

CITY OF VALLEJO PLANNING COMMISSION

Charles Legalos, Chairperson
Kent Peterman, Vice Chair
Robert McConnell
Norm Turley
Gail Manning
Bruce P. Gourley
Suzanne Harrington Cole

MONDAY
15 OCTOBER 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: October 1, 2007
- E. WRITTEN COMMUNICATIONS: None.
- F. REPORT OF THE SECRETARY
- G. CITY ATTORNEY REPORT
- H. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS
 - 1. Report of the Presiding Officer and members of the Planning Commission
 - 2. Council Liaison to Planning Commission
 - 3. Planning Commission Liaison to City Council

I. COMMUNITY FORUM

Members of the public wishing to address the Commission on items not on the agenda are requested to submit a completed speaker card to the Secretary. The Commission may take information but may not take action on any item not on the agenda.

J. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

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

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

K. PUBLIC HEARINGS

- 1. Use Permit 07-0007 is an application proposing to legally establish an existing day care/pre-school facility. The Youth and Family Services day care/preschool facility operates Monday thru Friday, 7:30 a.m. to 5:30 p.m. The applicant does not propose any new construction or extension of current operating hours. Maximum capacity is for 12 children, ages 2 to 6. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

Staff recommends **approval** based on the findings and conditions.

- 2. Planned Development 07-0001, Tentative Map 07-0002, Zoning Map Amendment 07-0001, and Minor Exception 07-0001 are applications for a 24-unit townhome complex located on El Dorado between Illinois and Arkansas. Proposed CEQA Action: Mitigated Negative Declaration. Staff Planner: Katherine Donovan, 648-4327.

Staff recommends **continuance** to the meeting of November 5, 2007.

L. STUDY SESSION

1. I-80 Corridor, related to visual quality and abutting land use plan. Presentation by Public Works, Planning, and Caltrans.

M. ADJOURNMENT

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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: McConnell, Manning, Turley, Peterman, Legalos, Gourley, Harrington-Cole.

Absent: None.

D. APPROVAL OF THE MINUTES.

Commissioner Peterman made a motion to approve the minutes of the meeting of September 17, 2007.

AYES: McConnell, Turley, Peterman, Legalos, Manning, Gourley, Harrington-Cole.

NOS: None.

ABSENT: None.

Motion carries.

E. WRITTEN COMMUNICATIONS

None.

F. REPORT OF THE SECRETARY

Don Hazen: Included in your packet was a Memo I have written to the City Council on updating the processes in Development Services. I included it for your information.

Chairperson Legalos: I would like to discuss this Memo under Item L tonight.

G. CITY ATTORNEY REPORT

None.

H. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS

1. Report of the Presiding Officer and members of the Planning Commission – None.

2. Council Liaison to Planning Commission – None.

3. Planning Commission to City Council – None.

I. COMMUNITY FORUM

Members of the public wishing to address the Commission on Consent Calendar items are requested to submit a completed speaker card to the Secretary. Any member of the public who wishes to speak as to any consent item may do so at the public comment period preceding the approval of the consent calendar and agenda. Any member of the public may request that any consent item be removed from the consent calendar and be heard and acted upon in Public Hearing portion of the agenda. Such requests shall be granted, and items will be addressed in the

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order in which they appear in the agenda. After making any changes to the agenda, the agenda shall be approved.

Braunze E. Courtney: Good evening Commissioners. My name is Braunze Courtney and I just recently purchased property in the City of Vallejo which I am very excited about. It is my first property. And, there are some issues going on in Dawson's Ridge area which is up off of Magazine next to an elementary school. People have been doing donuts on the corner. It is a big, open space, and, I have left a couple of donuts in my time, but there is a school close to there, and me and other neighbors are concerned, and this is just my first time coming to the City Planning Council. I just wanted to make note of it and let them know that something needs to be done in that area, not just for the property value going down or anything like that, but, it is 100 feet from the school. I have dogs. I have little children who frequently come and stay with me, my nephews and nieces, so, it is a concern, and I just wanted to let it be known.

Chairperson Legalos: Mr. Courtney: Have you contacted the Police Department about that?

Braunze E. Courtney: No, but I am excited to see the Police are out towards that area a lot more now days. I just recently purchased the property in January, and Police are always around my house, so, that is good to see that since January they have been more present, but I haven't spoke with them directly.

Chairperson Legalos: Well, one of the things that the Police often recommend in situations like this is that you maintain a log of the incidents and, if you can, obviously, get license plate numbers. That is helpful. If you can't, just a description of the vehicle, the time, and the date, and turn the log into the Police Department.

