and proposed landscaping.
4. Prior to building permit submittal, submit a color and materials board including but not limited to samples of the exterior materials and colors for review and approval.
5. Prior to building permit submittal, provide a detail illustrating that all lighting on the gas station canopy is recessed underneath the canopy and illumination levels for review and approval.
6. Prior to building permit submittal, submit revised site plan showing the site furniture and design for the patio located between the detached 1,200 square foot tenant space and the 2,800 square foot tenant space on Building B to the project planner for review and approval.
7. Prior to building permit submittal, submit details on the exterior lighting fixtures to the project planner for review and approval. In addition, exterior lighting fixtures for the parking lot shall be consistent and compatible with the architecture of the buildings.

8. Prior to building permit submittal, provide a final photometric plan showing lighting contours for Planning Division review and approval. Lighting and glare shall not trespass onto adjacent residential properties per Section 16.72.100 of the Vallejo Municipal Code. Please include light standard (poles/housing) details with plan. Prior to the building permit submittal, a final lighting plan illustrating that the project lighting will not adversely affect the residential area approximately 200 feet to the west of the project, traffic safety, or crime deterrence will be required as a condition of approval.
9. All landscaping and fencing surrounding the proposed use shall be maintained in a clean, attractive, and well kept condition and any dead or dying material shall be replaced promptly. There shall be no barbwire or razor fencing allowed.
10. Prior to building permit submittal, submit a roof plan showing the location of all rooftop equipment. Rooftop equipment shall be painted with a neutral color to blend in with the surrounding buildings, screened from public view and/or located behind a parapet wall.
11. Prior to building permit submittal, submit a construction logistics plan that incorporates the following measures:
 - a. Site grading and construction hours shall be limited to the daytime hours of 7am to 6pm, Monday through Friday and 9am to 5pm on Saturday (no grading or construction activities shall occur on Sundays or federal holidays)
 - b. Noise abatement measures (barriers and setbacks) shall be used during construction.
 - c. All construction vehicles shall be fitted with noise dampening devices (e.g., mufflers)
 - d. All construction noise shall comply with the City of Vallejo standards for maximum allowable noise levels from construction equipment.
12. Prior to building permit submittal, submit a revised site plan showing the incorporation and location of bicycle parking areas.
13. Prior to building permit submittal, submit details for all landscape furniture including but not limited to bicycle parking facilities, seating areas, water features etc. to the project planner for review and approval.
14. Prior to building permit submittal, submit one complete set of construction drawings for review and approval.

15. The billboard (existing) shall comply with Section 16.110 of the Vallejo Municipal Code or be removed.
16. Prior to building permit submittal, submit a an off-premises litter collection program detailing how the fast-food restaurant shall maintain within a four-hundred-foot radius of the restaurant to collect packages and containers which have been carried off the premises and improperly discarded by patrons of the restaurant. In addition the revised site plan shall show an adequate number of litter and trash receptacles provided on the premises.
17. Fencing is not proposed as a part of this project, if the applicant desires fencing, it shall comply with Section 16.70 of the Vallejo Municipal Code.

Building Division

1. Allowable square footage, fire sprinklers, construction type, Americans with Disabilities Act compliance, and Title 24 will be reviewed once the project is submitted for Building Plan Check

Public Works

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. (PW1)
2. landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports (PW3).
3. Prior to building permit submittal or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the Department of Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
4. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards (PW 10).
5. Prior to building permit submittal, obtain an encroachment permit from the Department of Public Works prior to performing any work within City streets or right-of-ways, or prior to any cutting and restoration work in existing

public streets for utility trenches. All work shall conform to City standards.
(PW11)

6. Prior to building permit submittal, submit a traffic control plan to the Department of Public Works for review and approval (PW 12).
7. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance (PW 15).
8. Prior to building permit submittal, obtain an encroachment permit from Caltrans for any work with in Sonoma Boulevard.
9. Prior to building permit submittal, submit a site grading, drainage, improvement, utility and landscaping plans for review and approval. The site plan shall show all proposed and existing improvements and utility services.
10. If landscaping is required to be installed within the Sonoma Boulevard right-of-way, prior to approval of the site plan enter into an agreement with the City of Vallejo agreeing to maintain the landscaping and irrigation fronting the property within Sonoma Boulevard.
11. Prior to building permit submittal, secure approval of the site plan.
12. Prior to building permit submittal, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and
13. Prior to building permit submittal, due to ingress/egress access between adjacent properties (northern and eastern) prior approval of the site plan record reciprocal access easements between the three properties

Traffic Engineer

1. Prior to building permit submittal, submit a revised site plan for review and approval, showing a truck turning template for the entire site area. The truck turning template shall be per Caltrans standard for legal truck (Tractor with semi trailer).
2. Prior to building permit submittal, submit a revised site plan showing that cars exiting from the Quick Service Restaurant shall be able to make a left turn into the shopping center. A 36 foot entrance shall have four (4) inches of solid yellow line and a break at the intersection of a drive through lane. Solid

lines shall be placed to leave 16 feet width for an exiting lane and 20 feet for an entering lane.

3. Prior to building permit submittal, provide written proof to the City of Vallejo from Caltrans that the project has been reviewed for all improvements fronting the property within the Sonoma Boulevard right-of-way and have been approved. Submit frontage improvements and landscaping plans to Caltrans for review and approval.
4. The projects driveway entrances from Sonoma Boulevard shall be per City standard commercial driveway approach. Width of northern driveway approach on Sonoma Boulevard shall be 36 feet and southern driveway approach width shall be a minimum of 30 feet two way in and out. Prior to building permit submittal, submit a revised site plan illustrating driveways that comply with the above standards.
5. No median for the first 70 feet within the proposed northern driveway approach inside the project. Cars exiting the fast-food restaurant shall be able to make a left turn into the shopping center.
6. Location of the monument sign, if proposed, shall be reviewed by the Traffic Engineer.

Vallejo Sanitation and Flood Control District

1. The Preliminary Plan Review fee has not been paid. Pay a plan review fee. Project plans submitted for this project shall be considered subject to all VSFCD (Vallejo Sanitation and Flood Control District) guidelines, policies, and standards.
2. Prior to building permit submittal, submit a complete set of improvement plans and supporting documentation for proposed sanitary sewage and storm drainage work to VSFCD for review and approval.
3. The project, as submitted was incomplete. Prior to building permit submittal, submit a detailed site utility plan showing topographic contours and/or elevations, the existing and proposed sanitary sewer and storm drain facilities, mains, laterals, cleanouts, easements, connections, etc. for review and approval.
4. Prior to building permit submittal, a Vallejo Sanitation and Flood Control District Connection Permit is required. Pay all applicable review and connection fees.

5. Prior to building permit submittal, submit grading and erosion control plans, to the Vallejo Sanitation and Flood Control District for review and approval. Do not block drainage from adjacent lands.
6. The 100-year storm overflow pattern shall be shown on the grading plans. Provide a secondary (surface flow) drainage system to handle flows in excess of the capacity of the primary system (piped or channeled). The proposed building locations shall avoid this secondary path. Also determine the 100-year storm tributary area. This may differ from the 15-year tributary area.
7. Pretreatment of storm drainage water runoff is required, storm drainage runoff shall be conveyed over landscaped areas or otherwise treated, as feasible, before discharging into the public system. This is to improve the storm water quality leaving the site. Prior to building permit submittal, the project architect or civil engineer should contact Vallejo Sanitation and Flood Control District for possible design solutions and their impact on the design of the project.
8. Prior to building permit submittal, submit proof of NOI, Storm Water Pollution Prevention Plan, and Post Construction Best Management Practice Design Plan (see current Vallejo Sanitation and Flood Control Storm Water Management Plan Appendix 4B).
9. Prior to building permit submittal, provide information on erosion control measures that will be used ie; fiber rolls, inlet details construction entrance, etc.
10. Prior to building permit submittal, include standard Vallejo Sanitation and Flood Control notes on plans.
11. All restaurants shall have grease trap interceptors, prior to building permit submittal, show the location of all grease trap interceptors on the plans.
12. Prior to building permit submittal, provide information on the carwash facility. Provide information on the type of water ie; is the water recycled etc. The water must be treated before it is discharged into the public sanitary sewer. The overflow must also drain to the sanitary sewer.
13. Prior to building permit submittal, incorporate the Vallejo Sanitation and Flood Control District's general notes onto the drawings. Also obtain a Best management practice handbook and pretreatment questionnaire available from the Vallejo Sanitation and Flood Control District Office located at 450 Ryder Street Vallejo, CA 94590.

Fire Prevention

1. Prior to building permit submittal, submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
2. The proposed buildings must be sprinklered. Prior to building permit submittal, submit plans for an automatic fire sprinkler system for review and approval. The fire sprinkler system shall be installed per NFPA 13 1998 Edition. The applicant shall install an approved and tested water supply capable of supplying the required fire flow as determined by the Fire Chief. Water supply systems shall provide required fire flows at all stages. All exterior fire protection equipment must be protected from vehicle impact. (2001 CFC Section 1003.1.2 added VMC Section 12.28.190; Appendix III-A)
3. Prior to building permit submittal, submit plans for all fire extinguishing systems and fire alarm plans for review and approval. Fees must be submitted to the Fire Prevention Division prior to plan approval.
4. A manual fire alarm system must be installed to provide audible and visual notification through the buildings. Prior to building permit submittal, provide details and submit plans for review and approval.
5. Prior to building permit submittal, submit construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid.
6. Prior to building permit submittal, the applicant shall install an approved and tested water supply system capable of supplying the required fire flow as determined by the Fire Chief. Water supply systems for staged construction shall provide required fire flows at all stages. (2001 CFC Section 903, Appendix III-A)
7. Prior to building permit submittal, paved fire apparatus roads shall be installed for every building or stockpile of combustible materials located more than 150 feet from fire department vehicle access. Said access roads are to be posted "No Parking / Fire Lane" and shall not be used for storage of materials (2001 CFC Section 901.4)
8. Additional fire hydrants are required. Prior to building permit submittal, submit a complete set of plans 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. (2001 CFC Section 903, Appendix III-B)

9. If security gates are desired at any of the entrances to the project, they shall be provided with a Fire Department approved entry system prior to building permit submittal.
10. An automatic fire extinguishing system is required for the protection of all hood, duct, plenum, and cooking surfaces. Prior to building permit submittal, submit plans for review and approval.
11. Prior to building permit submittal, submit fuel dispensing plans and provide details on the fuel dispensing to the Fire Prevention Division for review and approval.

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval 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 submittal, 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) if any.
 - d. Location of fire hydrants
 - e. Location of structures with respect to existing public water system improvements such as mains, meters, etc.
 - g. 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. Prior to building permit submittal, hydraulic calculations demonstrating that the fire flow required by the Fire Marshall is satisfied shall be submitted to the Water Superintendent.
4. There are currently no existing water facilities that can serve this proposed development at this time. The Vallejo Municipal Code requires this development to install an appropriately sized water main extension that can provide the domestic demand and fire protection needs of the development. This water main shall extend to the full frontage of the parcel.
5. The water fees for this project shall be as calculated by the Water Division based on the Vallejo Municipal Code.

CONDITION COMPLIANCE REQUIRED PRIOR TO OCCUPANCY/FINAL INSPECTION:

Planning Division

1. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping is completed and finalized in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.
2. Prior to occupancy/final building inspection, install required street trees selected from the City's approved street tree list. A minimum of two trees for every fifty feet of frontage along Sonoma Boulevard.
3. Prior to occupancy of the tenant spaces obtain a sign permit for all new signage.
4. Prior to occupancy/final building inspection, install bicycle parking for all buildings for use by patrons.

Public Works

1. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities (PW 16).
2. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (PW17)
3. Prior to release for occupancy, plant street trees in accordance with Vallejo Municipal Code, Section 15.06.190 and Regulations and Specifications for Public Improvements, Section 3.3.48. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (PW19)
4. Prior to final occupancy, all on site surface water shall be intercepted, piped and connected into a public storm drain system.
5. Prior to final occupancy, install frontage improvements along Sonoma Boulevard including but not limited to standard curb, gutter, sidewalk,

driveway, pavement widening, accelerate and decelerate lanes. Acceleration and deceleration lanes shall be per Caltrans standard.

6. Prior to final occupancy, install required street lighting fronting the property on Sonoma Boulevard per City standard.
7. Prior to final occupancy, install required street trees fronting the property on Sonoma Boulevard per City standard. Street trees shall be selected from the City's street tree list. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48)

Traffic Engineer

1. Prior to final occupancy, install one-way signs (Caltrans regulatory sign R6-1 RT) within the median along Sonoma Boulevard in front of the two driveways.
2. Prior to final occupancy, install stop signs (Caltrans regulatory signs R-1-1 *30 Inch* and R3-2 *No Left Turn*) at the exit corner of both driveways of the project.
3. Prior to final occupancy, install a stop sign R1-1 at the exit of the 3,800 square foot fast-food restaurant space(s). Provide a left turn access for the cars getting out of the restaurant.

Vallejo Sanitation and Flood Control District

1. Prior to occupancy/final building inspection, provide a standard VSFCD cleanout at the right-of-way/easement line per District standards and a two-way cleanout at the building per the U.P.C.
2. Prior to final occupancy, provide a grease trap, sand trap, or interceptor.
3. Prior to final occupancy, install "NO DUMPING DRAINS TO BAY" markings per Vallejo Sanitation and Flood Control District requirements shall be installed at each storm drain inlet.

Fire Prevention

1. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as 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 (1998 CFC Section 901.4.4; added VMC Section 12.28.170)

2. Prior to final occupancy, install 3A-40BC portable fire extinguishers every 75 feet of travel distance on each floor level as required by the Fire Prevention Division. (2001 CFC Standard 10-1; NFPA 10)
3. Prior to occupancy, install a “Knox” box key system shall be provided and installed in the front of the entrance with three sets of keys provided. Contact the Vallejo Fire Prevention Division for ordering instructions and applications at (707) 648-4565.
4. Prior to final occupancy, install “No Parking / Fire Lane” signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; Caltrans Traffic Manual, sign # RF26F)
5. Prior to final occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.

Water Department

1. Prior to occupancy or final building inspection, install water system improvements as required. Backflow device shall be installed in compliance with the Vallejo Municipal Code and in areas hidden from public view and/or shall be mitigated by landscaping.

Crime Prevention

1. Prior to final occupancy/final building inspection, all applicable fees shall be paid and a final Crime Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.
2. Prior to occupancy or final building inspection, street addresses shall be painted in a contrasting color on the roof to be visible by police air units from 1,500 feet. Numbers to be no less than 48” in height.
3. 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.
4. Business name and addresses shall be stenciled on the rear or alley doors of each business.
5. All parking lot lights shall contain metal halide bulbs. Lights shall be shielded to prevent light trespass on to another property.

6. Prior to occupancy or final building inspection, roof vents and roof access shall be burglar proof.
7. All businesses shall be separated from floor to roof. Attic crawl spaces shall limit access to only the area above each business and not the entire length of the building.
8. Install peepholes and intercoms on all alley doors so that employees inside can see and speak to persons outside without opening the door.
9. Lighting shall be adequate enough to allow for the recognition of individuals in the parking lot.
10. Business names and addresses shall be visible to emergency vehicles.
11. Garbage containment areas shall not allow access to the second floor windows or roof.
12. Alleyways shall remain clear of obstructions and allow access for emergency vehicles at all times.
13. Plants, foliage and vegetation shall not block windows.
14. Prior to occupancy, install bollards in front of all exterior entry doors at street level.
15. Prior to occupancy, install a digital camera system to monitor and record activity inside and outside of the buildings and should also include the parking lot area, all cash register, and entrance doors.
16. Interior gates between the property to the east and the subject property shall have a system (Click to Enter) approved by the Crime Prevention Division.

STANDARD REQUIREMENTS

Planning Division

1. 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.
2. There shall not be any storage of merchandise outdoors except as allowed in Section 16.70 of the Vallejo Municipal Code. Trash and other debris shall be stored in the trash enclosure as illustrated on the site plan. If outdoor display

is desired shall comply with the following sections of the Vallejo Municipal Code Section 16.58 (Accessory and Temporary Use Regulations) and Section 16.96 (Administrative Permit Procedures).

3. The project is consistent with the parking standards for the proposed uses as illustrated on the submitted site plan. The square footage of the seating areas for the fast-food restaurant space(s) will be limited to the number of parking spaces provided as determined by Section 16.62 Off-Street Parking and Loading Regulations.
4. Restaurants and/or eating and drinking establishments are prohibited from being located in the retail spaces (Buildings A and B), unless the applicant can demonstrate that they comply with Section 16.62 – Off-Street Parking and Loading Regulations.
5. No automobile repair/dismantling shall be permitted on the site.
6. Trash receptacles, sixty gallons or less in size, shall be located at convenient locations outside the existing and proposed building, and the operators of the center shall remove all trash on a daily basis.
7. If public telephones are desired they shall be outgoing calls only.
8. There is to be no loitering of any kind near or about the building.
9. Landscaping planters in parking lots shall be a minimum of six feet wide.
10. The applicant for the conditional use permit agrees to maintain the premises, agrees that if the use of the fast-food restaurant is abandoned and/or becomes a public nuisance, the city may provide for maintenance of the premises and place a lien against the property to cover the cost of maintenance.
11. The applicant for the conditional use permit agrees to maintain the premises and agrees, that if the use of the car wash is abandoned and/or becomes a public nuisance, the city may provide for maintenance of the premises and place a lien against the property to cover the costs of maintenance.
12. All trees shall be a minimum of 15 gallons or greater.
13. No loading areas are proposed as part of this application, should loading and unloading areas be desired, they shall be screened from public view. Offsite unloading areas are not permitted. Unloading and loading areas shall be concealed from public view by being located on the interior building side or rear yards.

14. Refuse collection areas are to be visually screened with a solid perimeter wall. Screening, wall materials and colors shall be compatible with adjacent buildings. Refuse collection areas are to be located on the interior building side or rear yard.
15. No cyclone, chain link, concertina or wire fencing is permitted.
16. All decorative walls and fences shall be designed as an integral part of the overall site design. They will be constructed with materials that are complimentary to the theme of the entire project.
17. During construction, the following measures shall be applied:
 - A. Paving, applying water three times a day or applying (non-toxic) soil stabilizers on all unpaved access roads, parking areas, staging areas, and at construction sites.
 - B. Sweep daily (with water sweepers) all paved access roads, parking areas, staging areas, and at construction sites.
 - C. Sweep daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - D. All trucks hauling soil, sand and other loose materials shall be covered or run under a water-spray system to reduce material fly-off.
 - E. Speed limit on unpaved roads and access areas shall be limited to fifteen (15) miles per hour.
 - F. Hydro-seeding or application of soil stabilizers shall be applied to all inactive construction areas.
13. All HVAC (Heating, Ventilation and Air Conditioning) equipment installed for all buildings proposed for the project shall be sited and designed to achieve the City of Vallejo exterior noise standard of 50 dBA and an interior noise standard of 45 dBA, as measured from the nearest noise sensitive land use.
14. All utility equipment shall be painted to match the surrounding environment including but not limited to transformers, backflow preventors, etc.
15. The project is subject to the mitigations contained in the Negative Declaration and Mitigation Monitoring Program.

Public Works

1. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply.
2. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply (PW 2).
3. Site grading shall comply with Chapter 12.40 - Excavations, Grading and Filling, (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor (PW 4).
4. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary (PW 5).
5. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the Department of Public Works shall shut down the grading operation (PW6).
4. All dust and erosion control shall be in conformance with City standards, ordinance, and NPDES requirements (PW7).
5. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
6. Construction inspection shall be coordinated with Public Works and no construction shall deviate from the approved plans. (PW13)
7. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)

8. The developer shall provide joint trench plans for the underground electrical, gas, telephone, cable television and communications conduits and cables including the size, location, and details of all trenches, locations of all building utility service stubs and meters and placement or arrangements of junction structures as a part of the Improvement Plans submitted for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. (PW20)
9. There are fiber optic and/or copper signal interconnect cables located at the edge of the roadway or under the sidewalk. The plans should address either the relocation of these cables or a note should be made of the cable location. A warning should be included on the plans stating that if the cable is damaged, the entire length of the cable between the two nearest hubs will be replaced by the contractor unless otherwise authorized by the City Engineer. (PW21)
10. Parking lot slope shall not be more than 3% in all directions.

Traffic Engineer

1. The project's driveway entrances from Sonoma Boulevard shall be per City standard commercial driveway approach.
2. Signing and striping shall be per City standard. All pavement markings shall be thermoplastic.
3. A proposed median break in State Highway 29 (Sonoma Boulevard) for the proposed project is not allowed. Access to the shopping center from north bound State Highway 29 (Sonoma Boulevard) shall be right in and right out only.

Vallejo Sanitation and Flood Control District

1. All individual parcels shall drain and sewer directly to the public system.
2. Non-District facilities serving more than one lot will not be allowed.
3. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.
4. The sanitary sewer shall comply with VSFCD pretreatment requirements for sanitary sewage.
5. Vallejo Sanitation and Flood Control District comments shall be understood to require modification of the project to any extent necessary to meet Vallejo Sanitation and Flood Control District requirements, unless specifically stated..

6. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
7. Pretreatment of storm drainage water runoff is required, storm drainage runoff shall be conveyed over landscaped areas or otherwise treated, as feasible, before discharging into the public system. This is to improve the storm water quality leaving the site. The project architect or civil engineer should contact VSFCD for possible design solutions and their impact on the design of the project. Please contact Vallejo Sanitation and Flood Control District for Filter Trench and other solutions.
8. Comply with Vallejo Sanitation and Flood Control District pretreatment requirements for sanitary sewage.
9. All parcels shall be transferred with post construction storm water pollution prevention guidelines given to new owners. These guidelines shall be submitted with the improvement plans for review and acceptance for distribution as part of the improvement process.
10. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.
11. Area within refuse enclosures shall drain to the sanitary sewer system. The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system. The trash enclosure shall be covered with a roof or awning.

Fire Prevention

1. The project shall conform to all applicable requirements of Title 19 (2001 CFC and all VMC Amendments)
2. Automatic fire sprinkler extinguishing systems are required for all residential, commercial, and industrial occupancies. (2001 CFC Section 1003.1.2 added VMC 12.28.190)
3. Total fire hydrant requirements and water flow requirements for all buildings shall be provided in accordance with Appendix III – B of the 2001 CFC.
4. All commercial cooking fire-extinguishing systems shall be compliant with UL-300 Standards.
5. Exits shall be illuminated to a minimum of not less than one (1) foot-candle at floor level whenever the buildings are occupied. Exit signs shall receive

primary power supply from building power supplies with battery backup. This includes required emergency exit lighting.

6. Motor vehicle fuel dispensing stations must be installed in accordance with Article 52 of the 2001 California Fire Code. Fuel dispensing plans and permits are reviewed and issued by the Vallejo Fire Prevention Division. Solano County Environmental Health issues underground fuel storage permits.
7. Development sites shall be maintained weed free during construction. (2001 CFC Section 1103.2.4)

Water Division

1. 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.
2. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
3. Each unit or building structure shall be metered separately.
4. 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.
6. 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 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 1. For single family residential units, the fire flow is 1500 gpm.

2. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown and Caldwell dated April 1996.
7. 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.

Crime Prevention

1. The minimum of one-half foot candle at ground level overlap shall be provided on outdoor pedestrian walkways intended for public use.
2. All drive up / walk-up windows shall be rotating and have a bullet resistant carousel for food and money exchange.
3. Lighting for all interior and exteriors shall be adequate.

GENERAL CONDITIONS

1. 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.

Form A

Notice of Completion & Environmental Document Transmittal

SCH # _____

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

Project Title: Vallejo Crossroads - Gas Station and Retail Center

Lead Agency: City of Vallejo

Contact Person: Darren Goon

Mailing Address: 555 Santa Clara Street

Phone: 707-649-3409

City: Vallejo, CA

Zip: 94590

County: Solano

Project Location:

County: Solano

City/Nearest Community: Vallejo, CA

Total Acres: 3

Cross Streets: East Side of State Highway 29 (Sonoma Boulevard) and Meadows Drive

Zip Code: 94589

Assessor's Parcel No. 0067-150-320

Section: 36

Twp. 4 North

Range: 4 West

Base: MDBM

Within 2 Miles: State Hwy #: 29

Waterways: Napa River

Airports: No

Railways: Union Pacific

Schools: Vallejo Unified School District

Document Type:

CEQA: NOP

Draft EIR

NEPA: NOI

Other: Joint Document

Early Cons

Supplement to EIR (Note prior SCH # below)

EA

Final Document

Neg Dec

Subsequent EIR (Note prior SCH # below)

Draft EIS

Other _____

Mit Neg Dec

Other _____

FONSI

Local Action Type:

General Plan Update

Specific Plan

Rezone

Annexation

General Plan Amendment

Master Plan

Prezone

Redevelopment

General Plan Element

Planned Unit Development

Use Permit

Coastal Permit

Community Plan

Site Plan

Land Division (Subdivision, etc.)

Other _____

Development Type:

Residential: Units _____ Acres _____

Water Facilities: Type _____ MGD _____

Office: Sq.ft. _____ Acres _____ Employees _____

Transportation: Type _____

Commercial: Sq.ft. 25,100 Acres 3 Employees 45 +/-

Mining: Mineral _____

Industrial: Sq.ft. _____ Acres _____ Employees _____

Power: Type _____ MW _____

Educational _____

Waste Treatment: Type _____ MGD _____

Recreational _____

Hazardous Waste: Type _____

Other: _____ Gasoline Sales

Project Issues Discussed in Document:

Aesthetic/Visual

Fiscal

Recreation/Parks

Vegetation

Agricultural Land

Flood Plain/Flooding

Schools/Universities

Water Quality

Air Quality

Forest Land/Fire Hazard

Septic Systems

Water Supply/Groundwater

Archeological/Historical

Geologic/Seismic

Sewer Capacity

Wetland/Riparian

Biological Resources

Minerals

Soil Erosion/Compaction/Grading

Growth Inducement

Coastal Zone

Noise

Solid Waste

Land Use

Drainage/Absorption

Population/Housing Balance

Toxic/Hazardous

Cumulative Effects

Economic/Jobs

Public Services/Facilities

Traffic/Circulation

Other _____

Present Land Use/Zoning/General Plan Designation:

Zoning - Intensive Use (IU) General Plan Designation - Employment

Project Description: (please use a separate page if necessary)

The proposed Vallejo Crossroads commercial project is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The project is subject to a Major Conditional Use Permit. The project includes a 12 Pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 16,250 square feet of retail space and a 3,500 square foot quick service restaurant with a drive through. The project site is approximately three acres.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

September 2005

Reviewing Agencies Checklist

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Reclamation Board |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Colorado River Board Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower Los Angeles Rivers & Mountains |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Office of Public School Construction | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Forestry & Fire Protection | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Housing & Community Development | <input checked="" type="checkbox"/> Other Bay Area Air Quality Management District |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date January 18, 2007

Ending Date March 5, 2007

Lead Agency (Complete if applicable):

Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: (____) _____

Applicant: Pete Tobin, Arc Inc. Architects
Address: 616 Marin Street
City/State/Zip: Vallejo, CA 94590
Phone: (707) 556-1111

Signature of Lead Agency Representative

Doreen Green

Date 1/17/07



CITY OF VALLEJO
NOTICE OF PUBLIC HEARING AND PROPOSAL
TO ADOPT A MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Vallejo Planning Commission will hold a hearing and proposes to adopt a MITIGATED NEGATIVE DECLARATION for the project described below pursuant to Resolution 96-447 N.C. adopted by the Vallejo City Council on December 10, 1996:

PROJECT APPLICATION: Use Permit #04-0022

LOCATION: Vacant lot on the east side of State Highway 29 (Sonoma Boulevard) approximately one-half mile north of Marine World Parkway and approximately one tenth of a mile south of Meadows Drive; APN 0067-150-320

PROJECT DESCRIPTION: The project is for a Major Use Permit to allow gasoline sales in the Intensive Use Zoning District and to allow twenty-four hour operations. The proposed Vallejo Crossroads commercial project is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The project is subject to a Major Conditional Use Permit. The project includes a 12 Pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 16,250 square feet of retail space and a 3,500 square foot quick service restaurant with a drive through. The project site is approximately three acres.

PROJECT PROPONENT: Paul Ghafoori, 580 BPG, LLC
1800 Sutter Street, Suite 775
Concord, CA 94520

FINDING: Based on an Initial Study prepared by the Planning Division of the City of Vallejo, it has been determined that the above project will not have a significant effect on the environment.

PROPERTY OWNERS, RESIDENTS, AND/OR TENANTS SHOULD CONTACT CITY STAFF BY TELEPHONE OR COME TO CITY HALL TO REVIEW THE PROJECT TO DETERMINE HOW IT MAY AFFECT THEM INDIVIDUALLY.

The public hearing on this project, including the adoption of the Negative Declaration, will be held by the Planning Commission on **March 5, 2007 at 7:00 P.M.** in the Council Chambers, City Hall, 555 Santa Clara Street, Vallejo. Additional information concerning this project, including the Negative Declaration, is available at the Planning Division, City Hall, 555 Santa Clara Street, Vallejo, or by calling 707-648-4326. You may also submit comments or questions in writing to the attention of the project planner **Darren Goon**, Planning Division, City Hall, P.O. Box 3068, Vallejo, CA 94590.

DATE OF NOTICE: January 18, 2007

PUBLIC REVIEW PERIOD FOR NEGATIVE DECLARATION:
January 18, 2007 to March 5, 2007.

DON HAZEN
Planning Manager

CHARLES LEGALOS
Planning Commission Chairperson

CITY OF VALLEJO

PROPOSED MITIGATED NEGATIVE DECLARATION

Based on the findings of the attached Initial Study, the City of Vallejo has prepared this Mitigated Negative Declaration for the following project, pursuant to Resolution No. 96-447 N.C. adopted by the Vallejo City Council on December 10, 1996.

PROJECT ACTIONS: Use Permit #04-0022

LOCATION: Vacant lot on the east side of State Highway 29 (Sonoma Boulevard) approximately one-half mile north of Marine World Parkway and approximately one tenth of a mile south of Meadows Drive; APN 0067-150-320

PROJECT DESCRIPTION: The project is for a Major Use Permit to allow gasoline sales in the Intensive Use Zoning District and to allow twenty-four hour operations. The proposed Vallejo Crossroads commercial project is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The project is subject to a Major Conditional Use Permit. The project includes a 12 Pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 16,250 square feet of retail space and a 3,500 square foot quick service restaurant with a drive through. The project site is approximately three acres.

PROPONENT: Paul Ghafoori, 580 BPG, LLC
1800 Sutter Street, Suite 775
Concord, CA 94520

FINDING: Based on an Initial Study prepared by the Planning Division of the City of Vallejo, it has been determined that the above project could have a significant effect on the environment. However, the mitigation measures described below have been incorporated into the project or recommended as conditions of approval, mitigating to a less-than-significant level the potential adverse environmental effect of this action.

REASON TO SUPPORT FINDING:

Based on the information submitted as a part of the application and review of the plans, an Initial Study was prepared for the project. The Initial Study identified potential impacts in the areas of aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and transportation/traffic. Based on the analysis, mitigation measures have been proposed which address those issues. Thus, it is staff's determination that there will be no significant adverse impact created as a result of the proposed project with the implementation of the following mitigation measures.

MITIGATION MEASURES

AIR QUALITY

Construction Phase:

- 1) Water active sites at least twice daily.
- 2) Cover all trucks hauling dirt, sand, soil, or other loose materials. Maintain at least six inches of freeboard.
- 3) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- 3) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- 4) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- 5) Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- 6) Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- 7) Limit traffic speeds on unpaved roads to 15 mph.
- 8) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- 1) Replant vegetation in disturbed areas as quickly as possible.

NOISE

- 1) Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- 2) The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 3) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.

- 4) During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- 5) Mechanical ventilation such as air conditioning systems shall be required for all dwelling units on site to ensure that windows can remain closed for prolonged periods of time to meet interior noise standards.

MANDATORY FINDINGS OF SIGNIFICANCE

- 1). Mitigation measures mentioned in the Mitigation Monitoring and Reporting Program shall be implemented to prevent environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Date Prepared: January 18, 2007



DARREN GOON
Assistant Planner

Environmental Checklist

Vallejo Crossroads – Gas Station and Retail Center

1. Project title: Vallejo Crossroads, Major Conditional Use Permit
2. Lead agency name and address:

City of Vallejo Planning Division
555 Santa Clara Street
P.O. Box 3068
Vallejo, CA 94590

3. Contact person and phone number:
Darren Goon, 707-649-3409

4. Project location:
Vacant lot on the east side of State Highway 29 (Sonoma Boulevard) approximately one-half mile north of Marine World Parkway and approximately one tenth of a mile south of Meadows Drive; APN 0067-150-320

5. Project sponsor's name and address:
Paul Ghafoori, 580 BPG, LLC
1800 Sutter Street, Suite 775
Concord, CA 94520

6. General plan designation: Employment
7. Zoning: Intensive Use

8. Description of project:

The proposed Vallejo Crossroads commercial project is located approximately one half mile north of State Highway 37 and on the east side of State Highway 29. The project is subject to a Major Conditional Use Permit. The project includes a 12 Pump refueling facility and 2,500 square foot convenience store, 900 square foot carwash, 16,250 square feet of retail space and a 3,500 square foot quick service restaurant with a drive through. The project site is approximately three acres.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The project is located on the east side of Sonoma Boulevard approximately one half mile north of State Highway 37. An existing commercial center is located to the north of the subject property. To the south is the Vallejo Garbage Service Facility. Located to the east of the subject property is an existing mini-storage facility with Broadway Street beyond and State Highway 29 with residential uses beyond to the west.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

The project would require approval of the City of Vallejo Planning Commission with respect to the major conditional use permit.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

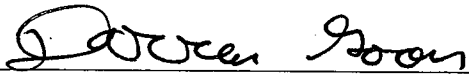
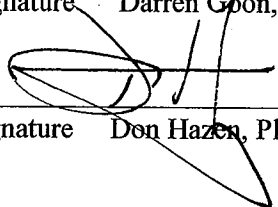
- X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or

NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Signature: Darren Goon, Assistant Planner Date: 1/18/07

 Signature: Don Hazen, Planning Manager Date: 1/18/07

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

X

The project site is currently vacant and surrounded by developed properties. No scenic vistas will be adversely affected by this project.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

X

The project is not within the vicinity of a scenic highway and there are no rock outcroppings or historic buildings on the site.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

X

The lot is currently vacant and there is no significant visual character as surrounding properties are already developed.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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The project would be expected to have nighttime exterior illumination features, including exterior building illumination, peripheral exterior lighting (open space plaza, parking and loading areas, access drives, landscaped areas), and illuminated signage. These illumination features would be visible at night from State Highway 29.

Project exterior lighting features would be introduced in an area of the City that is already highly urbanized with an abundance of existing lights surrounding the project sites. Therefore, as experienced from the north, south and east (the existing uses on the same side of State Highway 29 as the project site), the project exterior lighting features would not be expected to have conspicuous and adverse light and glare impacts. The adjacent residential neighborhood to the west may be vulnerable to the effects of added project-related light and glare; however, the impact on this area, which is located across Sonoma Boulevard and behind a sound wall at least 120 feet or more west of the project site, is not expected to be significant.

The project would be required to comply with existing lighting controls set forth in Vallejo Municipal Code section 16.72.100, which states that "When located in a zoning district specified below, all commercial and industrial uses shall be so operated as not to produce humidity, heat, cold, or glare which is readily detectable without instruments by the average person at the following points of determination: At or beyond any boundary of the zone."

Through their review of the Major Conditional Use Permit for the project, the Planning Commission (advisory body) would

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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ensure project compliance with this code section. Compliance would ensure that potential light and glare impacts would remain less-than-significant.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

X

The site does not contain agricultural resources.

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

X

The site does not include any Farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

X

The site is not zoned for agricultural use and does not have a Williamson Act contract.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

X

See (a) and (b) above.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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to make the following determinations. Would the project:

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

X

According to the Air Quality Impact Analysis for the Vallejo Crossroads Project, prepared by Donald Ballanti, Certified Meteorologist, the San Francisco Bay Area Air Basin is currently a non-attainment zone for ozone (state and federal ambient standards) and particulate matter (PM_{2.5} and PM₁₀) (state ambient standard). While an air quality plan exists for ozone, none currently exists for particulate matter. The Bay Area 2005 Ozone Strategy is the current ozone air quality plan.

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in Vehicle Miles Traveled. The project would not conflict with any of the growth assumptions made in the preparation of the plan nor would obstruct implementation of control measures contained in the regional air quality plans.

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

X

Construction

According to the Air Quality Impact Analysis for the Vallejo Crossroads Project, prepared by Donald Ballanti, Certified Meteorologist, the proposed project would not require the demolition of any existing structures. Construction activities on the site would temporarily affect local air quality by

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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causing a temporary increase in particulate dust and other pollutants. Uncontrolled dust emissions during construction have the potential to exceed ambient air quality standards locally. This impact is potentially significant, but normally mitigatable.

The BAAQMD significance threshold for construction dust impact is based on the appropriateness of construction dust controls. The BAAQMD guidelines provide feasible control measures for construction emission of PM₁₀. If the appropriate construction controls are to be implemented (based on site size and proximity to sensitive receptors), then air pollutant emissions for construction activities would be considered less-than-significant.

Operation

Development projects in the Bay Area are most likely to violate an air quality standard or contribute substantially to an existing or projected air quality violation through generation of vehicle trips. New vehicle trips add to carbon monoxide concentrations near streets providing access to the site. Carbon monoxide concentrations near streets providing access to the site. Carbon monoxide is an odorless, colorless poisonous gas whose primary source automobiles in the Bay Area. Concentrations of this gas are highest near intersections of major roads.

The Bay Area Air Quality Management District's BAAQMD CEQA Guidelines recommends estimation of carbon monoxide concentrations for projects where project traffic would impact intersections or roadway links operating at a Level of Service D, E, or F or would cause a Level of Significance to decline to D, E, or F. The traffic analysis identifies one intersection as

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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meeting this criterion (Sonoma Boulevard and Marine World Parkway). Carbon monoxide concentrations under worst-case meteorological conditions have been predicted for this intersection. Peak hour traffic volumes were applied to a screening form of the CALINE-4 dispersion model to predict maximum 1- and 8-hour concentrations near these intersections for existing, project and cumulative conditions. The model results were used to predict the maximum 1- and 8-hour concentrations, corresponding to the 1- and 8-hour averaging times specified in the state and federal ambient air quality standards for carbon monoxide.

The existing worst case estimate of concentration was 11.2 and 7.2 parts per million (PPM) for the 1-hour and 8 hour averaged concentrations, respectively. The addition of projected and cumulative traffic would increase the concentration by up to 0.3 PPM, but concentrations would remain below the state/federal standards. Project impacts on local carbon monoxide concentrations would be less-than-significant.

Construction-related air quality impacts are anticipated with any construction project. The following mitigation measures, as recommended by BAAQMD for construction sites greater than 4 acres in area, would be required for the project:

- Water all active construction sites at least twice daily.*
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.*
- Pave, apply water three times daily, or*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.

- *Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.*
- *Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.*
- *Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).*
- *Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles (dirt, sand, etc.).*
- *Limit traffic speeds on unpaved roads to 15 mph.*
- *Install sandbags or other erosion control measures to prevent silt runoff to public roadways.*
- *Replant vegetation in disturbed areas as quickly as possible.*

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

X

According to the Air Quality Impact Analysis for the Vallejo Crossroads Project, prepared by Donald Ballanti, to evaluate emissions associated with the project, the URBEMIS-2002 computer program was employed. The daily increase in regional emissions from auto travel is shown in Table 1 for reactive organic gases (hydrocarbons) and oxides of

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

nitrogen (two precursors of ozone) and PM₁₀ (particulate matter, 10 micron).

	Reactive Organic Gases	Nitrogen Oxides	PM ₁₀
Project New Daily Emissions	30.1	27.8	22.2
BAAQMD Threshold	80	80	80

*Guidelines for the evaluation of project impacts issued by the Bay Area Air Quality Management District consider emission increases to be significant if they exceed 80 lbs. per day for regional pollutants (ROG and NO_x, PM₁₀). The emission increases shown in the table above are well below the criteria, so the project would have a **less-than-significant** impact on regional air quality.*

d) Expose sensitive receptors to substantial pollutant concentrations?

X

The project would result in the new emissions of Toxic Air Contaminants (TACs). The proposed gasoline station would be a source of gasoline vapors that would include Toxic Air Contaminants (TACs) such as benzene.

Gasoline vapors are released during the filling of both the stationary underground storage tanks and the transfer from those underground tanks to individual vehicles. The BAAQMD has stringent requirements for the control of gasoline vapor emissions from gasoline dispensing facilities that require all new facilities to install and maintain CARB Certified Vapor Recovery Systems. As a potential source of TACs, a gasoline filling station is subject to the BAAQMD toxic risk screening and risk management procedures.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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A screening risk assessment has been conducted utilizing the procedures and emission factors defined in the California Air Pollution Control Officers' Air Toxics "Hot Spots" Program Gasoline Service Station Industry-wide Risk Assessment Guidelines. Using aerial photographs of the project environments, the distance between the center of the proposed gasoline facility and the nearest residence was determined.

The CAPCOA procedures provide a very conservative estimate of cancer risk per million gallons of gasoline pumped based on distance from the facility. The risk is based on a continuous exposure over a 70-year lifetime. The resulting risk of cancer (per million gallons pumped) is 3.46 in one million.

BAAQMD rules and regulations require that permits be denied for new sources of any carcinogenic air contaminant unless it be shown that it will not result in :

A maximum individual cancer risk greater than one in a million at any receptor location, if the facility is constructed without T-BACT (Toxic Best Available Controls).

- A maximum individual cancer risk greater than ten in one million at any receptor location, if the facility is constructed without T-BACT (Toxic Best Available Controls).*
- A Maximum individual cancer risk greater than ten in one million at any receptor location, if the facility is constructed with T-BACT.*

The proposed gasoline facility would be equipped with emission control equipment that qualifies as T-BACT for this type of facility, the appropriate limit on risk is 10 in

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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one million. This threshold would be exceeded only if throughput exceeded 2.9 million gallons per year. This indicates that a gasoline station at the proposed location could obtain a permit from the BAAQMD (under current rules and regulations).

The actual throughput limitation on the facility will be established by the BAAQMD based on their own risk analysis. The throughput limit will be established at a level that will ensure that cancer and non-cancer risks are below the significance thresholds. BAAQMD regulations and procedures, already established and enforced as part of their air quality permit review process, would ensure that any potential impacts due emission of hazardous or toxic air contaminants would be reduced to a level that is less-than-significant.

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

X

The project would include restaurants which are a source of cooking odors. Reaction to cooking odors varies widely with individuals. Some people find them objectionable, while others find them pleasant. Restaurant cooking odors have, in some instances, been the subject of complaints.

Distance between odor sources and sensitive receptors is the primary determinant of potential for odor complaints, as distance determines dilution of odor strength. The project would not place any cooking odor sources in proximity to upwind from residences or other sensitive uses. Project odor impacts are therefore considered to be less-than-significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

X

The project site is surrounded by existing development. No known special status species exist on the site. Animal species in the vicinity are those that are well-adapted to human disturbance.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

X

The site does not include any riparian habitat or other known sensitive natural community.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

X

The project would not adversely affect any federally protected wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery

X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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sites?