Braunze E. Courtney: How realistic is it to ask like they have in Berkeley, California? They put those little plantar box things in the middle and they have the little signs that go around. Is that realistic? I mean, I am looking long-term down the road because I know it doesn't just happen like that but, how does that happen, and who do I have to address to see about that? If other neighbors need to get involved, that is something that we could work on because I am not the only one with the concern. I am just the only one who will step up to the plate.

Chairperson Legalos: Mr. Hazen, can you comment on that?

Don Hazen: What I can do is e-mail the Police Department and the Public Works Department to say that we have got an area of town where drivers seem to be having fun and that there is neighbor interest in making sure that the laws are enforced. I can just bring it to Public Works as attention too. There are areas of the City of Vallejo that I know neighbors would like to have traffic calming or other measures taken. It is a very difficult subject to deal with though because then pretty soon all of the neighbors around the City want speed bumps and things like that put on their block. So, that is a very difficult issue but, why don't I pass that on to the Public Works and Police Staff tomorrow, and hopefully that presence will deter people from continuing to do that.

Chairperson Legalos: I think the first step to take is to log the incident and to report and turn that over to the Police Department.

Braunze E. Courtney: And, is this the meeting to see where the upper mobility of Vallejo is going to be? I mean: with all the development going on and what is going on with the real estate market . . . because we know that Solano County is probably the worst off in California right now with the real estate market even though I recently purchased a home. So, I just

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wanted to see what the City was doing about that. Are they trying to bring new business into Vallejo, and what does the next five years look like? You know, as an investor as well as a resident.

Don Hazen: I might suggest that you contact the Economic Development Department at City Hall tomorrow.

Braunze E. Courtney: So, I will go to the meeting tomorrow which is Tuesday with the City Planning Council meeting as well?

Don Hazen: No, this would be City Staff during business hours at City Hall. I am sorry that I don't have their phone number with me, but it is the Economic Development Department, and they have staff that that is primarily what they are trying to do – bring new business into town. They would be happy to explain to you some of our short and midterm goals that we are trying to do.

Braunze E. Courtney: Alright. I just wanted to thank you very much. I am sure you will probably see my face again, but thank you.

Chairperson Legalos: I would like to thank you because it is important to bring these matters up front so that the City is aware of them.

J. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

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Commissioner Turley requested that we discuss Map Quest and updated Commission list under Item L.

Commissioner Peterman: I move approval of the agenda and consent calendar with changes.

AYES: McConnell, Turley, Peterman, Legalos, Manning, Gourley, Harrington-Cole.

NOS: None.

ABSENT: None.

Motion carries.

K. PUBLIC HEARINGS

- 1. Use Permit 06-0004** An application for House of Acts to add an outpatient component to their existing inpatient residential alcohol and substance abuse treatment program located at 627 Grant street. The 12-week outpatient program would hold two sessions per day, Mon.-Wed. at 6:30-7:30 p.m. and 7:45-8:45 p.m. with a maximum of two clients per session. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

Staff recommends approval based on the findings and conditions.

Marcus Adams: Good evening Commissioners. I feel special tonight. One man show, so if I get a little boisterous, you know why. The first item I have tonight, as Deborah just stated, is the House of Acts. I think most of you are familiar with their program, and the application that will be before us tonight is for an outpatient program. I'd like to start with a map here of the House of Acts. They have two locations here in the City of Vallejo. This is in the South Vallejo location. As you can tell here, it is on 627 Grant Street, near the intersection of Lemon. The location is in a predominantly single family residential neighborhood along Grant, and, as I stated, the current program there is an inpatient treatment program which has been in existence since 1996. This year, we approved a permit to expand that 8 client program to 10 clients. Actually, they had applied simultaneously but we needed some updated floor plans and some other information for their outpatient program that they wanted to add to the existing inpatient program. Some of the issues that the staff felt would be needed to address would be for the parking and potential loitering there. I will get into that shortly. The applicant has proposed to have two nights, Monday and Wednesday evenings, two sessions per week night. One would be from 6:30 to 7:30 p.m. and then from 7:45 to 8:45 p.m.

Here is a picture once again of this facility, and if you look, there is a walkway on the left hand side. The outpatient program would be held in the rear room at the very end of that walkway there along the left hand side. In your packet, you had a floor plan that also showed that but this picture illustrates that, as you can see, they do not go through the interior of the home to access the outpatients. So, there would be a separation between the inpatient and the clients who are there and then the outpatient facility as they just go through the side entrance there. The front of the house is facing Grant Street. As I stated, parking is one of the concerns that staff and the Police Department had, so staff conducted a few site visits both during the day and during the evening, and from our observance, it does not seem to be an area that is impacted with current parking problems. With that in mind though, we did address that in the staff report as follows regarding some of the conditions of approval and that if the parking did become an issue, then that would need to be something that would need to be addressed at a future time. But, the amount of required parking would be five spaces to include each health practitioner and/or staff member. With that in mind, after talking with the House of Acts, they decided to lower the amount of clients that they were going to have. They did propose to have more than the two that they are going to be having . . . a maximum of two per each evening session and then one administrator. So, in that case, you would have three cars maximum. You would have the two who are there for the course, and then you would have the one administrator.