The site does not support any native resident or migratory fish or other special status wildlife species.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

X

The project does not conflict with any local policies or ordinances protecting biological resources. In addition there are no trees in existence on the site.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

X

The project is not within the area of any approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?

X

There are no know historical, archaeological, or paleontological resources in the project vicinity; however, should any archaeological or paleontological resources be discovered during any phase of the project, the following project conditions would limit impacts to a less-than-significant level:

- *In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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feet of the find shall be halted, the Planning Division notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?

X

See (a) above.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

X

See (a), above.

d) Disturb any human remains, including those interred outside of formal cemeteries?

X

See (a), above.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

X

The project site is not within an Alquist-Priolo Earthquake Fault Zone. The San Francisco Bay Area is, however, recognized as one of the most seismically active regions in the United States. City standard building code compliance will reduce this impact to a

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>less than significant level</i>				
ii) Strong seismic ground shaking? <i>See (i) above</i>			X	
iii) Seismic-related ground failure, including liquefaction? <i>See (i) above.</i>			X	
iv) Landslides? <i>The subject lot is essentially level, there would not be an adverse impact to people or structures including the risk of loss, injury, or death.</i>				X
b) Result in substantial soil erosion or the loss of topsoil? <i>The site is level and located within an urban infill area. The site is not known to be highly susceptible to ground failure, liquefaction, landslides, and erosion. Standard geotechnical investigations/soils reports will be required prior to review of construction drawings to ensure that any soils and slope stability issues are addressed in the project design.</i>			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>See (b) above.</i>			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>See (b) above.</i>			X	
e) Have soils incapable of adequately				

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

X

The project would be served by the City sewer system. No septic tanks or alternative waste water disposal systems would be used for the project.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

X

The project would include the routine transportation, use, or disposal of hazardous materials. According to the e-mail provide to staff by the project architect, state regulations and measures implemented by oil companies require that refueling facilities have a hazardous materials management plan and call for specific safety measures.

*These measures include spill containment systems at each fuel pump and at each underground storage tank, an emergency shut-off valve on the face of the building which completely shuts down the entire fuel system in case of any spill and fuel detection monitors installed under each pump. Implementation of these measures would create a **less-than-significant** impact to the public or surrounding environment.*

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

X

See a. above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>The nearest school is located more than one quarter of a mile away from the project site.</i></p>			X	
<p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i>The project is not known to be a site listed as a hazardous materials site.</i></p>				X
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i>The project is not located within an airport land use plan or within two miles of an airport.</i></p>				X
<p>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i>The project is not within the vicinity of a private airstrip.</i></p>				X
<p>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>The project would not impair implement of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</i></p>				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

X

The project is not located adjacent to an area subject to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?

X

*The project site is approximately three acres. Projects sites greater than one acre are subject to a Storm Water Pollution Prevention Plan. Conditions imposed by Vallejo Sanitation and Flood Control District and the Storm Water Pollution Prevention Plan will create a **less-than-significant** impact.*

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

X

The project will result in a greater impervious surface but, the amount of surface area is not of sufficient size to result in significant reductions in groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
substantial erosion or siltation on- or off-site? <i>The site is an urban infill site and there are no streams, rivers or other water courses on the site. The project would not increase erosion or siltation.</i>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>All site drainage will be directed to the City's storm drain system and conditions implemented by the Vallejo Sanitation and Flood Control District will prevent the project from having any significant drainage, flooding, or water quality impacts.</i>				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>See (d) above.</i>				X
f) Otherwise substantially degrade water quality? <i>See (d) above.</i>				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>The project is a commercial project that does not propose housing.</i>				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>The project is not located within a 100-year flood hazard area and would not affect flood</i>				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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flows.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

X

There are no dams or levees in the project vicinity and would not expose people or structures to significant risk of loss, injury or death.

j) Inundation by seiche, tsunami, or mudflow?

X

The project site is not located in close proximity to a body of water that could be affected by an earthquake-generated tsunami (ocean wave) or seiche (inland body of water wave). The project is located on level topography in the northwest part of Vallejo and is not susceptible to mudflows from higher elevations.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?

X

The project is an infill site and would not divide an established community.

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

X

The project would not conflict with any applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect.

c) Conflict with any applicable habitat

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
conservation plan or natural community conservation plan? <i>There are no habitat or natural community conservation plans within the vicinity of the project site.</i>				X

X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>There are no known mineral resources in the vicinity of the project site.</i>				X
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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? <i>See (a) above.</i>				X
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XI. NOISE B Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
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Short-term construction-related noise levels may be in excess of the standards established in the General Plan; however, short-term noise impacts are not considered to be significant. Nevertheless, the following mitigation measures shall be implemented to lessen construction-related noise impacts:

1. *Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>shrouds, wherever feasible).</i>				
2. <i>The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</i>				
3. <i>The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.</i>				
4. <i>During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.</i>				
<i>The site is not located in an area known to exceed General Plan Standards for residential uses.</i>				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? <i>See (a) above.</i>				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See (a) above.</i>				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See a) above.</i>		X		
e) For a project located within an airport land use plan or, where such a plan has not been				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p> <p><i>The project is not located with an airport land use plans or within two miles of an airport.</i></p>				
<p>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</p> <p><i>The project is not located within the vicinity of a private airstrip.</i></p>				X
<p>XII. POPULATION AND HOUSING -- Would the project:</p>				
<p>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</p> <p><i>The project is commercial, which is within the anticipated growth in the City's General Plan. A project of this size would not indirectly induce substantial growth.</i></p>				X
<p>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</p> <p><i>The project would not displace any existing housing.</i></p>				X
<p>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</p> <p><i>The project would not displace any people.</i></p>				X
<p>XIII. PUBLIC SERVICES</p>				
<p>a) Would the project result in substantial adverse physical impacts associated with the</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

Fire protection? <i>The project would result in construction of a new gas station, a 2,500 square foot convenience market, a 3,500 square foot fast food restaurant, and 16,250 square feet of retail commercial space, which is included in growth anticipated in the City's General Plan. The project would not result in any substantial adverse physical impacts associated with the provision of governmental facilities or services.</i>				X
Police protection? <i>See above.</i>				X
Schools? <i>See above.</i>				X
Parks? <i>See above.</i>				X
Other public facilities? <i>See above.</i>				X

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <i>The proposed project does not include a</i>				X
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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residential component or will significantly increase the population in Vallejo and therefore would not increase the demand on public parks.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

X

The project does not include recreational facilities or require the construction or expansion of recreational facilities.

XV. TRANSPORTATION/TRAFFIC --
Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

X

The City Traffic Engineer has accepted the Final Traffic Impact Analysis Report prepared by T.Y. Lin International /CCS dated November 29, 200. According to the Final Traffic Impact Analysis Report,, the level of service calculations indicate that the State Route 29 (Sonoma Boulevard) / State Route 37 interchange and other intersections in close proximity will continue to operate at acceptable levels of service during both the AM and PM peak hours. Impacts to traffic would be less-than-significant.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

X

See (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?</p> <p><i>The limited size of the project precludes any impacts to air traffic.</i></p>			X	
<p>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p> <p><i>The project driveways front on State Highway 29 (Sonoma Boulevard), the project will be subject to Caltrans approval and City of Vallejo regulations which would make impacts less-than-significant.</i></p>			X	
<p>e) Result in inadequate emergency access?</p> <p><i>The project has been designed to meet the standards for emergency access.</i></p>				X
<p>f) Result in inadequate parking capacity?</p> <p><i>The project includes parking that is consistent with the Vallejo Municipal Code requirements.</i></p>				X
<p>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</p> <p><i>The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The closest bus stops are located north of the project site on Broadway Street to the east and Sonoma Boulevard to the west.</i></p>				X
XVI. UTILITIES AND SERVICE SYSTEMS B Would the project:				
<p>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality</p>				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Control Board? <i>The project is within the development anticipated in the General Plan and would not exceed wastewater treatment requirements of the BAWQCB.</i>				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project is within the development anticipated in the General plan and would not require or result in the construction or expansion of new water or wastewater treatment facilities.</i>				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Existing storm water collection facilities are adequate to serve the project.</i>				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Sufficient water supplies are available to serve the project from existing entitlements and resources.</i>				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>The project would not exceed the capacity of the wastewater treatment provider (VSFCD).</i>				X
f) Be served by a landfill with sufficient				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
permitted capacity to accommodate the project's solid waste disposal needs? <i>The project is within development anticipated in the Vallejo General Plan and would be served by a landfill with sufficient capacity to accommodate the project's solid waste disposal needs.</i>				X

g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>The project complies with federal, state, and local statutes and regulations related to solid waste as a condition of project approval.</i>				X
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? <i>With implementation of proposed mitigations, the project has no potentially significant impacts.</i>			X	
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? <i>The proposed project would not have any impacts that are individually limited, but cumulatively considerable.</i>				X
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

X

With implementation of proposed mitigation, the project has no environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

SUPPORTING INFORMATION SOURCES

1. Project Specific Factor/Project Design
2. City of Vallejo General Plan, July 1999
3. City of Vallejo Municipal Code (as adopted)
4. State of California, Subdivision Map Act (Government Code Sections 66410 to 66499.58)
5. Vallejo Citywide Traffic Study, June 1994
6. BAAQMD CEQA Guidelines Assessing the Air Quality Impacts of Projects and Plans, Bay Area Air Quality Management District, April 1996, revised December 1999.
7. City of Vallejo, Regulations and Specifications for Public Improvements (as adopted)
8. City of Vallejo, Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers, as updated by Brown & Caldwell, 1996.
9. City of Vallejo, 1995 Urban Water Management Plan
10. Vallejo Sanitation and Flood Control District, Wastewater Facilities Master Plan, 1992.
11. Vallejo Sanitation and Flood Control District, Storm Drainage Master Plan, 1992.
12. Greater Vallejo Recreation District Master Plan, May 1986.
13. Greater Vallejo Recreation District and City of Vallejo, Vallejo Trails Master Plan, June 1988
14. Uniform Building Code (as adopted)
15. Uniform Fire Code (as adopted)
16. Vallejo Fire Prevention Standards.
17. Verbal and/or written comments from Vallejo Department of Public Works (Engineering Division)
18. Verbal and/or written comments from Vallejo Department of Public Works (Traffic Engineering Division)
19. Verbal and/or written comments from Vallejo Water Division
20. Verbal and/or written comments from Vallejo Fire Prevention Division
21. Verbal and/or written comments from Vallejo Police Department
22. Verbal and/or written comments from Vallejo Sanitation and Flood Control District
23. California Archeological Inventory, Northwest Information Center, Sonoma State University
24. Federal Emergency Management Agency, Flood Insurance Program
25. California Department of Conservation, *Special Report 166 - Mineral Land Classification: Aggregate Materials in the San Francisco - Monterey Bay Area*
26. Office of Planning and Research, Hazardous Waste and Substance Sites List
27. City of Vallejo, Emergency Operations Plan, September 1998
28. Solano County Integrated Waste Management Plan
29. T.Y. Lin International/CCS, Final Traffic Report Vallejo Crossroads, November 29, 2005.
30. Donald Ballanti Certified Consulting Meteorologist, Air Quality Analysis for the Vallejo Crossroads Project, December 8, 2006.
31. Letter, ILS Associates Inc., Regarding 100 Year Flood Zone, February 16, 2006
32. E-mail, Pete Tobin, ARC Inc., Regarding Hazardous Materials, December 15, 2006.

**City of Vallejo Mitigation Monitoring and Reporting Program
 Vallejo Crossroads Gas Station & Retail Center – Sonoma Boulevard
 (APN#s 0067-150-320)**

March 5, 2007

Impact	Mitigation Measure(s)	Implementation Procedure	Monitoring Responsibility
<p>Air Quality</p> <p>Construction related activities will most likely impact air quality as anticipated with any construction project.</p>	<ul style="list-style-type: none"> • Water all active construction sites at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites. 	<p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p>	<p>Building Division</p> <p>Building Division</p> <p>Building Division</p> <p>Building Division</p>

Noise

Short-term construction-related noise levels may be in excess of the standards established in the General Plan.

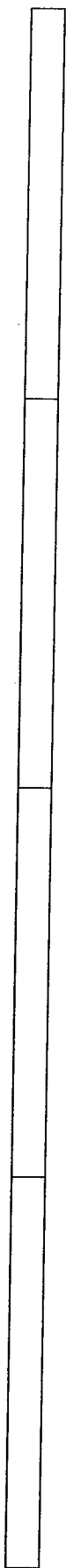
- Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.
- During all project site

Require as a condition of project approval.

Building Division

	<p>construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.</p>		
<p>The project may cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels during the construction phase.</p>	<ul style="list-style-type: none"> • Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). • The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • The construction 	<p>Require as a condition of project approval.</p>	<p>Building Division</p>

<p>Mandatory Findings of Significance</p> <p>The project has a potential to cause substantial adverse effects on human beings, either directly or indirectly</p>	<p>contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.</p> <ul style="list-style-type: none"> • During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays. 		
	<ul style="list-style-type: none"> • With implementation of proposed mitigation, the project has no environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. 	<p>Require as a condition of approval.</p>	<p>Planning, Building and Public Works</p>



Donald Ballanti
Certified Consulting Meteorologist

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December 8, 2006

Darren Goon, Assistant Planner
City of Vallejo
555 Santa Clara Street
Vallejo, CA. 94590

Subject: Air Quality Impact Analysis for the Vallejo Crossroads Project, Vallejo (APN 67-15-32)

Dear Mr. Goon:

At the project sponsor's request I have conducted an air quality impact analysis for the Vallejo Crossroads project. The project was considered would include a sit-down restaurant of 7,000 sq. ft., two fast-food restaurants totaling 6,000 sq. ft., and a service station with 12 pumps.

In analyzing the impacts of the proposed improvements to the site, I have utilized the methods and assumptions recommended by the Bay Area Air Quality Management District in their *BAAQMD CEQA Guidelines*. My calculations utilized daily trip generation and intersection turning movements prepared by T.Y. LIN International/CCS.¹

The operational impacts of the proposed project were found to be **less-than-significant** based on the thresholds of significance recommended by the BAAQMD. Construction impacts were found to be potentially significant on a local scale, but could be reduced to a level that is **less-than-significant** with adoption of construction dust mitigation measures.

Thresholds of Significance

The document *BAAQMD CEQA Guidelines*² provide the following definitions of a significant air quality impact:

¹T. Y. Lin International/CCS, *Final Traffic Report Vallejo Crossroads*, November 29, 2005.

²Bay Area Air Quality Management District, *BAAQMD CEQA Guidelines*, 1996 (Revised Dec. 1999).

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- A project contributing to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of 9 parts per million (ppm) averaged over 8 hours or 20 ppm for 1 hour would be considered to have a significant impact.
- A project that generates criteria air pollutant emissions in excess of the BAAQMD annual or daily thresholds would be considered to have a significant air quality impact. The current thresholds are 15 tons/year or 80 pounds/day for Reactive Organic Gases (ROG), Nitrogen Oxides (NO_x) or PM₁₀. Any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact.
- Any project with the potential to frequently expose members of the public to objectionable odors would be deemed to have a significant impact.
- Any project with the potential to expose sensitive receptors or the general public to substantial levels of toxic air contaminants would be deemed to have a significant impact.

Despite the establishment of both federal and state standards for PM_{2.5} (particulate matter, 2.5 microns), the BAAQMD has not developed a threshold of significance for this pollutant. For this analysis, PM_{2.5} impacts would be considered significant if project emissions of PM₁₀ exceed 80 pounds per day.

The BAAQMD significance threshold for construction dust impact is based on the appropriateness of construction dust controls. The BAAQMD guidelines provide feasible control measures for construction emission of PM₁₀. If the appropriate construction controls are to be implemented (based on site size and proximity to sensitive receptors), then air pollutant emissions for construction activities would be considered less-than-significant.

Project Impact Discussion

The following are responses to CEQA checklist air quality questions based on the BAAQMD thresholds of significance.

a) *Would the project conflict with or obstruct implementation of an air quality plan?*

The San Francisco Bay Area Air Basin is currently non-attainment for ozone (state and

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federal ambient standards) and particulate matter (PM_{2.5} and PM₁₀) (state ambient standard). While an air quality plan exist for ozone, none currently exists for particulate matter. The *Bay Area 2005 Ozone Strategy*³ is the current ozone air quality plan.

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in Vehicle Miles Traveled. The project would not conflict with any of the growth assumptions made in the preparation of the plan nor obstruct implementation of any of the proposed control measures contained in the plan.

The project would not conflict with the growth assumptions made in the preparation of the regional air quality plans nor would obstruct implementation of control measures contained in the regional air quality plans.

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

Construction

The proposed project would not require demolition of any existing structures. Construction activities on the site would temporarily affect local air quality by causing a temporary increase in particulate dust and other pollutants. Uncontrolled dust emissions during construction have the potential to exceed the ambient air quality standards locally. This impact is potentially significant, but normally mitigatable.

The BAAQMD significance threshold for construction dust impact is based on the appropriateness of construction dust controls. The BAAQMD guidelines provide feasible control measures for construction emission of PM₁₀. If the appropriate construction controls are to be implemented (based on site size and proximity to sensitive receptors), then air pollutant emissions for construction activities would be considered **less-than-significant** (see page 4 for appropriate measures for the proposed project).

Operation

Development projects in the Bay Area are most likely to violate and air quality standard or contribution substantially to an existing or projected air quality violation through generation

³ Bay Area Air Quality Management District, *Bay Area 2005 Ozone Strategy*, January 4, 2006.

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of vehicle trips. New vehicle trips add to carbon monoxide concentrations near streets providing access to the site. Carbon monoxide is an odorless, colorless poisonous gas whose primary source in the Bay Area is automobiles. Concentrations of this gas are highest near intersections of major roads

The Bay Area Air Quality Management District's *BAAQMD CEQA Guidelines* recommends estimation of carbon monoxide concentrations for projects where project traffic would impact intersections or roadway links operating at Level of Service D, E, or F or would cause Level of Service to decline to D, E, or F. The traffic analysis identifies one intersection as meeting this criterion (Sonoma Blvd. and Marine World Parkway). Carbon monoxide concentrations under worst-case meteorological conditions have been predicted for this intersection. Peak hour traffic volumes were applied to a screening form of the CALINE-4 dispersion model to predict maximum 1- and 8-hour concentrations near these intersections for existing, project and cumulative conditions. The model results were used to predict the maximum 1- and 8-hour concentrations, corresponding to the 1- and 8-hour averaging times specified in the state and federal ambient air quality standards for carbon monoxide.

The existing worst-case estimate of concentration was 11.2 and 7.2 parts per million (PPM) for the 1-hour and 8-hour averaged concentrations, respectively. The addition of project and cumulative traffic would increase concentrations by up to 0.3 PPM, but concentrations would remain below the state/federal standards. Project impacts on local carbon monoxide concentrations would be **less-than-significant**.

Mitigation Measure 1: The following measures are recommended for inclusion in construction contracts to control fugitive dust emissions:

- Water all active construction areas at least twice daily.
- Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Sweep daily (preferably with water sweepers) all paved access road, parking areas and staging areas at construction sites.
- Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

According to BAAQMD guidance, the above mitigation measures would reduce construction impacts to a level that is **less-than-significant**.

c) Would the project result in cumulatively considerable air pollutants?

To evaluate emissions associated with the project, the URBEMIS-2002 computer program was employed. The daily increase in regional emissions from auto travel is shown in Table 1 for reactive organic gases (hydrocarbons) and oxides of nitrogen (two precursors of ozone) and PM₁₀ (particulate matter, 10 micron). The URBEMIS-2002 output is attached.

Guidelines for the evaluation of project impacts issued by the Bay Area Air Quality Management District consider emission increases to be significant if they exceed 80 lbs per day for regional pollutants (ROG and NO_x, PM₁₀). The emission increases shown in Table 1 are well below these criteria, so the project would have a **less-than-significant** impact on regional air quality.

Table 1: Project Regional Emissions in Pounds Per Day

	Reactive Organic Gases	Nitrogen Oxides	PM₁₀
Project New Daily Emissions	30.1	27.8	22.2
BAAQMD Threshold	80.0	80.0	80.0

d. Expose sensitive receptors to substantial pollutant concentrations?

The project would result in the new emissions of Toxic Air Contaminants (TACs). The proposed gasoline station would be a source of gasoline vapors that would include TACs such as benzene.

Gasoline vapors are released during the filling of both the stationary underground storage tanks and the transfer from those underground tanks to individual vehicles. The BAAQMD has stringent requirements for the control of gasoline vapor emissions from gasoline dispensing facilities that require all new facilities to install and maintain CARB Certified

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Vapor Recovery Systems. As a potential source of TACs, a gasoline filling station is subject to the BAAQMD's toxic risk screening and risk management procedures.

A screening risk assessment has been conducted utilizing the procedures and emission factors defined in California Air Pollution Control Officers' *Air Toxics "Hot Spots" Program Gasoline Service Station Industry-wide Risk Assessment Guidelines*.⁴ Using aerial photographs of the project environs, the distance between the center of the proposed gasoline facility and the nearest residence was determined.

The CAPCOA procedures provide a very conservative estimate of cancer risk per million gallons of gasoline pumped based on distance from the facility. This risk is based on a continuous exposure over a 70-year lifetime. The resulting risk of cancer (per million gallons pumped) is 3.46 in one million.

BAAQMD rules and regulations require that permits be denied for new sources of any carcinogenic air contaminant unless it can be shown that it will not result in:

- A maximum individual cancer risk greater than one in one million at any receptor location, if the facility is constructed without T-BACT (Toxic Best Available Controls).
- A maximum individual cancer risk greater than ten in one million at any receptor location, if the facility is constructed with T-BACT.