Here is a picture of the parking lot. The driveway there on the right hand side of the home will hold three cars. If you went out to the site, you may have seen some cars in that driveway and I believe there is a picture in your packet that also shows cars parked in that driveway. There is also, of course, the on-street parking which once again staff did check to ensure that in the day and evenings, that there was sufficient parking availability in the neighborhood, and staff felt comfortable that there would be.

Regarding the loitering issue that we felt could be a potential issue, I should state, as I have noted in the staff report, we feel that ultimately that is an issue that the House of Acts staff will have to address. We feel that with that 15 minute differential between 7:30 and 7:45, and because of the shortness of the courses (just one hour classes), we hope that there shouldn't be a loitering problem there, and once again, you do have that separation between the inpatient and outpatient. Once again, there are a couple of conditions that did address the loitering issue from posting of

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signage and if there is going to be any type of breaks, that the congregating of the break area be limited to that side walkway or to the rear of the home and to not be engaged here in the front of the home or on the street, along Grant. Ms. Hattie Smith-Miles is here tonight. She is available to answer any questions if you do have any or make any corrections to any misstatements I may have made. With that, I will open it up to any questions.

Commissioner Peterman: I don't actually have any questions but I am reminded of a story when Jesse Bethel was meeting with (at that time) Governor Reagan. Governor Reagan said to Jesse Bethel, "You are asking for more money, but I like to see people pulling themselves up by their bootstraps" and, Jesse Bethel said, "But, Governor Reagan, sometimes people need to be given bootstraps!" And, I just want to commend both House of Acts and people of excellence for doing that – for giving people a chance to change their lives, to become active citizens in Vallejo, and I commend you for doing that.

Chairperson Legalos: Mr. Adams, I have one question. On the Conditions of Approval, Building Division No. 1, it states that "it appears that work may have been done without permits or inspections." I went through the building and I was wondering if that was referring to the one-car garage that was converted to a bedroom.

Marcus Adams: I think it was referring to that and there was also some interior improvements, from my conversation with the chief building official, Gary West, that he felt maybe didn't receive the proper inspections. I think there is some work where they did get permits but what happens often is that they don't finalize all of their inspections. They stop maybe after the third or fourth, and so that needed to be addressed.

Chairperson Legalos: So, would this just be a matter of pulling another permit and calling for a final inspection to clear this up?

Marcus Adams: You are exactly right. In the case where they didn't finalize the inspections, they just call for those inspections and for the case where, possibly with the garage conversion, then they may go through the proper permit procedure.

Commissioner Turley: Thank you Mr. Chairman. Mr. Adams: Will we hear from Mrs. Mills?

Marcus Adams: I am sure if you have some questions of her, she is here tonight. I asked her if she wanted to speak.

Commissioner Turley: Actually, Mr. Adams, I have one other thing here and it is not actually a question. Under the Findings, No. 1: begins "Location, size, design, etc." I had to read that sentence about six times before I could really understand it. This might seem nitpicking here but I think that the problem is that you are missing a colon, and if you put the colon in; the sentence makes sense. That should come after "with consideration given: to harmony and scale, to the availability of civics facilities, to the generation of traffic, and to any other relevant, etc." That occurs, I believe, on all three of our items tonight.

Marcus Adams: Okay, I will have to double check that. Usually I take it verbatim from the Code which has been found to have some missing grammar.

Commissioner Turley: My high school grammar teacher would be proud of me. I didn't do so well.

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Chairperson Legalos: If there are no further questions from the Commission, I will open the Public Hearing and we will hear from the applicant. Please identify yourself for the record.

Hattie Smith-Miles: My name is Hattie Smith-Miles, and I am here on behalf of the House of Acts. I am the founder of the House of Acts in 1989. I don't know how they got 1996. I was licensed in 1989, but the program has run from 1989 when all the murders happened right there on Magazine and Grant Street. I started the House of Acts then. I was working at Legal Services at the time and I thought there was a need for a house for people to recover from drugs and alcohol because that was the problem. Seventeen people were killed; sixteen were drug-related, right there on Grant and Magazine. When I moved in there, they stopped selling drugs. I would go out physically myself and tell them: "Young man, you can't deal drugs here in this block. You cannot." My kids would tell me: "It's dangerous to do that." But, I believed in what I was doing. I went to school and got my certified license in order to do counseling for drugs and alcohol, and that's what I do, and I know what I am doing when I work with these young men. A lot of them have recovered. A lot of them is doing well. Jobs. We have a GED program to help them enhance their skills in order to get jobs. We have a computer program that the City has helped us with. When I first at the City of Vallejo, I got money from CGVD in order to enhance their skills. They have an eight-week computer program that they do daily. So, I am really trying to do what I can to help this community. You know – to keep us all safe because these guys have been back and forth in prison. Some of them . . . 20 and 35 years of drug addiction, and they don't care about anyone. Now, you talk to them, and a few of you also have come to the house and met these guys. They are decent people. So, any question that you want to ask; I am willing to answer anything that you need.

Commissioner Turley: Thank you Mr. Chairman. Ms. Smith-Miles: I was very impressed when I went out there to your house and met you and your staff, your patients, your facility, and I found out that Ms. Smith-Miles has two more of the same type of facilities here in Vallejo. Ten men live in the house; no women. They have four counselors, two administrators, two shifts, 7:00 and 11:00, and 8 weeks of computer training. Some men work outside of the facility, and so my question is, for instance, at from 9:00 to 9:30 in the morning, they talk their walks, right?

Hattie Smith-Miles: They take their walks. They walk around the community for their exercise.

Commissioner Turley: And, some of the men work outside of the facility?

Hattie Smith-Miles: Yes. They are not there.

Commissioner Turley: So, when they take their walks by themselves or work outside . . .

Hattie Smith-Miles: No, the Council go with them. The council take their exercise too.

Commissioner Turley: Well, when they work outside the facility, how do you know they don't do drugs there?

Hattie Smith-Miles: No. We randomly test. We test them.

Commissioner Turley: Oh, you test them?

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Hattie Smith-Miles: Yes, we have to. That is the only way I can keep the place safe. Is test.

Commissioner Turley: That was a good answer. Thank you.

Hattie Smith-Miles: (chuckling) That is for sure . . . no way.

Chairperson Legalos: Thank you. I would also like to second Commissioner Turley's comments about how impressive your operation is. I was very impressed when I toured the facility and met the people there. It is exceptionally well organized and well run.

Hattie Smith-Miles: Thank you so much.

Chairperson Legalos: If there are no further speakers, I will close the Public Hearing. You may take a seat, Miss. I wish to bring the matter back into the hands of the Commission.

Commissioner Turley: I have one question for maybe, Don. Was this advertised in the newspaper?

Don Hazen: Yes, it was, of course.

Commissioner Turley: Okay, thank you.

Commissioner McConnell: Thank you Mr. Chairman. I will move the approval of the Resolution of the Planning Commission as set forth I believe in the attachment 1 that is handed out tonight by staff on the findings and fact contained therein.

Chairperson Legalos: Please vote.

AYES: Harrington-Cole, Gourley, Manning, Legalos, Peterman, McConnell, Turley.

NOS: None.

ABSENT: None.

It is unanimous. Motion carries.

- 2. Use Permit 05-0002** is an application to operate an outdoor manual carwash at their existing transient habitation lodging facility, located at 500 Lincoln Road East. Hours of operation for the proposed carwash would be from 8:00 a.m. to 7p.m., Monday thru Saturday. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

Staff recommends approval based on the findings and conditions.

Marcus Adams: The People of Excellence is what we classify as a transient habitation lodging facility. I don't like the term transient in this situation because the members do stay there more than just for a few days. They actually stay there for multiple weeks to months and what they submitted an application to do is to conduct an outdoor hand car wash at the facility in order to not only provide some funding for their programs but also to give the residents there some employment and life skills. The People of Excellence is located along the freeway there on Lincoln Road East as you can see here on our map. Here is a picture of where the car wash would be held, and actually you may or may not have noticed that in the past few

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summers they had the car wash there with an administrative permit just during the summer months and now they want to make that a permanent type of use. The actual car wash would be near the back part of the lot whereas the front of the parking lot there would still be for staff and resident parking. The hours of operation will be Monday through Saturday, 8 a.m. to 7 p.m., and, of those nine parking spaces that we saw, five will be dedicated for the car wash. If you look at the staff report you may have caught that because of the issues with storm water and the chemicals that go into the car wash materials that there was going to be a requirement that they have a canopy over the car wash area and then some separators to separate the facilities to deal with these drainage issues so that these chemicals don't get into our storm drain water system. Beyond these issues which were detailed and covered with the applicant and Vallejo Sanitation and Flood, they actually met with them numerous times down on Ryder Street to work out those separation and drainage issues. The other issues there that staff felt needed to be addressed were parking and noise. Here is another picture from the alley view of the section where the cars will be washed. Discussing the parking issue, one of the solutions that staff recommends is that they formalize a Shared Parking Agreement that they have with the Bays Inn Motel that they have there. So, you can see there are some parking spaces right across on the shared driveway. And, so we have asked them to give a Shared Parking Agreement that is documented so that we can ensure that it will not become a parking issue or a staging issue maybe with cars parked along side Lincoln Road East when this successful venture starts to really get popular.