The proposed gasoline facility would be equipped with emission control equipment that qualifies as T-BACT for this type of facility, the appropriate limit on risk is 10 in one million. This threshold would be exceeded only if throughput exceeded 2.9 million gallons per year. This indicates that a gasoline station at the proposed location could obtain a permit from the BAAQMD (under current rules and regulations).

The actual throughput limitation on the facility will be established by the BAAQMD based on their own risk analysis. The throughput limit will be established at level that will ensure that cancer and non-cancer risks are below the significance thresholds. BAAQMD regulations and procedures, already established and enforced as part of the air quality permit review process, would ensure that any potential impacts due emission of hazardous

⁴ California Air Pollution Control Officers Association (CAPCOA), *Gasoline Service Station Industry-wide Risk Assessment Guidelines*, December 1997.

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The actual throughput limitation on the facility will be established by the BAAQMD based on their own risk analysis. The throughput limit will be established at a level that will ensure that cancer and non-cancer risks are below the significance thresholds. BAAQMD regulations and procedures, already established and enforced as part of the air quality permit review process, would ensure that any potential impacts due to emission of hazardous or toxic air contaminants would be reduced to a level that is **less-than-significant**.

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

The project would include restaurants which are a source of cooking odors. Reaction to cooking odors varies widely with individuals. Some people find them objectionable, while others find them pleasant. Restaurant cooking odors have, in some instances, been the subject of complaints.

Distance between odor sources and sensitive receptors is the primary determinant of potential for odor complaints, as distance determines dilution of odor strength. The project would not place any cooking odor sources in proximity to or upwind from residences or other sensitive uses. Project odor impacts are therefore considered to be **less-than-significant**.

I hope that you find this analysis useful. Please call if you have questions.

Sincerely,



Donald Ballanti
Certified Consulting Meteorologist

Attachments

Cc: Glenn Larsen/Paul Ghafouri
Peter Tobin
Kam Shadan

URBEMIS 2002 For Windows 8.7.0

File Name: <Not Saved>
Project Name: Vallejo Crossroads
Project Location: San Francisco Bay Area
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Summer)

OPERATIONAL (VEHICLE) EMISSION ESTIMATES	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day, unmitigated)	30.12	27.77	281.44	0.15	22.17

URBEMIS 2002 For Windows 8.7.0

File Name: <Not Saved>
 Project Name: Vallejo Crossroads
 Project Location: San Francisco Bay Area
 On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT
 (Pounds/Day - Summer)

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
High turnover (sit-down)	4.51	3.83	39.06	0.02	2.93
Fast food rest. w/ drive	16.59	17.13	173.09	0.10	14.57
Gasoline/service station	9.02	6.81	69.29	0.03	4.67
TOTAL EMISSIONS (lbs/day)	30.12	27.77	281.44	0.15	22.17

Includes correction for passby trips.
 Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2007 Temperature (F): 85 Season: Summer

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Acreage	Trip Rate	No. Units	Total Trips
High turnover (sit-down)		127.15 trips/1000 sq. ft.	7.00	890.05
Fast food rest. w/ drive		496.12 trips/1000 sq. ft	6.00	2,976.72
Gasoline/service station		162.78 trips/Pumps	12.00	1,953.36
Sum of Total Trips				5,820.13
Total Vehicle Miles Traveled				14,518.58

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	55.20	1.80	97.80	0.40
Light Truck < 3,750 lbs	15.10	3.30	94.00	2.70
Light Truck 3,751- 5,750	16.10	1.90	96.90	1.20
Med Truck 5,751- 8,500	7.10	1.40	95.80	2.80
Lite-Heavy 8,501-10,000	1.10	0.00	81.80	18.20
Lite-Heavy 10,001-14,000	0.40	0.00	50.00	50.00
Med-Heavy 14,001-33,000	1.00	0.00	20.00	80.00
Heavy-Heavy 33,001-60,000	0.90	0.00	11.10	88.90
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.10	0.00	0.00	100.00
Motorcycle	1.70	82.40	17.60	0.00
School Bus	0.10	0.00	0.00	100.00
Motor Home	1.20	8.30	83.30	8.40

Travel Conditions

	Residential			Commercial		
	Home- Work	Home- Shop	Home- Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	11.8	4.6	6.1	11.8	5.0	5.0
Rural Trip Length (miles)	15.0	10.0	10.0	15.0	10.0	10.0
Trip Speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	27.3	21.2	51.5			
% of Trips - Commercial (by land use)						
High turnover (sit-down) rest.				5.0	2.5	92.5
Fast food rest. w/ drive thru				5.0	2.5	92.5
Gasoline/service station				2.0	1.0	97.0

Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Operations

The operational emission year changed from 2005 to 2007.

TYLIN INTERNATIONAL
engineers | planners | scientists

To: Taner Aksu
Address: City of Vallejo
555 Santa Clara Street
P.O. Box 3068
Vallejo, CA 94590
Re: Comparison of Vallejo Crossroads Trip Generation

From: Mousa Abbasi/Shusuke Iida
Date: March 10, 2006
CC: File

MEMORANDUM

T.Y. Lin International (TYLI) has prepared this memorandum to compare the trip generation of the revised Vallejo Crossroads development site plan to the trip generation of the original site plan as calculated in the Vallejo Crossroads Traffic Impact Analysis final report dated November 29, 2005. The purpose of this memorandum is to calculate the difference in trip generation between the original and revised project site plans to determine whether a new traffic study is necessary.

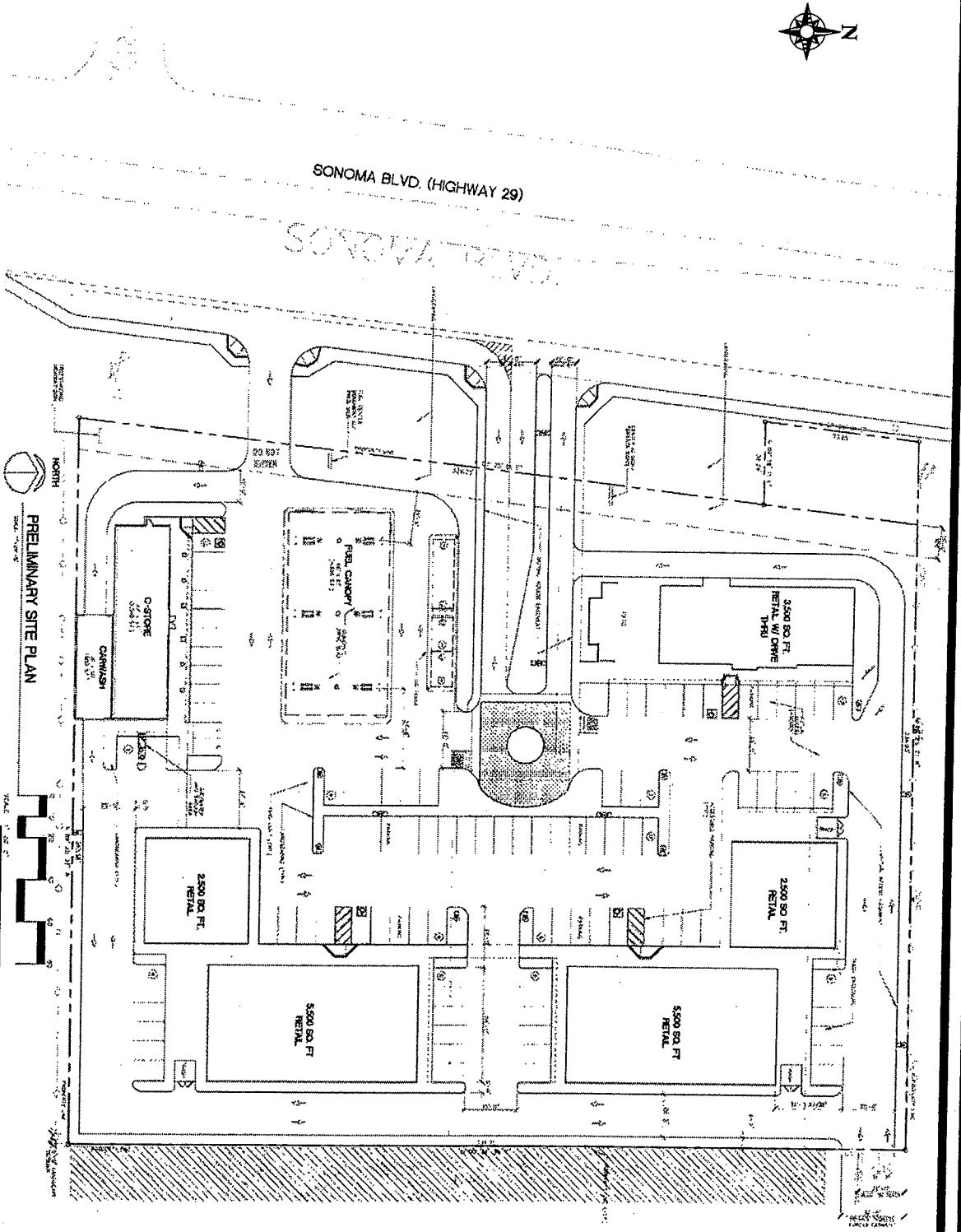
Trip generation relates land uses to the number of vehicles entering or exiting the site. The trip generation rates are based on traffic counts and surveys at similar existing land uses. The traffic generation rates for this study are based on the standard reference *Trip Generation* (Institute of Transportation Engineers, 7th Edition, 2003). The site plan evaluated in the November 29, 2005 Vallejo Crossroads TIA report assumed the following land uses:

- Gas Station with Convenience Store and Car Wash – 12 fueling positions
- Fast Food Restaurant with Drive-Thru – 6,000 SF
- High-Turnover (Sit-Down) Restaurant – 7,000 SF

The revised site plan, which is shown in Figure 1, assumes the following land uses:

- Gas Station with Convenience Store and Car Wash – 12 fueling positions
- Fast Food Restaurant with Drive-Thru – 3,500 SF
- Specialty Retail – 16,000 SF

The AM and PM peak hour trip generation calculations for the original and revised site plans are summarized in Tables 1 and 2, respectively. The original site plan would result in a trip generation of 264 trips (135 inbound and 129 outbound) during the AM peak hour and 223 trips (118 inbound and 105 outbound) during the PM peak hour. The revised site plan would result in a trip generation of 157 trips (80 inbound and 77 outbound) during the AM peak hour and 163 trips (81 inbound and 81 outbound) during the PM peak hour.



Vallejo Crossroads TIA
Revised Site Plan

Figure
1

Table 1
Original Project Site Plan Trip Generation

Gas Station	12 Pumps	10.64	51%/49%	65	63	128	13.33	50%/50%	80	80	160
Fast-Food Restaurant	6 KSF	53.11	51%/49%	163	156	319	34.64	52%/48%	108	100	208
Sit-Down Restaurant	7 KSF	11.52	52%/48%	42	39	81	10.92	61%/39%	47	30	77
Subtotal				270	258	528			235	210	445
Pass-by reduction		-50%		-135	-129	-264	-50%		-117	-105	-222
Total				135	129	264			118	105	223

Sources: *Trip Generation*, Institute of Transportation Engineers, 7th Edition, 2003.
Trip Generation Handbook, Institute of Transportation Engineers, 2nd Edition, 2004.

Table 2
Revised Project Site Plan Trip Generation

Gas Station	12 Pumps	10.64	51%/49%	65	63	128	13.33	50%/50%	80	80	160
Fast-Food Restaurant	3.5 KSF	53.11	51%/49%	95	91	186	34.64	52%/48%	63	58	121
Specialty Retail	16 KSF	N/A	N/A	N/A	N/A	N/A	2.71	44%/56%	19	24	43
Subtotal				160	154	314			162	162	324
Pass-by reduction		-50%		-80	-77	-157	-50%		-81	-81	-162
Total				80	77	157			81	81	162

Sources: *Trip Generation*, Institute of Transportation Engineers, 7th Edition, 2003.
Trip Generation Handbook, Institute of Transportation Engineers, 2nd Edition, 2004.

The trip generation calculation indicates the revised Vallejo Crossroads site plan would generate 107 fewer trips in the AM peak hour and 61 fewer trips in the PM peak hour. Therefore, a new traffic study for the revised site plan would not be required since the Vallejo Crossroads Traffic Impact Analysis final report dated November 29, 2005, assumed a worse-case scenario.

Final Traffic Impact Analysis Report

Vallejo Crossroads

prepared for

City of Vallejo

prepared by

TYLIN INTERNATIONAL / CCS

November 29, 2005

Final Traffic Impact Analysis Report

Vallejo Crossroads

prepared for

City of Vallejo

prepared by

T.Y. Lin International/CCS

100 B Street, Suite 330
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(707) 578-4860

TYLI/CCS # 310286.00

November 29, 2005

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A	Intersection Traffic Counts
B	Intersection Capacity Analysis Worksheets
C	Signal Warrants

EXECUTIVE SUMMARY

This traffic study has been prepared for the proposed Vallejo Crossroads development in the City of Vallejo. The purpose of this study is to evaluate potential traffic impacts resulting from the proposed project. This evaluation focuses on AM and PM peak hour level of service (LOS) analyses for the study intersections identified in the City of Vallejo.

The proposed location for the Vallejo Crossroads project is on the east side of Sonoma Boulevard south of Meadows Drive. The project, which would be located south of the existing Meadows Plaza shopping center, would include construction of a gas station with a convenience store, one sit-down restaurant, and two fast food restaurants. The project would generate a total of 264 trips during the AM peak hour and 223 trips during the PM peak hour.

Under Existing Conditions, the intersection of Sonoma Boulevard & Marine World Parkway operates at LOS E during the PM peak hour. The other two study intersections operate at acceptable levels of service during both peak hours.

Traffic that would be generated by the proposed Vallejo Crossroads project was added to the Existing Conditions traffic. The intersection of Sonoma Boulevard & Marine World Parkway would continue to operate at LOS E during the PM peak hour. The other study intersections would operate at acceptable levels of service during both peak hours under Existing Plus Project Conditions. The southbound left-turn lane in the median on Sonoma Boulevard that would provide access into the project site would also operate acceptably. This movement would have minimal queuing with an average delay of about 11 seconds during the AM peak hour and 15 seconds during the PM peak hour. Although the traffic analysis indicates the left-turn operations at the proposed median cut would be acceptable, the construction of the left-turn pocket would be subject to City of Vallejo and Caltrans approval.

Existing Plus Project Conditions following completion of the State Route 37 (SR-37) project was also evaluated. The two Sonoma Boulevard & Marine World Parkway ramp end intersections would operate at LOS B during the peak hours. The proposed southbound left-turn lane in the median on Sonoma Boulevard into the project site would operate acceptably, identical to Existing Plus Project Conditions.

Traffic that would be generated by the Sonoma Villas development was added to the Existing Conditions traffic to estimate Cumulative Conditions. The intersection of Sonoma Boulevard & Marine World Parkway would operate at LOS E during the PM peak hour. The other two study intersections would operate at acceptable levels of service during both peak hours under Cumulative Conditions.

Intersection calculations of Cumulative Conditions following completion of the SR-37 project indicated the two Sonoma Boulevard & Marine World Parkway ramp end intersections would operate at LOS B during the peak hours.

Cumulative Plus Project Conditions include traffic that would be generated by the proposed Vallejo Crossroads project and the Sonoma Villas development. The intersection of Sonoma Boulevard & Marine World Parkway would operate at LOS E during the PM peak hour. The other study intersections would operate at acceptable levels of service during both peak hours under Cumulative Plus Project Conditions. The southbound left-turn lane in the median on Sonoma Boulevard would have minimal queuing with an average delay of about 11 seconds during the AM peak hour and 17 seconds during the PM peak hour.

The two Sonoma Boulevard & Marine World Parkway ramp end intersections would continue to operate at LOS B during the peak hours under Cumulative Plus Project Conditions following completion of the SR-37 project. The proposed southbound left-turn lane in the median on Sonoma Boulevard into the project site would operate acceptably, identical to Cumulative Plus Project Conditions.

The City of Vallejo's review of existing roadway geometry indicates that inadequate space is available to provide double left-turn lanes at the study intersections. Furthermore, based on discussions with the City Traffic Engineer, the City and Caltrans would not approve median cuts to accommodate double-left turn lanes. However, based on the traffic analysis, the project would not result in any of the left-turn volumes at the study intersections to exceed 300 vehicles.

SECTION 1

INTRODUCTION

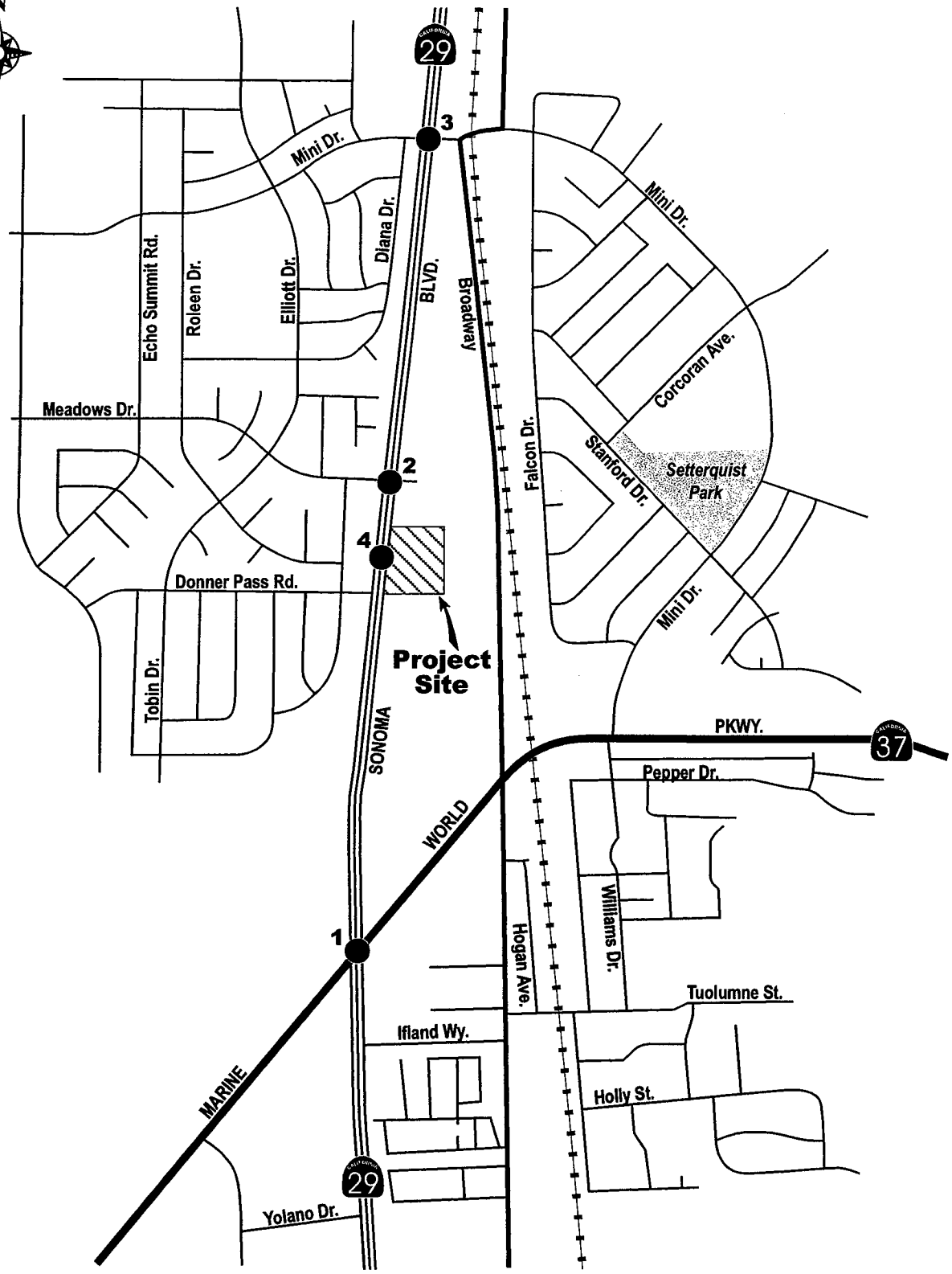
This traffic impact study has been prepared for the proposed Vallejo Crossroads development located in the City of Vallejo. The purpose of this study is to evaluate the potential traffic impacts associated with the project including intersection operations and access.

PROJECT DESCRIPTION

The proposed location for the Vallejo Crossroads development is on the east side of Sonoma Boulevard south of Meadows Drive, as shown in Figure 1. The project, which would be located south of the existing Meadows Plaza shopping center, would include construction of a gas station with a convenience store, one sit-down restaurant, and two fast food restaurants. The project site plan, at the time of this report, is shown in Figure 2. The project would generate a total of 264 trips during the AM peak hour and 223 trips during the PM peak hour.

The project would provide two inbound driveways and one outbound driveway on Sonoma Boulevard. The City will require the developer to follow the design standards set forth in the "Highway Design Manual" Section 205.3(4) for Commercial Driveways, and "2004 Standard Plans" during the development of design plan sheets. The City will also require the developer to design all approaches to the driveways in accordance with the Caltrans' standard titled "Standard Private and Commercial Driveway Approach For Rural Areas With Unimproved Frontage On Conventional State Highways". The developer will be required to obtain an encroachment permit from Caltrans prior to construction.

All frontage improvements for transit, bicycle, and pedestrian facilities in the project area will be installed according to City and Caltrans standards. The City will collect Transportation Impact Mitigation Fee (TIMF) from the developer to pay for the project's fair share of mitigation for cumulative impacts.



Legend	
● ¹	Study Intersection

Vallejo Crossroads TIA	Figure 1
Project Area	

STUDY SCOPE

The traffic analysis focuses on the following key study intersections:

1. Sonoma Boulevard (SR-29) & Marine World Parkway (SR-37)
2. Sonoma Boulevard & Meadows Drive
3. Sonoma Boulevard & Mini Drive
4. Sonoma Boulevard & Project Driveway

Figure 1 also shows the locations of the study intersections. These intersections were selected based on their proximity to the project site and propensity for project traffic to utilize these locations.

STUDY SCENARIOS

Traffic impacts are evaluated for the following traffic scenarios:

- Existing Conditions
- Existing Plus Project Conditions
- Existing Plus Project Conditions following completion of the SR-29/SR-37 interchange project
- Cumulative Conditions
- Cumulative Conditions following completion of the SR-29/SR-37 interchange project
- Cumulative Plus Project Conditions
- Cumulative Plus Project Conditions following completion of the SR-29/SR-37 interchange project

SECTION 2

EXISTING CONDITIONS

This section describes the existing traffic conditions in the study area, in terms of existing roads and traffic operations.

EXISTING ROADS

The proposed project site would primarily be served by Sonoma Boulevard, Marine World Parkway, Meadows Drive, and Mini Drive:

Sonoma Boulevard (SR-29) is a north-south running highway that extends between Interstate 80 (I-80) in the south and SR-20 in the north. In the vicinity of the project site, it is a divided four-lane highway with a posted speed limit of 50 miles per hour.

Marine World Parkway (SR-37) is an east-west running highway that extends between I-80 in the east and US-101 in Marin County in the west. In the vicinity of the project site, it is an undivided four-lane roadway with a posted speed limit of 50 miles per hour.

Meadows Drive is a four-lane roadway that extends between Meadows Plaza in the east and residential areas to the west. The posted speed limit is 35 miles per hour.

Mini Drive is a four-lane roadway that extends between Marine World Parkway in the east and residential areas to the west. The posted speed limit is 30 miles per hour.

APPROACH AND METHODOLOGY

Traffic operations were evaluated in terms of intersection operations. Intersection operations were evaluated for the AM and PM peak hours at the study intersections using the criteria and methodology described below.

Level of Service Concept

Intersections are evaluated in terms of “level of service” (LOS), which is a measure of driving conditions and vehicle delay. Levels of service range from A (best) to F (poorest). Levels of service A, B and C indicate conditions where traffic can move relatively freely. Level of service D describes conditions where delay is more noticeable. Level of service E describes conditions where traffic volumes are at or close to capacity, resulting in significant delays. Level of service F characterizes conditions where traffic demand exceeds available capacity, with very slow speeds (stop-and-go) and long delays (over a minute). See Table 1 for a more detailed description of LOS.

Standards of Significance

Study intersection levels of service and delay are provided to determine the magnitude of project-related impacts. In the City of Vallejo, LOS D is considered the acceptable limit for intersection operations. For study purposes, a significant traffic impact is considered if project related traffic degrades level of service from an acceptable range (LOS A, B, C or D) to an unacceptable range (LOS E or F).

Signalized Intersection Analysis Methodology

The signalized study intersections were evaluated with the TRAFFIX software using the methodologies from Chapter 16 of the *2000 Highway Capacity Manual*. This methodology evaluates the amount of green signal time available to each traffic approach and the total intersection capacity used by the traffic demand, and assigns a LOS based on the average control delay that the drivers would experience at the intersection during the peak hour. The criteria for the six distinct levels of service are summarized in Table 1.

Unsignalized Intersection Analysis Methodology

The unsignalized study intersections were evaluated using the methodology from Chapter 17 of the *2000 Highway Capacity Manual* in the Traffix software. This methodology separately evaluates each turning movement that yields to an opposing movement and assigns a LOS. The LOS is based on the average total delays of traffic on the minor approach waiting for an adequate gap in conflicting traffic flows. Under this methodology, the LOS is not defined for the intersection as a whole. The LOS criteria for unsignalized intersections are shown in Table 2.

**Table 1
Level of Service Definitions for Signalized Intersections**

Level of Service	Average Control Delay per Vehicle (Secs)	Description
A	0 – 10.0	Very low delay. Occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	10.1 – 20.0	Generally occurs with good progression, short cycle lengths, or both. More vehicles stop than with LOS "A," causing higher levels of average delay.
C	20.1 – 35.0	These higher delays may result from fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level, though may still pass through the intersection without stopping.
D	35.1 – 55.0	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	55.1 – 80.0	These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.
F	> 80.0	This level, considered to be unacceptable to most drivers, often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. It may also occur at high v/c ratios below 1.0 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

Source: Transportation Research Board, *Highway Capacity Manual*, 2000.

Table 2
Level of Service Definitions for Unsignalized Intersections

Level of Service	Vehicle Delay (Seconds)	Description
A	0 - 10.0	Little or no delay
B	10.1 - 15.0	Short traffic delay
C	15.1 - 25.0	Average traffic delays
D	25.1 - 35.0	Long traffic delays
E	35.1 - 50.0	Very long traffic delays
F	> 50.0	Extreme delays potentially affecting other traffic movements in the intersection

Source: Transportation Research Board, *Highway Capacity Manual*, 2000.

INTERSECTION OPERATIONS

Study intersection operations were evaluated for morning (AM) and evening (PM) peak traffic conditions. These peak conditions generally occur between 7:00 and 9:00 AM, and 4:00 and 6:00 PM on weekdays. Turning movement counts at the study intersections during the morning and evening peak periods were collected by Marks Traffic Data for T.Y. Lin International/CCS in June 2005. The existing lane geometry and peak hour traffic volumes are shown on Figure 3. The count data is included in Appendix A.

The level of service analysis results for the study intersections are summarized in Table 3. The intersection capacity analysis worksheets are included in Appendix B. The level of service calculations indicate the intersection of Sonoma Boulevard & Marine World Parkway operates at LOS E during the PM peak hour. The other study intersections operate at acceptable levels of service during both the AM and PM peak hours under Existing Conditions.

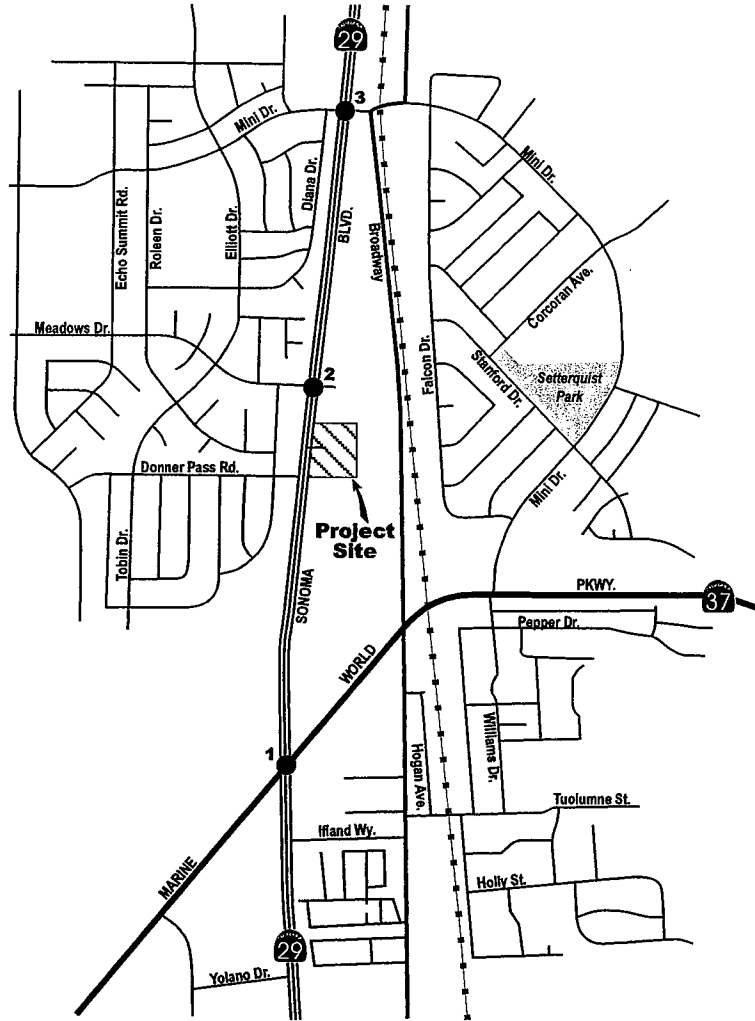
Table 3
Existing Conditions
Intersection Operations

Intersection	Control	AM Peak Hour		PM Peak Hour	
		LOS	Delay	LOS	Delay
1 Sonoma Blvd. & Marine World Pkwy.	Signalized	D	52	E	60
2 Sonoma Blvd. & Meadows Dr.	Signalized	C	32	C	34
3 Sonoma Blvd. & Mini Dr.	Signalized	C	29	C	32

Notes:

LOS = Level of Service

Delay = Average delay for all vehicles at intersection, in seconds



1	<p>235(208) 724(826) 352(362)</p> <p>← 306(371) ← 865(679) ← 117(134)</p>	<p>Marine World Pkwy.</p> <p>144(252) ↘ 601(787) → 101(70) ↘</p>	<p>Sonoma Blvd.</p> <p>23(67) ↗ 446(815) ↗ 104(205) ↗</p>
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2	<p>20(56) 805(985) 17(78)</p> <p>← 13(73) ← 52(141) ← 16(82)</p>	<p>Meadows Dr.</p> <p>73(48) ↘ 85(91) → 414(252) ↘</p>	<p>Sonoma Blvd.</p> <p>140(373) ↗ 641(902) ↗ 24(145) ↗</p>
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3	<p>59(96) 726(961) 136(284)</p> <p>← 220(169) ← 206(317) ← 61(44)</p>	<p>Mini Dr.</p> <p>111(79) ↘ 298(195) → 85(74) ↘</p>	<p>Sonoma Blvd.</p> <p>39(157) ↗ 616(782) ↗ 72(94) ↗</p>
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Legend	
● ¹	Study Intersection
4(48)	AM(PM) Peak Hour Volumes
↔	Lane Configuration

Vallejo Crossroads TIA	Figure
Existing AM and PM Peak Hour Volumes and Lane Geometry	3

SECTION 3

IMPACTS AND MITIGATION

This section presents the evaluation of traffic impacts on the study intersections under the following scenarios:

- Existing Plus Project Conditions
- Existing Plus Project Conditions following completion of the SR-29/SR-37 interchange
- Cumulative Conditions
- Cumulative Conditions following completion of the SR-29/SR-37 interchange
- Cumulative Plus Project Conditions
- Cumulative Plus Project Conditions following completion of the SR-29/SR-37 interchange

TRIP GENERATION

Trip generation relates land uses to the number of vehicles entering or exiting the site. The trip generation rates are based on traffic counts and surveys at similar existing land uses. The traffic generation rate for the Vallejo Crossroads project is based on the standard reference *Trip Generation* (Institute of Transportation Engineers, 7th Edition, 2003). The Gas Station with Convenience Store and Car Wash, Fast-Food Restaurant with Drive-Through Window, and High-Turnover (Sit-Down) Restaurant land use categories were used to calculate AM and PM peak hour directional trips. A reduction to the project trip generation was made to account for pass-by trips. Pass-by trips are defined as trips made as intermediate stops on the way from an origin to a primary destination without a route diversion. Studies of gas stations and fast-food restaurants have shown that the majority of the traffic they generate are pass-by trips¹. This study assumes a pass-by factor of 50% for the project. The project trip generation is summarized in Table 4. The project would generate 264 trips (135 inbound and 129 outbound) during the AM peak hour and 223 trips (118 inbound and 105 outbound) during the PM peak hour.

¹ *Trip Generation Handbook*, Institute of Transportation Engineer, 2nd Edition, 2004.

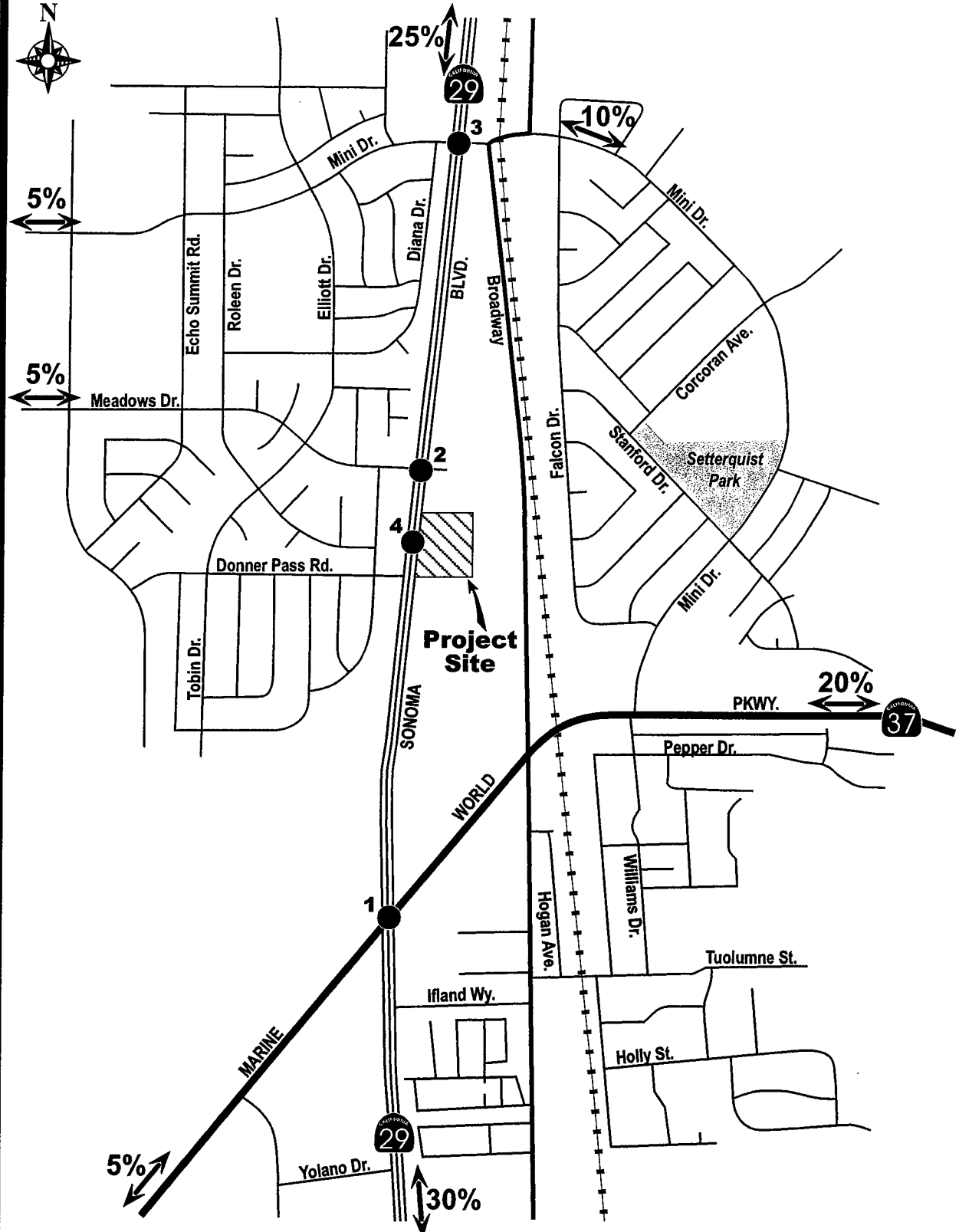
**Table 4
Project Trip Generation**

Land Use	Size	AM Peak Hour					PM Peak Hour				
		Rate	In/Out %	In	Out	Total	Rate	In/Out %	In	Out	Total
Gas Station	12 Pumps	10.64	51%/49%	65	63	128	13.33	50%/50%	80	80	160
Fast-Food Restaurant	6 KSF	53.11	51%/49%	163	156	319	34.64	52%/48%	108	100	208
Sit-Down Restaurant	7 KSF	11.52	52%/48%	42	39	81	10.92	61%/39%	47	30	77
Subtotal				270	258	528			235	210	445
Pass-by reduction		-50%		-135	-129	-264	-50%		-117	-105	-222
Total				135	129	264			118	105	223

Sources: *Trip Generation*, Institute of Transportation Engineers, 7th Edition, 2003.
Trip Generation Handbook, Institute of Transportation Engineers, 2nd Edition, 2004.

TRIP DISTRIBUTION

Trip distribution simulates the geographical pattern of travel, matching trips generated by one type of land use (e.g., residential or commercial) with trips generated by other types of land uses (e.g., employment, shopping, and education). This traffic study assumed trips generated by the proposed project would follow existing trip distribution patterns similar to nearby, existing developments. Figure 4 shows the assumed pattern of project trip distribution, based on the existing traffic counts collected and the location of the project site relative to other land uses in the area.



Legend

- 1 Study Intersection
- 21% Trip Distribution

Vallejo Crossroads TIA	Figure 4
Project Trip Distribution	

TRAFFIC IMPACTS

The traffic impacts for project conditions were identified in terms of intersection levels of service. Intersection levels of service during the AM and PM peak hours were evaluated for each of the study scenarios.

Existing Plus Project Conditions. Traffic that would be generated by the proposed Vallejo Crossroads project was added to the Existing Conditions traffic. The traffic volumes under Existing Plus Project Conditions are shown in Figure 5. The level of service analysis results for the study intersections are summarized in Table 5.

**Table 5
Existing Plus Project Conditions
Intersection Operations**

Intersection		Control	Existing		Existing + Project	
			LOS	Delay	LOS	Delay
AM Peak Hour						
1	Sonoma Blvd. & Marine World Pkwy.	Signalized	D	52	D	53
2	Sonoma Blvd. & Meadows Dr.	Signalized	C	32	D	36
3	Sonoma Blvd. & Mini Dr.	Signalized	C	29	C	29
4	Sonoma Blvd. & Project Driveway	Minor Stop	N/A	N/A	A(C)	2(15)
PM Peak Hour						
1	Sonoma Blvd. & Marine World Pkwy.	Signalized	E	60	E	62
2	Sonoma Blvd. & Meadows Dr.	Signalized	C	34	D	38
3	Sonoma Blvd. & Mini Dr.	Signalized	C	32	C	32
4	Sonoma Blvd. & Project Driveway	Minor Stop	N/A	N/A	A(D)	2(26)

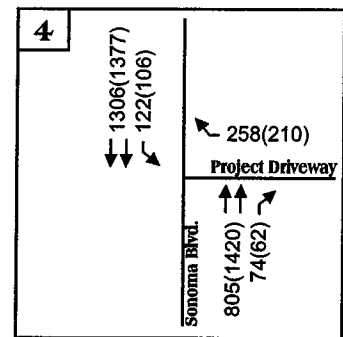
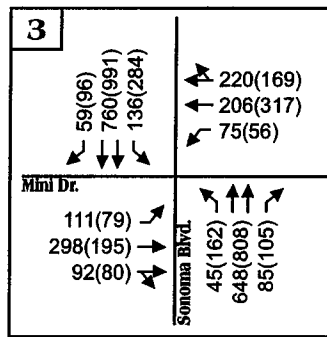
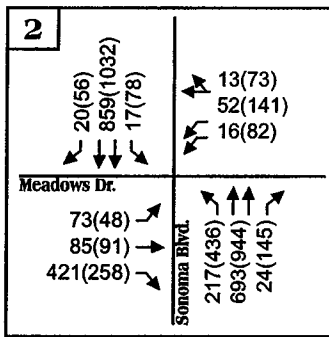
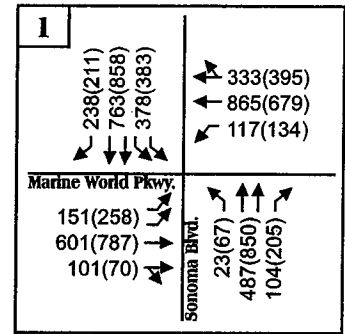
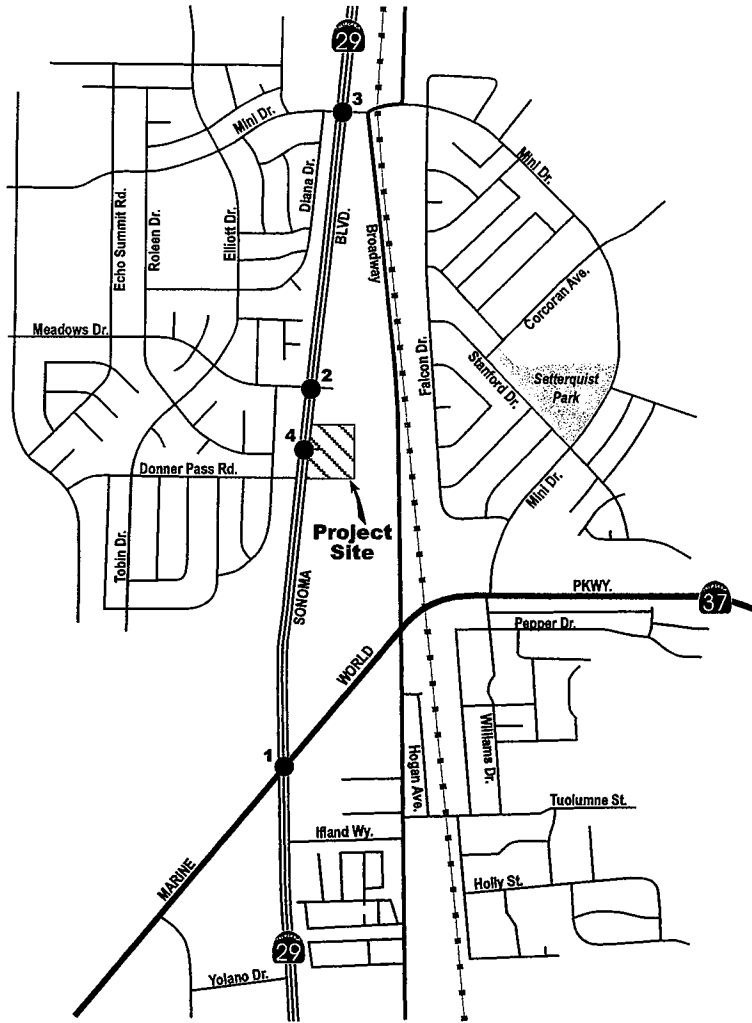
Notes:

LOS = Level of Service

A (D) = For Minor Stop intersections: average LOS for all vehicles at intersection (LOS for most difficult movement)

Delay = Average delay for all vehicles at intersection, in seconds

The level of service calculations indicate the intersection of Sonoma Boulevard & Marine World Parkway would continue to operate at LOS E during the PM peak hour under Existing Plus Project Conditions. The SR-29/SR-37 interchange project would improve traffic operations at this intersection, as described below. The other study intersections would continue to operate at acceptable levels of service during both the AM and PM peak hours. Therefore no mitigation measures would be required.