Here are some more site pictures. You can see there the alley which dead ends toward the Oyster Shell McDonald's facility and then you can see going the opposite direction, and then there is the Lincoln Road East, and you are looking across there at Interstate 80 going Eastbound. The bottom picture here is actually where the Commission is to once again to address the drainage issue. There will be a curb, once again to catch the water that will be draining down here from the car wash and stop it from going over into this section so it will go down this way and there would be a catch basin here for the car wash soap water.

Regarding the potential noise issue, I know from personal experience, sometimes going to these type of facilities, sometimes car stereos can get kind of loud and so we did put a condition in the staff report to address that potential problem. You may have noticed too in the staff report that the only issue that we have had in the past with People of Excellence, dealt with not so much the car wash but a few years back, they were having some church services outside. They no longer hold the church services outside, and that's really the only history of complaints that ourselves and the Police Department had regarding their operation. I just wanted to say too that both of these applications - People of Excellence and House of Acts, is one of the things that planners, especially planners like myself who go into the planning for some of the social reasons, really like these types of projects because not only are they in most cases, helping out the City, but then also they are giving once again, in this case, the residents, life skills that can really get them going in types of programs that any type of people would heavily support. With that, I am open to answering questions. Also, one of the staff members is here tonight too to answer any questions that you may have regarding the facility.

Commissioner McConnell: Thank you Mr. Chairman. Mr. Adams, on the water catching basin, that is going to be designed by Vallejo Flood and Sanitation, is that correct?

Marcus Adams: Well, the applicant will be responsible for the ultimate design, but yes, Vallejo Sanitation and Flood have worked out the design for that.

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Commissioner McConnell: And, the Use Permit won't be approved until that has been signed off on . . . ? Because, I did see a considerable amount of water going down the hill during the weekend visitation. Secondly, this car wash area is going to be in the area where I believe the participants in the program are currently parking their cars. Is that not right? Where will they be parking their cars during car washing activity?

Marcus Adams: They park them down here in this four spaces right here and then across the street there in the motel section there. They can use that parking lot also.

Commissioner McConnell: How many cars do they intend to wash or service at one time?

Marcus Adams: Well, I am sure that they hope they can get it to where they are using all five of the dedicated spaces. In the past, in the summer time, when I have been there, they usually didn't have more than three that they were washing at a single time.

Commissioner McConnell: Then, in the event that there is a drought restriction, what type of impact will that have on their use of water?

Marcus Adams: That's a good question. I think that is something that they are going to have to monitor with whatever the drought allowance is that the City has certain requirements regarding water usage. Of course they would have to abide by those . . .

Commissioner McConnell: This is predominately a residential facility, and I am assuming that they are being billed at residential rates. Right?

Marcus Adams: I would assume the same – yes.

Commissioner McConnell: One of the other conditions I would recommend would be that any type of water devices be controlled through an automatic shut-off nozzle that would never be allowed to run continuously. And, finally, the Connex there. Is that going to remain?

Marcus Adams: The what?

Commissioner McConnell: The storage facility – the metal chest – the Connex.

Marcus Adams: No. I know there are plans to remove the storage container there. I don't know how soon but I do know that they plan on removing that.

Commissioner McConnell: Okay, then as a condition of approval that the Connex also be removed, and finally, the shed – the metal device that they are going to put in to wash the cars under – I would ask that that be painted the same color as the building so as to blend with the neighborhood.

Commissioner Turley: Just wanted to make a comment about it that they are going to provide a hand car wash using no brushes and it will help these men in their rehabilitation from drugs. And, also, for your information, these people will wash the inside of your car and the outside of your car for seven bucks. Also, Mr. Hazen, was that advertised in the paper?

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Don Hazen: It was.

Commissioner Harrington-Cole: I am the new kid on the block so I may not have this right but it strikes me that you are going to put four cars in the first four lots, then you are going to have five bays where you can wash cars. If I am going there, where do I wait?

Marcus Adams: You may not have noticed but on the plans there is a section there in one of the stalls for some benches for a waiting area.

Commissioner Harrington-Cole: No, where do I sit in my car and wait? You've got nine parking places there and you have got them all taken up. If you have twelve people . . .

Marcus Adams: Well, you could wait. If all of those nine were taken, you would still have the spaces across in the parking lot at the Bays Inn so that you could wait there.

Commissioner Harrington-Cole: Will they be marked – so noted – because my problem is, that street is rather narrow and people tend to fly down it because there is the McDonald's gas station at one end, and you are usually on that road because you are skipping the freeway for whatever reason. So, you are flying down that road and now we are going to have a backup of cars waiting for the cars to be washed for seven bucks. It is a good deal. Who wouldn't want to go do that? And, I am just nervous about traffic and parking.