Legend

- 1** Study Intersection
- 4(48)** AM(PM) Peak Hour Volumes
- Lane Configuration

Vallejo Crossroads TIA

**Existing + Project Conditions
AM and PM Peak Hour
Volumes and Lane Geometry**

Figure

5

The intersection of Sonoma Boulevard and the project driveway was evaluated to determine the need for a traffic signal using the Peak Hour Volume Warrant (Warrant No. 3) from the Manual on Uniform Traffic Control Devices for Streets and Highways (Federal Highway Administration, 2003). The Peak Hour Volume Warrant is intended for application where traffic conditions are such that for at least one hour of the day, the minor street suffers long delays in entering or crossing the major street. The Peak Hour Volume Warrant indicates the intersection would meet the warrant during both the AM and PM peak hours. The Peak Hour Volume Warrant worksheet is included in Appendix C.

The level of service calculations indicate the intersection would operate acceptably without the signal. The traffic analysis assumed construction of a southbound left-turn lane in the median on Sonoma Boulevard that would provide access into the project site. Based on the level of service calculations, this movement would have minimal queuing with an average delay of about 11 seconds during the AM peak hour and 15 seconds during the PM peak hour. The left-turn pocket should be designed in such a way to prevent left-turn movements out of the project site. Although the traffic analysis indicates the left-turn operations at the proposed median cut would be acceptable, the construction of the left-turn pocket would be subject to City of Vallejo and Caltrans approval.

Existing Plus Project Conditions following completion of interchange. Existing Plus Project Conditions following completion of the SR-37 project – under construction at the time of this report – was also evaluated. The highway project would include realignment of SR-37 and construction of a new interchange with SR- 29. The existing intersection of Sonoma Boulevard & Marine World Parkway would become the eastbound SR-37 off-ramp intersection. A new signalized intersection on Sonoma Boulevard would be constructed at the westbound SR-37 off-ramp terminus. Existing traffic count volumes were reassigned to estimate the base volumes through the new interchange. The traffic volumes under Existing Plus Project Conditions following completion of the SR-29/SR-37 interchange are shown in Figure 6. The level of service analysis results for the study intersections are summarized in Table 6.

**Table 6
Existing Plus Project Conditions with SR-29/SR-37 Interchange
Intersection Operations**

Intersection		Control	Existing + Project		Existing + Project With Interchange	
			LOS	Delay	LOS	Delay
AM Peak Hour						
1	Sonoma Blvd. & Marine World Pkwy. EB	Signalized	D	53	B	18
	Sonoma Blvd. & Marine World Pkwy. WB	Signalized	N/A	N/A	B	10
2	Sonoma Blvd. & Meadows Dr.	Signalized	D	36	D	36
3	Sonoma Blvd. & Mini Dr.	Signalized	C	29	C	29
4	Sonoma Blvd. & Project Driveway	Minor Stop	A(C)	2(15)	A(C)	2(15)
PM Peak Hour						
1	Sonoma Blvd. & Marine World Pkwy. EB	Signalized	E	62	B	19
	Sonoma Blvd. & Marine World Pkwy. WB	Signalized	N/A	N/A	B	11
2	Sonoma Blvd. & Meadows Dr.	Signalized	D	38	D	38
3	Sonoma Blvd. & Mini Dr.	Signalized	C	32	C	32
4	Sonoma Blvd. & Project Driveway	Minor Stop	A(D)	2(26)	A(D)	2(26)

Notes:

LOS = Level of Service

A (D) = For Minor Stop intersections: average LOS for all vehicles at intersection (LOS for most difficult movement)

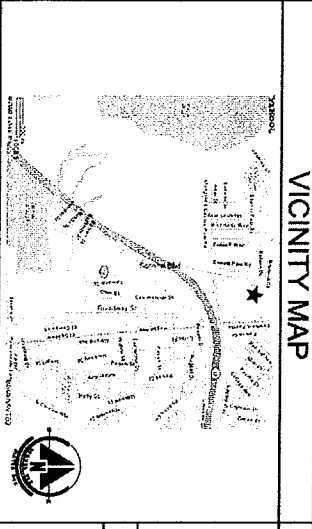
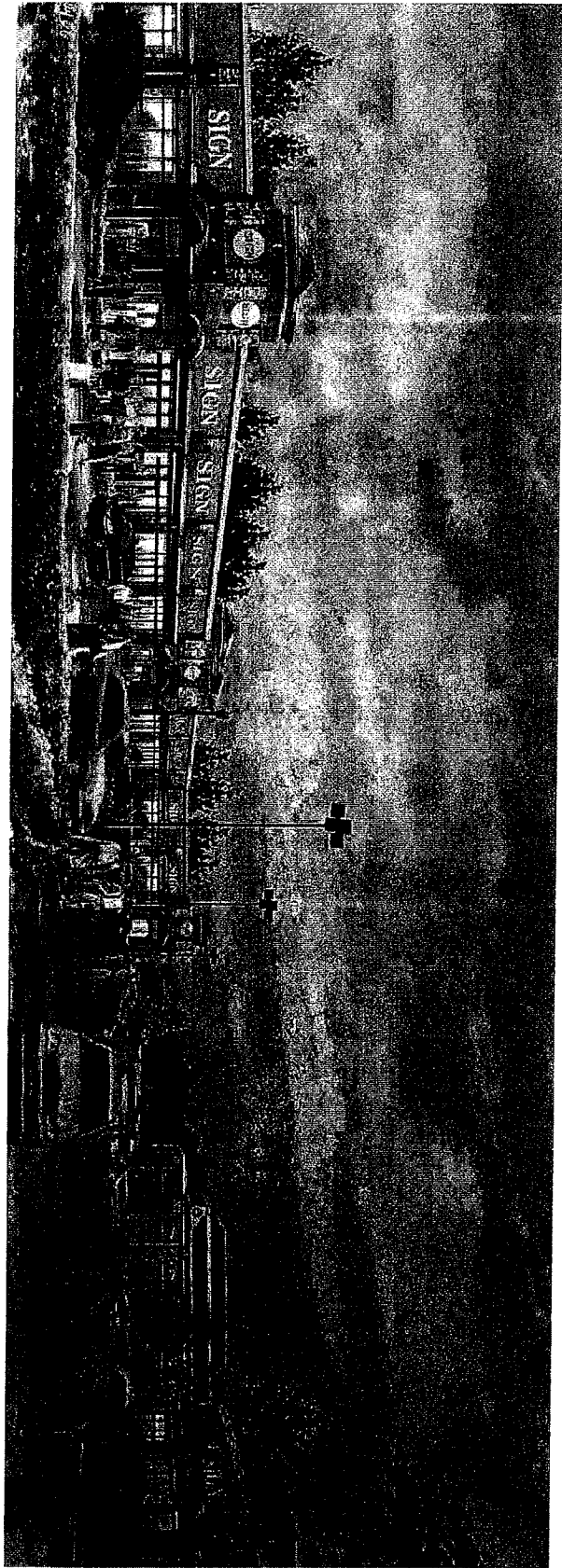
Delay = Average delay for all vehicles at intersection, in seconds

The level of service calculations indicate the study intersections would operate at acceptable levels of service during both the AM and PM peak hours under Existing Plus Project Conditions following completion of the SR-29/SR-37 interchange project. The interchange intersections would operate at LOS B during both peak hours.

The proposed southbound left-turn lane in the median on Sonoma Boulevard into the project site would operate acceptably, identical to Existing Plus Project Conditions. The construction of the left-turn pocket would be subject to City of Vallejo and Caltrans approval.

VALLEJO CROSSROADS

SONOMA BOULEVARD and HIGHWAY 37
VALLEJO, CA 94590



VICINITY MAP

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SUBMITTED TO

CITY OF VALLEJO
PLANNING DEPARTMENT

ARCHITECT

ARC Inc. ARCHITECTS
616 HARKIN STREET
VALLEJO, CA 94590
TEL: (707) 748-6302
FAX: (707) 558-1121

SUBMITTED FOR

DESIGN REVIEW SUBMITTAL
AUGUST 2006

DRAWING INDEX

DR - 1	COVER SHEET
DR - 2	SITE PLAN
DR - 2.1	TRUCK PATH PLAN
DR - 3	OSR PLAN AND ELEVATIONS
DR - 4	RETAIL SHOPS-A PLAN AND ELEVATIONS
DR - 5	RETAIL SHOPS-B PLAN AND ELEVATIONS
DR - 6	C-STOBE /CARWASH PLAN AND ELEVATIONS
DR - 7	FUEL CANOPY PLAN AND ELEVATIONS
DR - 8	CONCEPTUAL LANDSCAPE PLAN
DR - 8.1	ENLARGED COURTYARD LAYOUT
DR - 9	PHOTOMETRIC SITE PLAN

DATE:	6-1-06
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COVER SHEET

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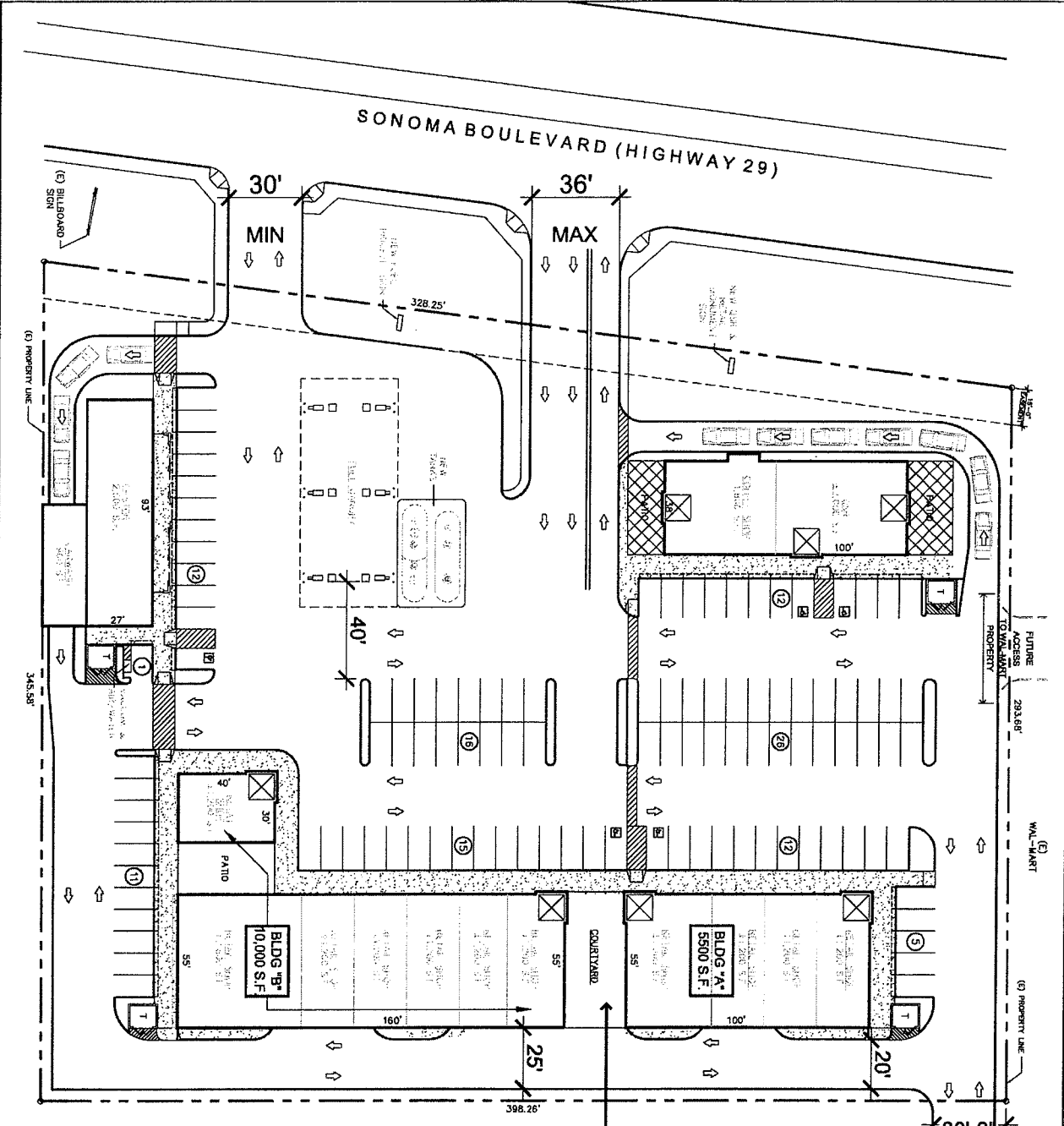
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SONOMA BLVD & HIGHWAY 37
VALLEJO, CALIFORNIA

ARC Inc.
ARCHITECTS

SEARCH OFFICE:
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Vallejo, CA 94590
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SITE DATA:

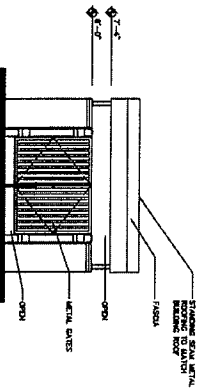
APN 00877-150-320
 ZONING LU/UNIVERSITY USE
 SITE AREA ± 130,175 S.F. (± 3.0 AC.)
 BUILDING AREA (COVERAGE) 22,760 S.F. (± 17%)
 LANDSCAPE AREA (COVERAGE) ± 13,031.5 S.F. (± 10%)

PARKING REQUIRED:
 GSR WITH DRIVE THRU: 38 SPACES
 3,800 S.F. (1100 S.F. GROSS AREA) =
 RETAIL SHOPS AREA: 62 SPACES
 16,600 S.F. (17,500 S.F. GROSS AREA) =
 CUSTOMER: 10 SPACES
 2,500 S.F. (1,250 S.F. GROSS AREA) =
TOTAL PARKING REQUIRED = 110 SPACES

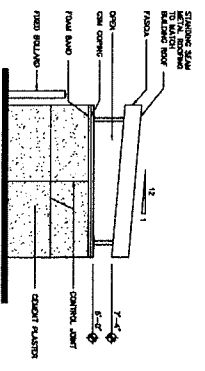
PARKING PROVIDED:
 ACCESSIBLE 5 SPACES
 REGULAR 105 SPACES
TOTAL PARKING PROVIDED = 110 SPACES

SEE LANDSCAPE PLAN (SHEET DR-3) FOR COURTYARD AND WATER FEATURE DETAIL

TRASH ENCLOSURE FRONT ELEV.
 SCALE: 1/4" = 1'-0"



TRASH ENCLOSURE SIDE ELEV.
 SCALE: 1/4" = 1'-0"



SIGNAGE DETAILS AND SIZES WILL BE APPROVED AS PART OF A SIGNAGE PROGRAM TO BE SUBMITTED AT A LATER DATE



SITE PLAN
 SCALE: 1" = 25'-0"

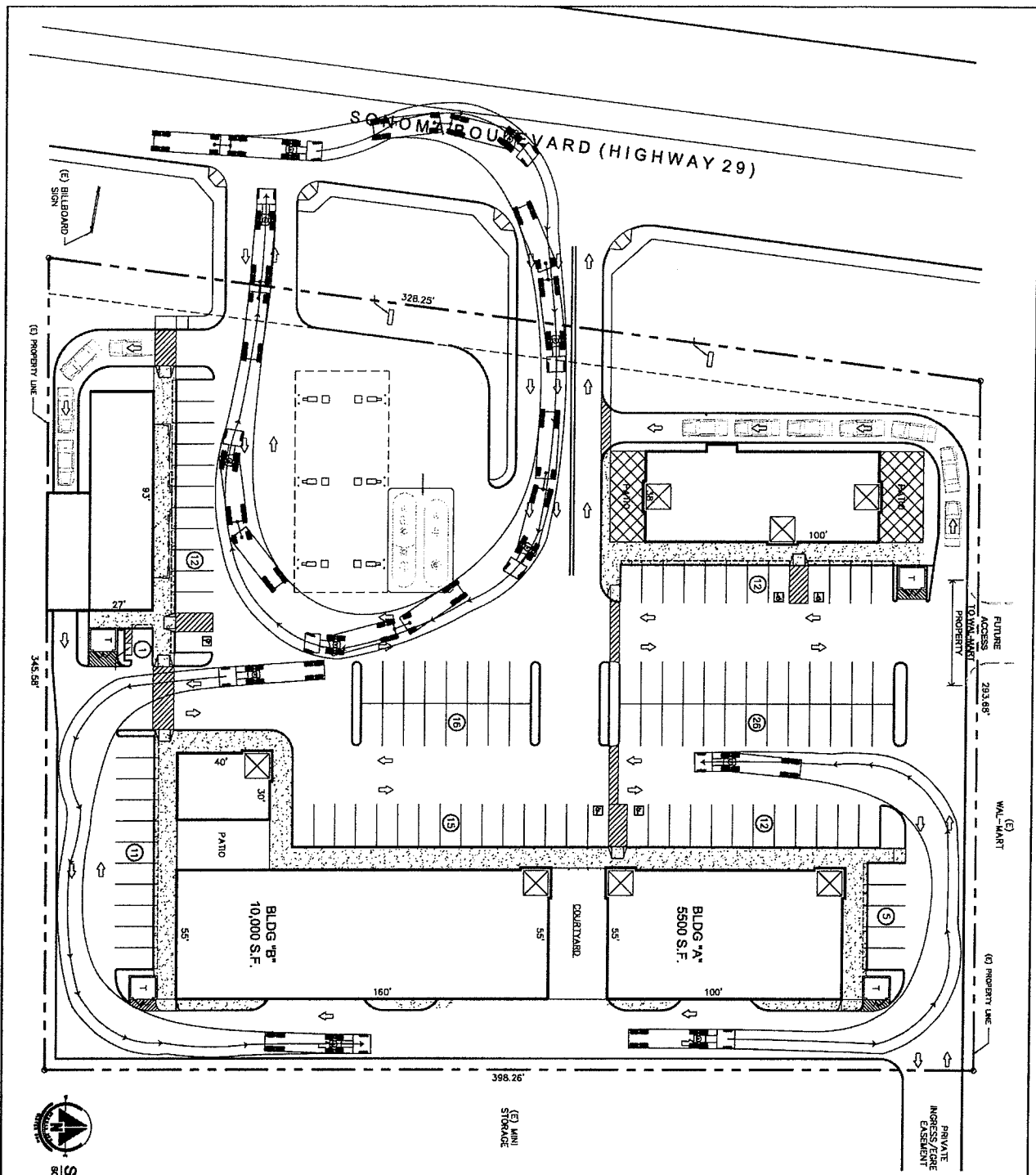
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DATE	REV. NO.	REV. DATE
06-11-06		
08-05-06		
02-21-07		

VALLEJO CROSSROADS
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 1000 S. MAIN ST., SUITE 200
 SAN JOSE, CA 95128
 TEL: (415) 731-1111
 FAX: (415) 731-1112
 WWW.ARCINC.COM





SITE PLAN
SCALE: 1"=20'-0"

SITE DATA:

APN	0087-150-320
ZONING	1U/INTENSIVE USE
SITE AREA	± 130,176 S.F. (± 3.0 AC.)
BUILDING AREA (COVERAGE)	25,100 S.F. (± 19%)
LANDSCAPE AREA (COVERAGE)	± 13,031.5 S.F. (± 10%)
PARKING REQUIRED:	
OSR WITH DRIVE THRU:	35 SPACES
3,500 S.F. (7100 S.F. GROSS AREA) =	65 SPACES
RETAIL SHOPS, A&R:	10 SPACES
16,250 S.F. (17250 S.F. GROSS AREA) =	
C-STORE:	10 SPACES
2,500 S.F. (17250 S.F. GROSS AREA) =	
TOTAL PARKING REQUIRED =	110 SPACES
PARKING PROVIDED:	
ACCESSIBLE	5 SPACES
REGULAR	106 SPACES
TOTAL PARKING PROVIDED =	110 SPACES

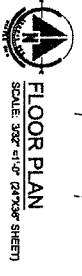
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JOB NO.: AGL02

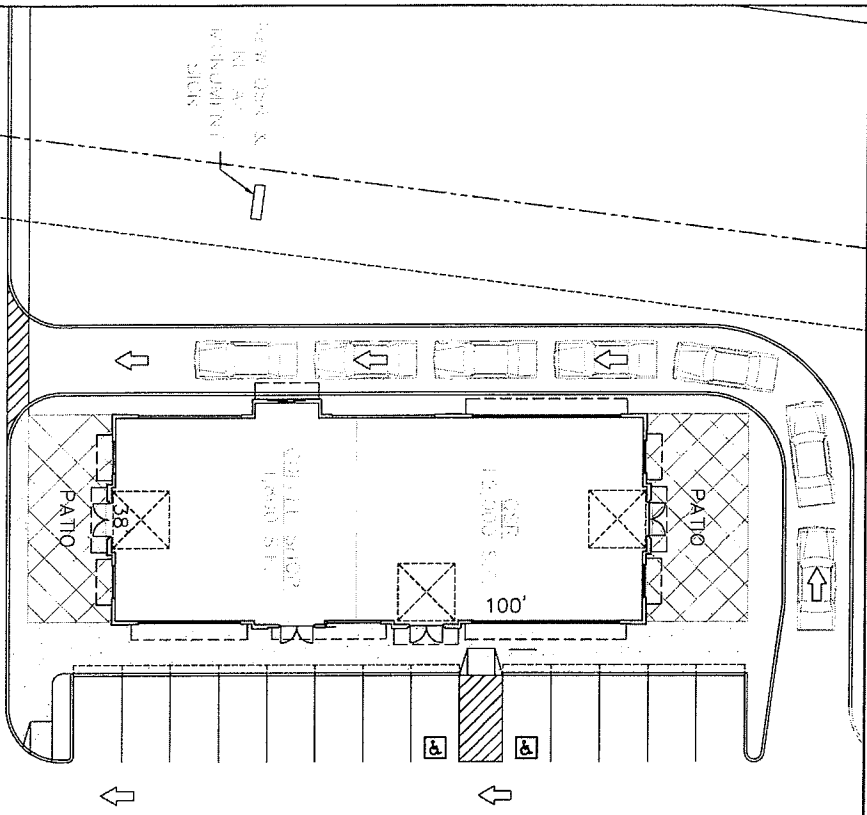
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Fax: (703) 568-1111
arc@vallejoarchitects.com

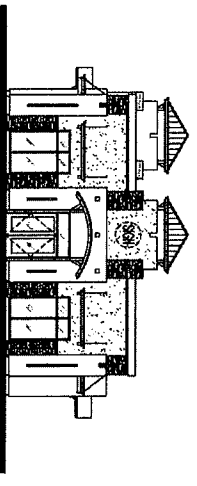
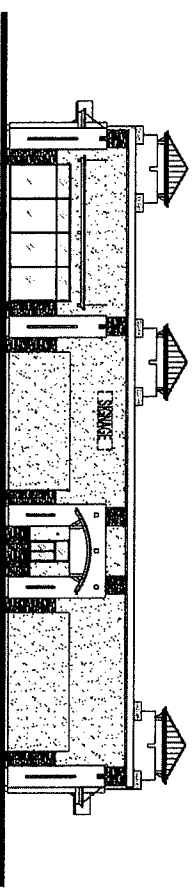
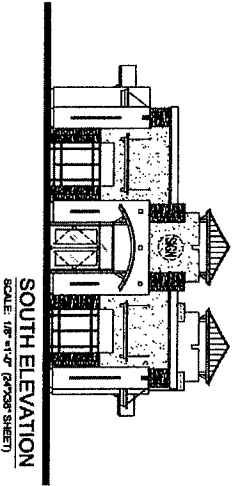
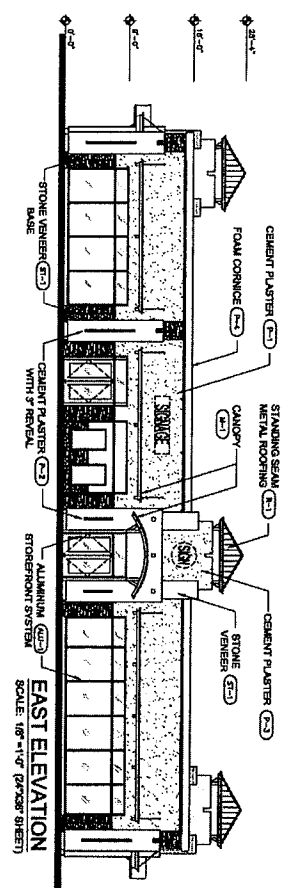




FLOOR PLAN
SCALE: 3/32" = 1'-0" (25 PAPER SHEET)



SIGNAGE CALCULATIONS			EXTERIOR FINISHES & COLORS		
LOCATION	TYPE	AREA	SYMBOL	MATERIAL	MANUFACTURER / COLOR
EAST ELEVATION	WALL SIGN ROUND LOGO	(3.8' DIA.) 18.5 S.F. X 1 = 18.5 S.F. (3.8' DIA.) 8.5 S.F. X 1 = 8.5 S.F. SUBTOTAL = 26.5 S.F.	(E1)	PAINT (LIGHT FIELD)	DANN EDWARDS - DEER
SOUTH ELEVATION	ROUND LOGO	(3.8' DIA.) 8.5 S.F. X 1 = 8.5 S.F.	(E2)	PAINT (DARK POST)	DANN EDWARDS - DEER 81 GEORGIA CLAY
WEST ELEVATION	WALL SIGN	(8'2") 18.5 S.F. X 1 = 18.5 S.F.	(E3)	PAINT (MEDIUM ACCENT)	DESIGN DESERT SPICE
NORTH ELEVATION	ROUND LOGO	(3.8' DIA.) 8.5 S.F. X 1 = 8.5 S.F.	(E4)	PAINT (CORNICHE)	DANN EDWARDS - DEER
		TOTAL SIGNAGE = 60.5 S.F.	(E5)	STANDING SEAM METAL ROOFING	COLONIAL FIELD
			(E6)	STONE VENEER	EL DOMINADO STONE VENEER - COPPER MOUNTAIN LEAGE
			(E7)	ALUMINUM STOREFRONT	AA&S BUILDING SYSTEMS - AA&S BUILDING SYSTEMS
			(E8)	METAL FRAMED CANOPY SYSTEM	AA&S BUILDING SYSTEMS - AA&S BUILDING SYSTEMS
ALLOWABLE: 14.5 S.F. LINEAR FOOT OF BUILDING FRONTAGE = (11.5 X 91) 1048.5 S.F.					



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ARCHITECTS

900 TYPICAL STREET, SUITE 203
VALLEJO, CALIFORNIA 94591
TEL: (707) 246-8888
FAX: (707) 246-8889
WWW.ARCINC.COM

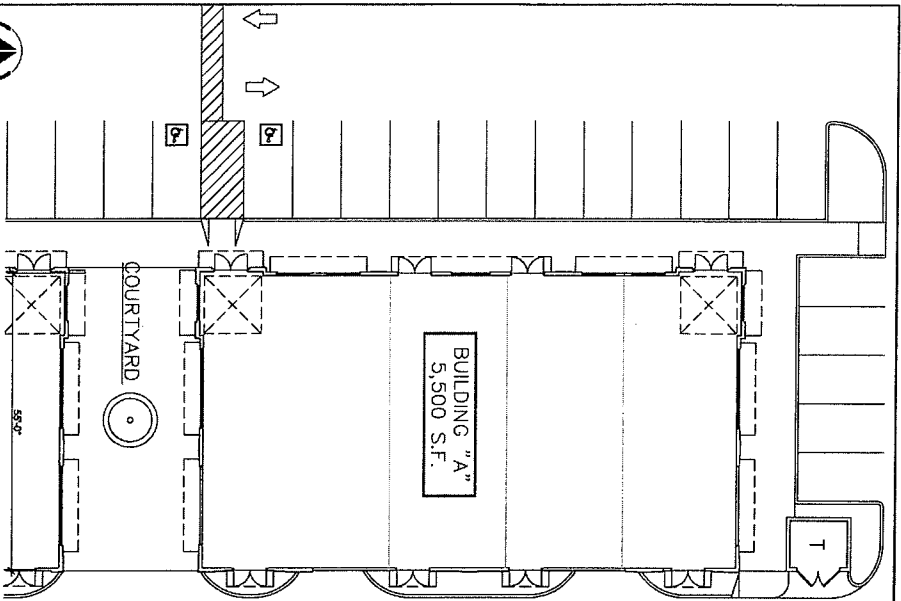
VALLEJO CROSSROADS
SONOMA BLVD & HIGHWAY 37
VALLEJO, CALIFORNIA

DATE: 6-1-06
REV. NO.:
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02-21-07

OSR
FLOOR PLAN &
ELEVATIONS

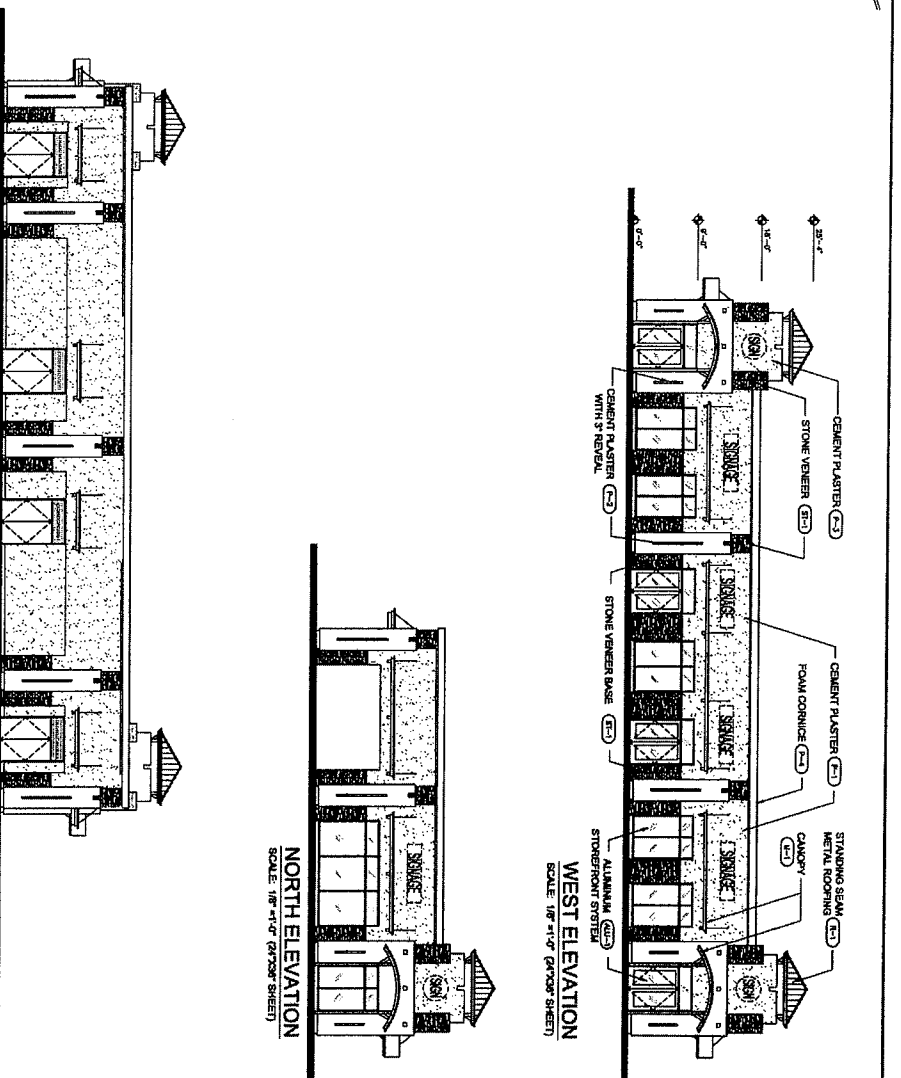
DR - 3

JOB NO.: AGL02



FLOOR PLAN
SCALE: 3/32" = 1'-0" (ARCHITECT SHEET)

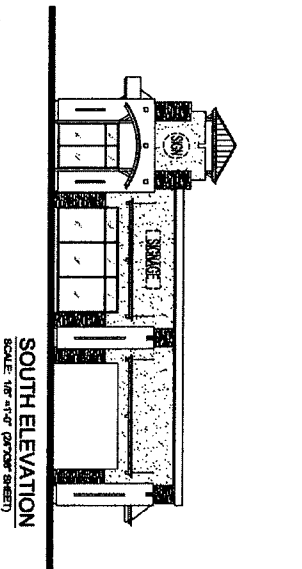
SIGNAGE CALCULATIONS			EXTERIOR FINISHES & COLORS		
LOCATION	TYPE	AREA	SYMBOL	MATERIAL	MANUFACTURER / COLOR
WEST ELEVATION	WALL SIGN ROUND LOGO	(2x2) 18 S.F. X 4 = 72 S.F. (2x2) 18 S.F. X 2 = 36 S.F. SUBTOTAL = 108 S.F.	(E-2)	PAINT (LIGHT FIELD)	DAVE EDWARDS - DESIGN PUNDRUM FIE
NORTH ELEVATION	WALL SIGN ROUND LOGO	(2x2) 18 S.F. X 1 = 36 S.F. (2x2) 18 S.F. X 1 = 36 S.F. SUBTOTAL = 72 S.F.	(E-2)	PAINT (DARK POSE)	DAVE EDWARDS - DESIGN PUNDRUM FIE
SOUTH ELEVATION	WALL SIGN ROUND LOGO	(2x2) 18 S.F. X 1 = 36 S.F. (2x2) 18 S.F. X 1 = 36 S.F. SUBTOTAL = 72 S.F.	(E-2)	PAINT (MEDIUM ACCENT)	DAVE EDWARDS - DESIGN PUNDRUM FIE
		TOTAL SIGNAGE = 194 S.F.	(E-1)		



EAST ELEVATION
SCALE: 1/8" = 1'-0" (ARCHITECT SHEET)

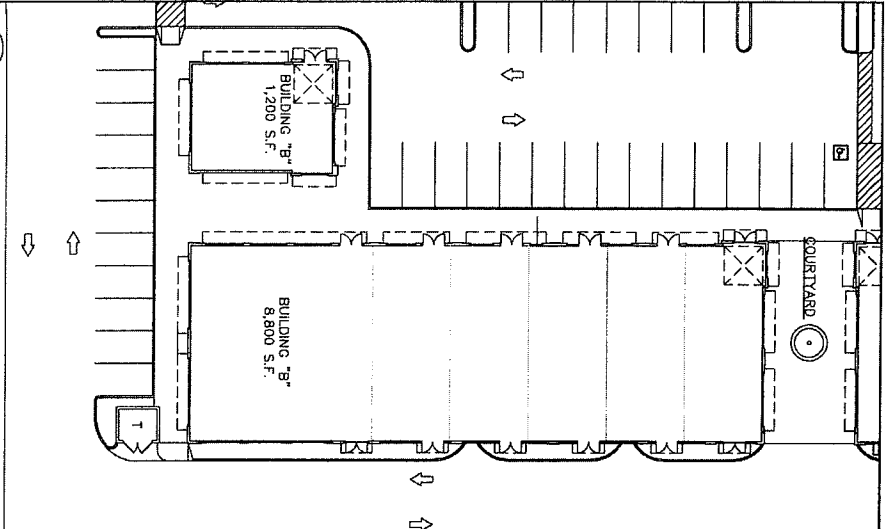
NORTH ELEVATION
SCALE: 1/8" = 1'-0" (ARCHITECT SHEET)

WEST ELEVATION
SCALE: 1/8" = 1'-0" (ARCHITECT SHEET)



SOUTH ELEVATION
SCALE: 1/8" = 1'-0" (ARCHITECT SHEET)

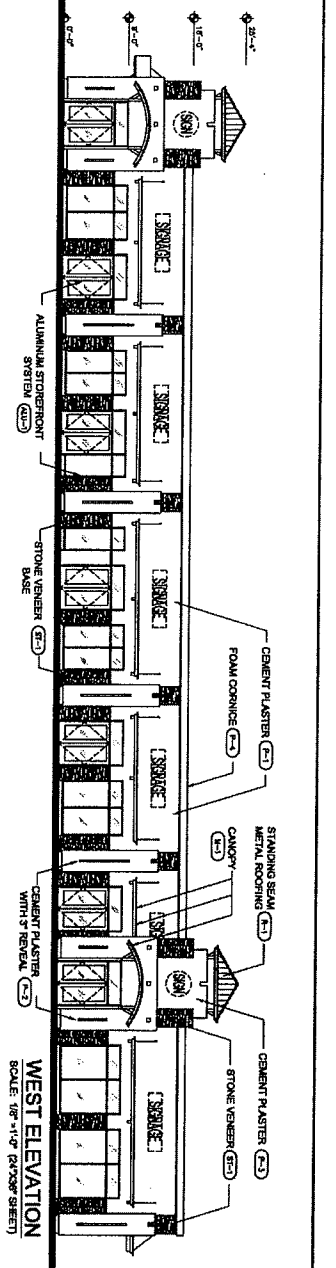
<p>DR - 4</p> <p>RETAIL SHOPS A FLOOR PLAN & ELEVATIONS</p>	<p>DATE: 6-1-06</p> <p>REV. NO. REV. DATE</p> <p>02-21-07</p>	<p>VALLEJO CROSSROADS SONOMA BLVD & HIGHWAY 37 VALLEJO, CALIFORNIA</p>	<p>ARC Inc. ARCHITECTS</p>
	<p>JOB NO.: AGL02</p>		



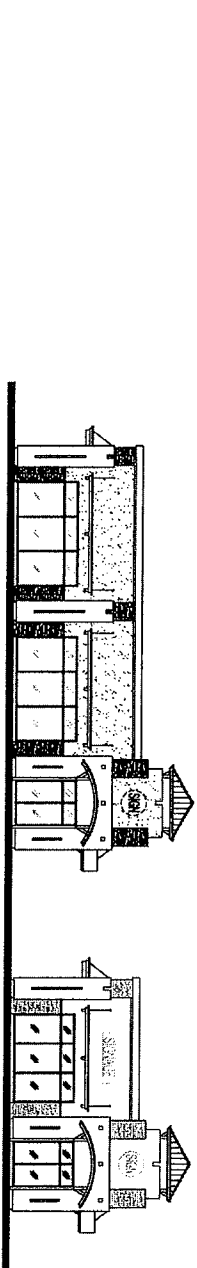
FLOOR PLAN
SCALE: 1/16" = 1'-0" (DRAWN SHEET)

SIGNAGE CALCULATIONS		
LOCATION	TYPE	AREA
WEST ELEVATION	WALL SIGN ROUND LOGO	(2x2) 18 S.F. X 4 = 72 S.F. (3.5' DIA.) 18 S.F. X 2 = 36 S.F. SUBTOTAL = 108 S.F.
NORTH ELEVATION	WALL SIGN ROUND LOGO	(2x7) 14 S.F. X 2 = 28 S.F. (3.5' DIA.) 18 S.F. X 2 = 36 S.F. SUBTOTAL = 64 S.F.
SOUTH ELEVATION	WALL SIGN	(2x2) 18 S.F. X 4 = 72 S.F. TOTAL SIGNAGE = 144 S.F.

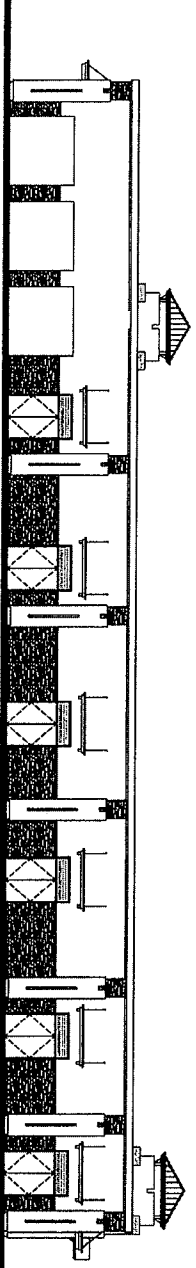
EXTERIOR FINISHES & COLORS		
SYMBOL	MATERIAL	MANUFACTURER / COLOR
(C-1)	PAINT (LIGHT FIELD)	DUNN EDWARDS - DESIGN FLAMING PIE
(C-2)	PAINT (DARK TONE)	DUNN EDWARDS - DESIGN GEORGIA CLAY
(C-3)	PAINT (MEDIUM ACCENT)	DUNN EDWARDS - DESIGN DESERT SPIRE
(C-4)	PAINT (CORNER)	ASP SPAN - COLOMIAL VILLA
(C-5)	STONE VENEER	EL DORADO STONE VENEER - COPPER MOUNTAIN LODGE
(C-6)	BASE	ALUMINUM STONEFRONT SYSTEM
(C-7)	METAL FRAMED CANOPY SYSTEM	AAS BUILDING SYSTEMS - 7AN



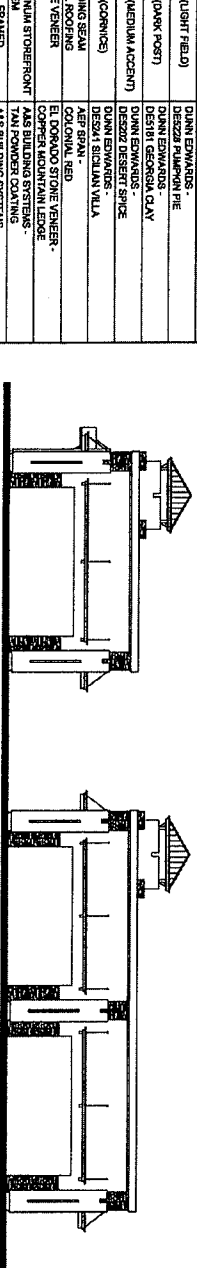
WEST ELEVATION
SCALE: 1/8" = 1'-0" (DRAWN SHEET)



NORTH ELEVATION
SCALE: 1/8" = 1'-0" (DRAWN SHEET)



EAST ELEVATION
SCALE: 1/8" = 1'-0" (DRAWN SHEET)



SOUTH ELEVATION
SCALE: 1/8" = 1'-0" (DRAWN SHEET)

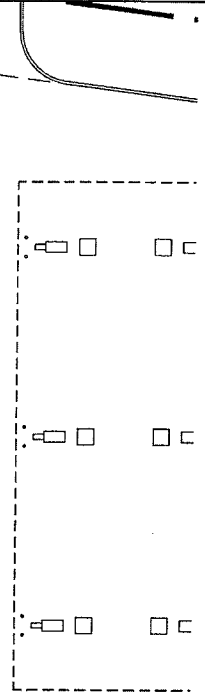
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VALLEJO CROSSROADS
SONOMA BLVD & HIGHWAY 37
VALLEJO, CALIFORNIA