Marcus Adams: As are we. That is why we have this Shared Parking Agreement with the Bays Inn. When they resurface the parking lot, they will have to stripe the parking lot. Also, I should probably note, and once again, there is a staff member here, but not all of the residents there have automobiles. So, once again, the residency is not always fully occupied also.

Don Hazen: And, I might just follow up with Marcus' comment about conditional use permits in general. Based upon the description given by applicant's and staff's analysis, we make some assumptions that the site can adequately handle the expected traffic, and one of the things that you as a Commissioner have to decide is, do you agree with that assumption because those are critical to the findings for approval, and even if you go along with that and you assume because Mr. Adams had indicated he expected about three to five cars at any given time, even if we find out later on down the road that it is creating a congestion problem, then that is something we could then enforce as a Code Enforcement issue to say "Look, this Conditional Use Permit was predicated on the fact that you weren't going to overload that street with surplus parking." So, we give them a warning to scale back the operation or we have to do the worst case scenario, and revoke the Conditional Use Permit. So, this is part of the analysis that we would ask you to do with the CUP. We would ask: do you agree with staff's recommendation as far as the assumption of the number of cars that would be washed at any given time? But, there is no fail safe way of providing for those worst case scenarios in most cases.

Chairperson Legalos: Mr. Adams: I have a question about the amount of traffic in the alleyway and the fact that once someone has come down that alley, there is no way out other than backing all the way out unless they turn into this little bit of Annette Avenue. How much traffic is there? Are you aware of that?

Marcus Adams: From my dealings there in that area, I have never noticed a lot of traffic going up and down that alley. I think one of the reasons is that it does dead-

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end there and so, once again, maybe one of the staff members may want to address that because they are there daily whereas I am there maybe once a week or so. Once again, we haven't had any complaints about that alley being congested, people parking in the alley. Once again, when I routed this to the Police, that wasn't a concern regarding the alley.

Chairperson Legalos: What I am questioning is the possibility that there may be complaints if this section of the street ends up being essentially a driveway for the car wash and the motel, and if it becomes blocked or there is a lot of traffic in there and people coming down the alley, that's a long alley, and you don't know until you get down to the end of it, that you can't turn around. So, I assume that people would just back up a few feet to that section of Annette Avenue and then turn down there. But, you know, I was over there and there was no traffic at all, so I don't know if there is a problem but I think it is something that we should be aware of.

Marcus Adams: Thank you. I would assume, like yourself, that they would just back up a little bit, come out Annette, and then go on the Lincoln Road East there.

Commissioner Harrington-Cole: Are there any plans afoot to make that alley go all the way through?

Marcus Adams: Not to my knowledge – no.

Chairperson Legalos: If there are no further questions, I will open the Public Hearing. Would the applicant care to address the Commission? Please approach the podium and state your name for the record.

Kerry Walls: My name is Kerry Walls, and I am a volunteer staff person at the People of Excellence Center.

Chairperson Legalos: Would you like to respond to some of the concerns raised?

Kerry Walls: Normally when the cars approach the parking area, we either park the cars ourselves, or we direct traffic. As far as that back alleyway that's little to none as far as people coming in or out.

Chairperson Legalos: If there are no further questions, have you concluded? Is there more you wanted to say?

Kerry Walls: I am hoping that you guys will approve it. It is very much needed as far as we are self-funding. And, also, as far as it being a recovery place, actually I am associated with Ms. Hattie, being from the transitional house, so I am proving a fact about recovery, and that it does work.

Chairperson Legalos: We have no cards and no other speakers, so I will close the Public Hearing and bring the matter back into the hands of the Commission.

Commissioner McConnell: Thank you Mr. Chairman. I will move the approval of the Resolution in the packet based upon the facts and findings contained therein along with the two recommended conditions as suggested by staff, and additional requirements that the Connex be removed, and that the canopy and supporting poles be painted a matching color to the house and that any water delivery devices be equipped with an automatic shut-off device.

Claudia Quintana: I think we have an Amended Resolution that was presented to you, from the packet. Is that correct?

Chairperson Legalos: That's correct. I forgot to mention that in the first item there. All three resolutions you have amended and then the next item that is up, you have an Amended Staff Report. Nothing major. Just some grammar on the Staff Report and the titles and description on the resolutions was corrected.

Commissioner McConnell: Thank you. That all changed my motion to reflect the Amended Resolution as presented by staff.

Commissioner Turley: Mention was made of this alley and how long it was, and there was no turnaround at the end, etc. I am just wondering if it would be appropriate to put a sign up on the end that it is a dead-end or no turnaround, or something like that, so as people wouldn't get down to the end of the alley and find out they have to back out.

Chairperson Legalos: Mr. Adams: Is there a sign?

Marcus Adams: Yes, there is a sign on the section of the motel parking lot. I am looking at the picture right now. It should be in your package. Says: "Not a Through Street." It is a yellow, diamond sign.

Chairperson Legalos: Thank you. Please vote on the motion.

AYES: Turley, McConnell, Peterman, Legalos, Manning, Gourley, Harrington-Cole.

NOS: None.

ABSENT: None.

Unanimous. Motion carries.

3. **Site Development 06-0033** is an application for an addition to a single-family residence in the View District located at 35 Burnham Street. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

Staff recommends approval based on the findings and conditions.

Marcus Adams: Thank you Deborah. Our next item is an addition to an existing single-family home located at 35 Burnham Street. If you will look here at our locational map, this is within the residential View District. You can see kind of the front stair, the back side of the cemetery. I would like to explain, especially maybe for the new Commissioners, that it is rare that you will see a Site Development Application coming before you but, because it is located in the residential View District, whenever there is any type of alterations or improvements proposed, then what staff has to make a determination on is whether the use will be obstructed or potentially obstructed. Staff makes that determination along with the notice that goes out to the neighbors within a certain radius. If either staff and/or the neighbors feel that a view would be obstructed, they may bring forth the application to the Commission. That is the case tonight actually in both instances where staff did determine that views could be obstructed, and there was also a neighbor who was concerned about their view being obstructed. The sizeable addition is 757square feet, as you will see on the floor plans. Hopefully they will be legible. A little bit further, the addition is going up, but the addition also extends to some existing living area. Here is a picture of the front of the home with the story poles. Of course, the story poles are for the benefit of the staff and the neighbors so we can get an approximate idea of what the total size of the height and mass of the structure will be. The addition – is kind of set back, will go up, and then come out a little bit.

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Here are some elevations of the proposed addition so from all four directions here you can see the front. Originally, the applicant had proposed having an addition that would just follow the walls of the existing home but due to setback issues, staff's concerns that we brought before him from a neighbor who is on this side; he revised his plans and then brought the addition in, as you can see, quite drastically actually, because it was lined up right here along this existing wall.

Here is the floor plan. It is a little bit tough to read but you can kind of see it is more of a linear now, addition, floor plan. Here is the side that I was talking about that the neighbor here to the left was concerned about. The neighbor was concerned not only that the impact of the addition as far as horizon views and sunsets from the West, but also some privacy issues that he has. We will see in the next picture, but he has a hot tub area here and some outdoor living area. There is a bedroom window. After we saw the revised plans, we had this neighbor come in. He looked at the plans with staff and, I am not sure if he is here tonight, but he did express that he was pleased that the visions did lessen the impact that this addition would have on his area.

Here you can get another look on this side of the home. We had the neighbor on this side and then there is a water tower here, and there is a multi-family complex right around there, and this is the area where the graveyard and the cemetery is. There is the Napa flatlands and the hills off to the side there. There is also a neighbor that staff was concerned with where we have a bedroom window here which is right there. That is this window. Looking out, that Bay view may be partially obstructed with some of the Napa flatland area. Staff did speak with this neighbor, and she is here tonight, but she stated that she is okay with her neighbor's addition. If you have been up to her home, she has some miraculous views. We would not consider this a primary view for her home. She has some views both in the front and the back, and so that is one of the reasons that she was comfortable with the proposed project addition. So, with that, staff felt that the applicant worked well with us as far as addressing the neighbor who was in opposition, addressing his concerns, and with the approval of the rear neighbor who was fine with the project, then staff felt comfortable as far as making a recommendation of approval with the conditions associated with the project. With that, I am available to answer any questions that you might have.

Commissioner Turley: Mr. Adams: I sure would have found it very nice if you had gone to the house in back of this project and taken a picture showing the house and the story poles so that we could actually see what the view is like without the construction, or before construction, and what the view would be like after the construction is complete, by looking at the story poles.

Commissioner McConnell: If I may, Mr. Adams, I also have a concern, as voiced by Commissioner Turley, about the view. In the past we have normally had that type of photograph, so I would like to see that again. Secondly, have there been any studies done as to the effect upon wind and shade with the addition that you are proposing?

Marcus Adams: No study done by any professionals as far as a wind study or a shade study. No.

Commissioner McConnell: Thank you. I will reserve further questions for later.

Chairperson Legalos: Mr. Adams: I have a couple of questions. It is mentioned on page 2 under Background Summary that there has been some building done there without a permit. Was that done by the current owner?

Marcus Adams: No, it was done previous to the current owner's purchase of the home, done quite awhile ago. In fact, there are some neighbors here who can testify that that construction was done quite a long time ago.