HELEN GILLES
ARCHITECT
1400 SONOMA BLVD
VALLEJO, CA 94590
PHONE: (707) 745-9382
FAX: (707) 558-1151
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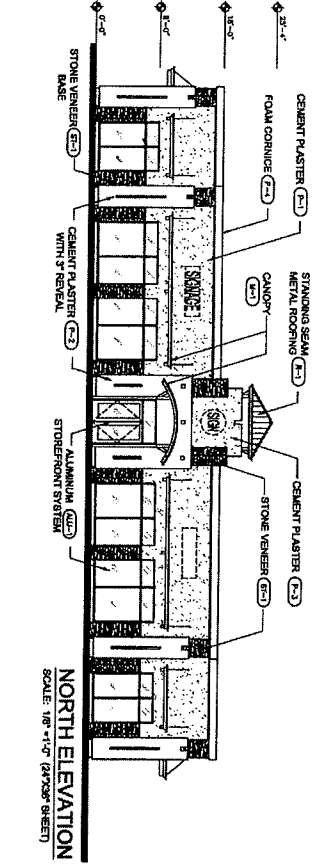


DR - 5
JOB NO. AGL02

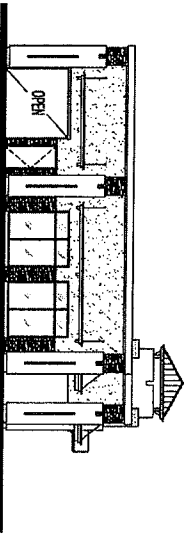


FLOOR PLAN
SCALE: 3/32" = 1'-0" (PARTIAL SHEET)

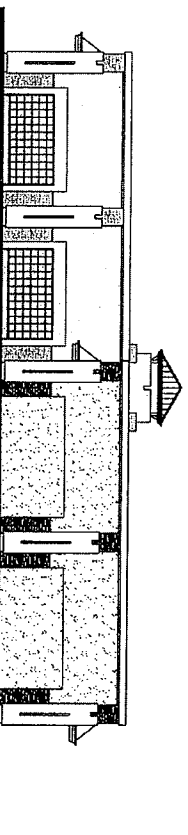
SIGNAGE CALCULATIONS		EXTERIOR FINISHES & COLORS		
LOCATION	TYPE	SYMBOL	MATERIAL	MANUFACTURER / COLOR
NORTH ELEVATION	WALL SIGN ROUND LOGO	(2-1)	PAINT (LIGHT FIELD)	DUNN EDWARDS - DESIGNER PAINTWORK INC
		(2-2)	PAINT (DARK FOOT)	DUNN EDWARDS - DESIGNER PAINTWORK INC
		(2-3)	PAINT (MEDIUM ACCENT)	DUNN EDWARDS - DESIGNER PAINTWORK INC
WEST ELEVATION	WALL SIGN	(2-4)	PAINT (CORNICHE)	DUNN EDWARDS - DESIGNER PAINTWORK INC
		(2-5)	STANDING SEAM METAL ROOFING	ALUMINUM - KAY BUILDING SYSTEMS
		(2-6)	STONE VENEER	EL DOMINGO STONE VENEER - CORNER MOUNTAIN LEADER
		(2-7)	BASE ALUMINUM STOREFRONT	ALUMINUM STOREFRONT KAY BUILDING SYSTEMS
		(2-8)	METAL FRAMED CANOPY SYSTEM	KAY BUILDING SYSTEMS - KAS BUILDING SYSTEMS
		(2-9)	TAN	



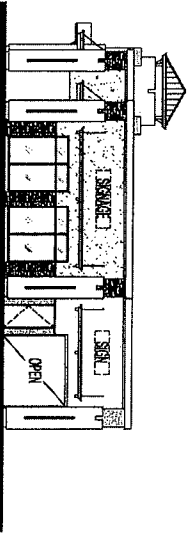
NORTH ELEVATION
SCALE: 1/8" = 1'-0" (PARTIAL SHEET)



EAST ELEVATION
SCALE: 1/8" = 1'-0" (PARTIAL SHEET)



SOUTH ELEVATION
SCALE: 1/8" = 1'-0" (PARTIAL SHEET)



WEST ELEVATION
SCALE: 1/8" = 1'-0" (PARTIAL SHEET)

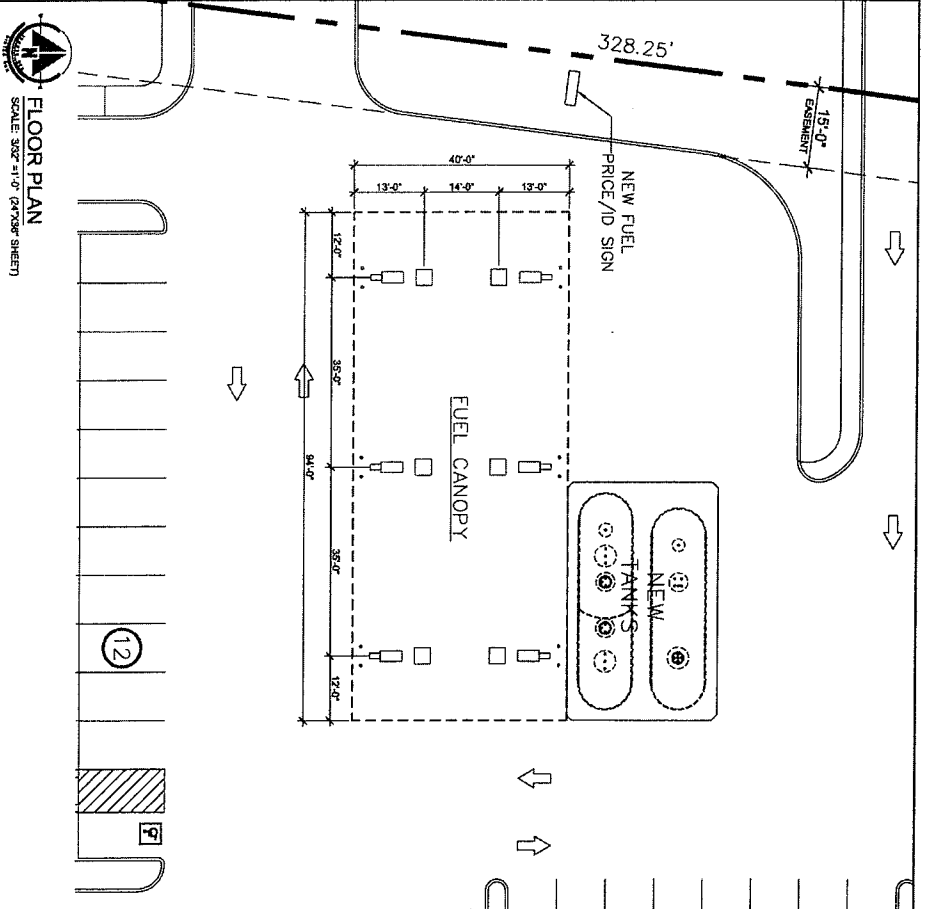
VALLEJO CROSSROADS
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415 17th Street, Suite 22
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707.331.1111
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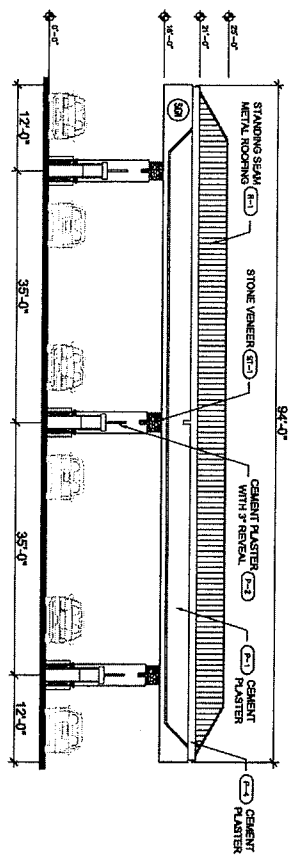
DATE:	6-1-06
REV. NO. / REV. DATE:	02-21-07
C-STORE FLOOR PLAN & ELEVATIONS	
JOB NO.:	AGJ02

DR - 6

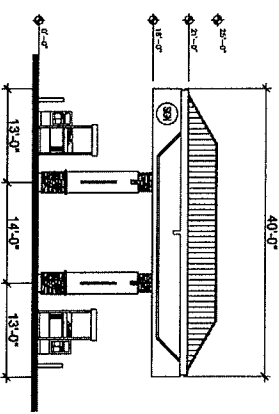


FLOOR PLAN
SCALE: 3/8" = 1'-0" (24"x36" SHEET)

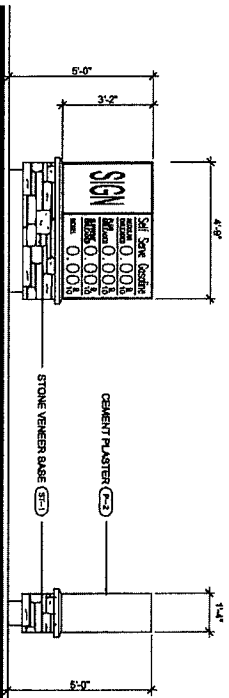
SIGNAGE CALCULATIONS			EXTERIOR FINISHES & COLORS		
LOCATION	TYPE	AREA	SYMBOL	MATERIAL	MANUFACTURER / COLOR
EAST ELEVATION	ROUND LOGO	(2.6 DIA.) 5 S.F. X 1 = 5 S.F.	(E-1)	PAINT (LIGHT FIELD)	DUNN EDWARDS - DESIGNER RUMPHORN PHE
SOUTH ELEVATION	ROUND LOGO	(2.6 DIA.) 5 S.F. X 1 = 5 S.F.	(E-2)	PAINT (DARK PORT)	DUNN EDWARDS - DESIGNER GEORGIA CLAY
WEST ELEVATION	ROUND LOGO	(2.6 DIA.) 5 S.F. X 1 = 5 S.F.	(E-3)	PAINT (MEDIUM ACCENT)	DUNN EDWARDS - DESIGNER SCULLIN VILLA
NORTH ELEVATION	ROUND LOGO	(2.6 DIA.) 5 S.F. X 1 = 5 S.F.	(E-4)	STANDING SEAM METAL ROOFING	EL. DODGSON STONE VENEER - COPPER MOUNTAIN LEDGE
ALLOWABLE: 1.5 SF / LINEAR FOOT OF BUILDING FRONTAGE = (1.5 X 48) 72 S.F.		TOTAL SIGNAGE = 20 S.F.	(E-1)	STONE VENEER BASE	
FUEL ID / PRICE SIGN	FREESTANDING	(32" x 48") 15 S.F. X 1 = 15 S.F.			



NORTH / SOUTH ELEVATION
SCALE: 1/8" = 1'-0" (24"x36" SHEET)



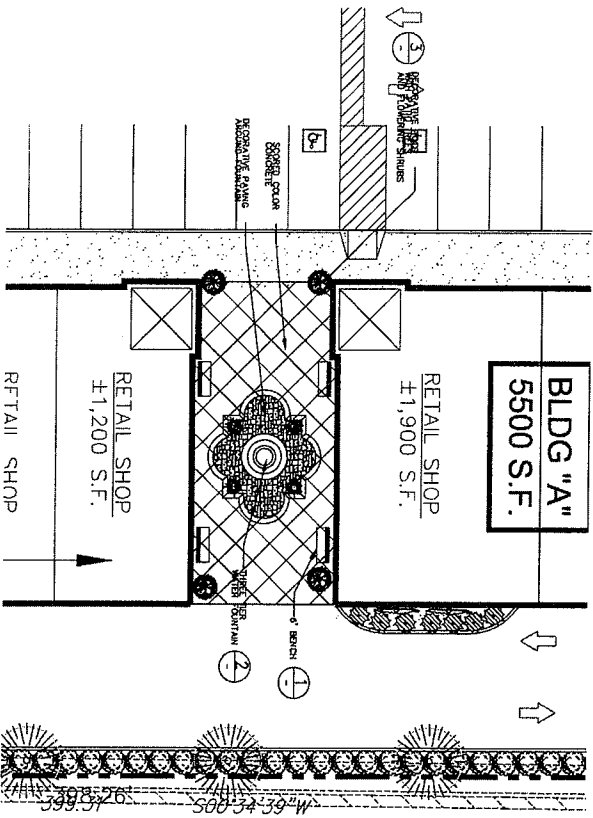
EAST / WEST ELEVATION
SCALE: 1/8" = 1'-0" (24"x36" SHEET)



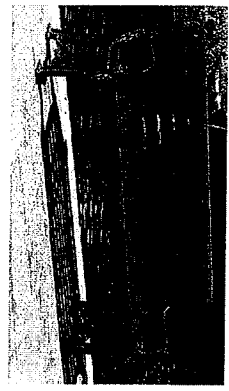
FUEL ID/PRICE SIGN
SCALE: 1/8" = 1'-0" (24"x36" SHEET)

ARC Inc. ARCHITECTS 400 FIVE AVENUE, SUITE 200 VALLEJO, CA 94590 TEL: (707) 744-8888 FAX: (707) 744-8888 WWW.ARCINC.COM	VALLEJO CROSSROADS SONOMA BLVD & HIGHWAY 37 VALLEJO, CALIFORNIA
	DATE: 6-1-06 REV. NO. / REV. DATE: 01-09-06 02-21-07

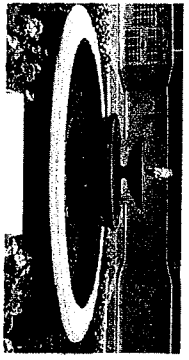
DR - 7
JOB NO.: AGL12



ENLARGED COURTYARD LAYOUT
SCALE: 1"=10'-0"



① 6' DECORATIVE W/L BENCH



② THREE TIER FOUNTAIN



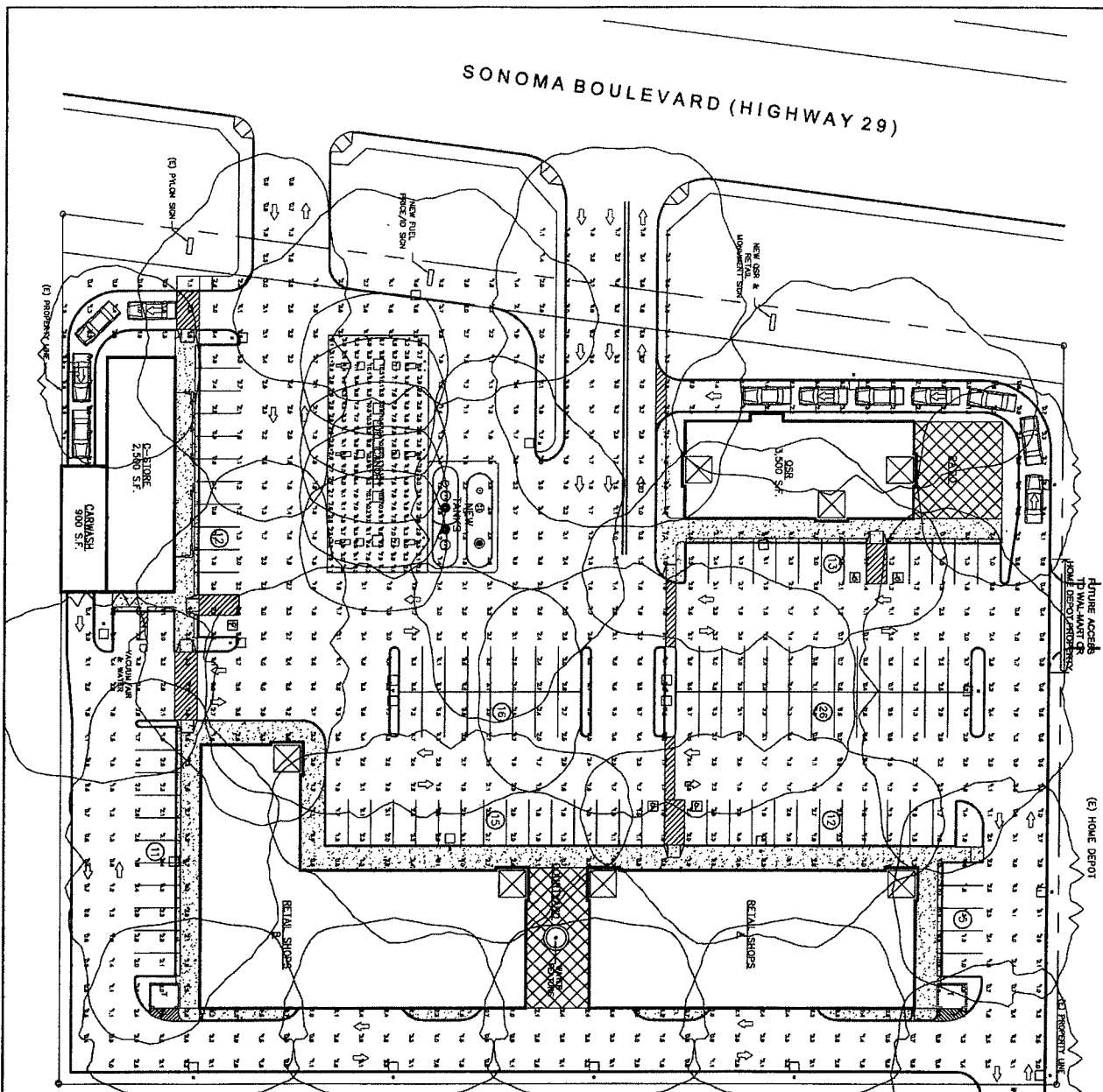
③ DECORATIVE POTS

NOTE: REFER TO OTHER SHEETS FOR OTHER FINISHES

CONCEPTUAL LANDSCAPE PLAN IS PRELIMINARY AND SUBJECT TO CHANGES PER THE LOCAL GOVERNMENT REVIEW PROCESS. DO NOT USE THESE PLANS FOR CONSTRUCTION.

DR - 8.1 JOB NO.: AGL 02	ARC Inc. ARCHITECTS	ARC Inc. 500 JEFFERSON STREET, SUITE 200 VALLEJO, CALIFORNIA 94590 TEL: (707) 744-4400 FAX: (707) 744-4400 WWW.ARCINC.COM	VALLEJO CROSSROADS SONOMA BLVD & HIGHWAY 37 VALLEJO, CALIFORNIA	BORRECCO/KILIAN & ASSOCIATES, INC. LANDSCAPE ARCHITECTS 1241 Pine Street Marinus, California 94033 Phone: 415/772-8300 Fax: 415/772-8308 WWW.BORRECCO-KILIAN.COM	DATE: 6-1-08 REV. NO. REV. DATE 08-09-08 02-26-07
	ENLARGED COURTYARD LAYOUT	ENLARGED COURTYARD LAYOUT	ENLARGED COURTYARD LAYOUT	ENLARGED COURTYARD LAYOUT	ENLARGED COURTYARD LAYOUT

SONOMA BOULEVARD (HIGHWAY 29)

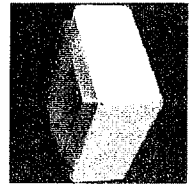


PHOTOMETRIC SITE PLAN
SCALE: 1" = 20'-0"

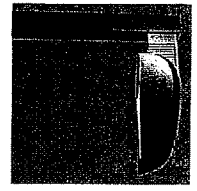
Symbol	Unit	Qty	Class Number	Description	Units	Lumen	LF	Watt
□	A	10	10	ARCHITECTURAL, NEW MOUNTED OUTDOOR REFR. SECTION	ONE 300WATT CLANK ED-SMARTL VALDUC. HORIZONTAL, VERTICAL	2000	0.72	287
□	B	3	3	ARCHITECTURAL, NEW MOUNTED OUTDOOR REFR. SECTION	ONE 300WATT CLANK ED-SMARTL VALDUC. HORIZONTAL, VERTICAL	2000	0.72	84
□	C	9	9	ARCHITECTURAL, NEW MOUNTED OUTDOOR REFR. SECTION	ONE 300WATT CLANK ED-SMARTL VALDUC. HORIZONTAL, VERTICAL	2000	0.72	257
□	D	9	9	CONDUIT SERIES CANOPY LUMINAIRE WITH 175W LED	ONE 175WATT CLANK ED-SMARTL VALDUC. HORIZONTAL, VERTICAL	1500	0.72	213

Symbol	Unit	Qty	Class Number	Description	Units	Lumen	LF	Watt
+	1	6.7%	16.7%	1.7%	0.31	3.47		
+	2	24%	9.8%	0.4%	3.81	5.21		

NOTES
1. POLE MOUNT LUMINAIRE ARE 20' TALL
2. POLE MOUNT CANOPY IS 10' TALL
3. FOOT CANDLE SERVICE INDICATED BY FC



LUMINAIRE ILM-100 SERIES



LUMINAIRE ADDRESS SERIES

DR - 9

AGL/22

DATE: 6-1-06

REV. NO. REV. DATE

PHOTOMETRIC SITE PLAN

2001 Broadway, 4th Floor
Oakland, CA 94612
Ph: 510-208-5005
F: 510-208-5317
www.16500.com

16500

VALLEJO CROSSROADS
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BARBARA OFFICE:
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FAX: (707) 748-8802
VINCE'S OFFICE:
4110 SONOMA BLVD
VALLEJO, CA 94591
TEL: (707) 348-1111
FAX: (707) 348-1111
16500@BARBARAARCHITECTS.COM

ARC Inc.
ARCHITECTS

Conflict of Interest Map

Negative Declaration and
Use Permit #04-0022

Vacant Parcel Highway 29 (Sonoma Boulevard) - (APN# 0067-150-320)