Chairperson Legalos: So, this wouldn't apply in this case, but I think in future cases where the applicant is built without a permit, that we should require them to bring (on whatever they have done) the work up to Code before the Commission asking for permission to do more building. But, as I said, I am not going to ask for that in this case since the current owner did not make the modifications that were not approved. The other concern I have about the View Ordinance is more general and perhaps Ms. Quintana can enlighten me here but my understanding is that the intent of the View Ordinance is to protect the character of the City. In the current interest in branding the City, there has been more than one suggestion that it be called "Vallejo, City of Views." How much of the City of Views is it going to be if we ask individual property owners if they are concerned about the view, and if they say no, we say well then, we will go ahead, and we will block the view. So, Ms. Quintana, can you comment on that? Is the intent to protect the general character of the City or is it to protect the individual views?

Claudia Quintana: I am not sure the Ordinance is clear in its intent. I do think that the Ordinance is crafted so that it afford individuals the right to have a view, however; there is a View Ordinance and I think it sort of predicates a balance between the public's rights to have those views, and it specifically mentions, for example, one of the findings that the Planning Commission must make is that it minimizes the potential view loss from public areas. But, it does also mention property owners. The specific findings that you need to make, I think, are found in page 4 of the Staff Report, and I think they do serve to sort of balance everybody's interests but overall I do think it is a public right, and you don't have to absolutely eliminate any obstruction from anybody's view, but you should keep it in mind.

Chairperson Legalos: Well, I bring it up because we have been around and around and around on this View Ordinance, many, many times, and my understanding, or perhaps my preference is, that this be seen as an Ordinance that intends to protect the nature of the City and the character of the City, rather than applying to individual views. But, that is my preference.

Claudia Quintana: I would just caution you to take a moment to read each and every one of the findings because those are the ones that need to be actually met and supported by fact in order to make a conclusion that's legally defensible.

Chairperson Legalos: I will get to that. Thank you.

Commissioner Gourley: If I understand it correctly, you had several neighbors make somewhat of a complaint, and those have been addressed. Have any neighbors complained in which their concerns have not been addressed by the applicant?

Marcus Adams: You are correct insofar as the neighbor complaints, as far as multiple complaints though, there is one neighbor who complained as far as being opposed to the project, and that is the one where I showed you the house there to the left. I would say that the majority of his concerns were addressed as follows: Privacy Issues: He felt that it was encroaching because it was right out near the property line. He felt that it was encroaching amongst his privacy. When they set the addition in, that addressed a privacy concern. He did state to staff though that he was still a little concerned about his horizon. He had a view of the sunset

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coming down. He thought maybe he would miss too much of the sunset. I don't think he is here tonight so I don't know to what extent he was opposed to the project. That was the only one who was in outright opposition as far as neighbors.

Chairperson Legalos: I would also just like to say that I share Commissioner Turley and Commissioner McConnell's concerns about the property behind, and also point out, obviously; the people currently on the properties weren't always on the properties and diminishing the views is going to potentially diminish the resale values. If there are no further comments, I will open the Public Hearing. Does the applicant wish to address the Commission?

Duane Nicholson: Good evening Commission. My name is Duane Nicholson. I am the applicant here at 35 Burnham Street. There are a few issues that Marcus has brought up. It is 33 and 35 Burnham Street. The place has been a duplex somewhere between 1959 and 1961. At that time it was before it was in the City limits. So, as far as the permitting goes, I don't know. There was a couple of women that owned the place and they lived in the back house which was originally 500 square feet and they put the addition on in the front so I am kind of confused with the permitting and the stuff that's not permitted because at that time it was in County. As far as I'm concerned, when the City took over that land, they didn't do their job and go in and look at the place and find out if it was a duplex or a single family home and how that went. Then, on the view of the neighbor, Marcus has some pictures of the neighbor in dispute. Can you pull those up for me, Marcus? Here he is to the side of me with the bamboo around the front and there are two seven foot fences or whatever. He's got a seven foot fence here going up my walkway. There's a stairway up there and then he has another six to seven foot fence above that, so, basically; when I walk out of my house, all I see is a fence. I don't see much of a horizon or . . . and on the other side of me there is the City Water Tank which is severely overgrown with brush and, on the other side of that, there is a 14-unit complex with eucalyptus 100 foot tall. Another one was the view restriction on the back of the . . . and that's the young lady right over there, and she lives in this house. This is two properties over. This is my back yard. I have a little platform for my son, and he is up on the platform and this is actually another neighbor's back yard – a young man back there. Then, over one other property, is the view that is supposedly in dispute, and it's . . . if any of you were to go up there and look at the Nash's house, they have a wide open back view of Mare Island and a wide open front view of Vallejo. The view in dispute – the reason you can't see the view out the window, is because you couldn't see it any better out that window with your naked eye than you can in the picture. You can barely see the story poles through the window. . . out that bedroom window, but their main view is out the front and is out the back. So, that's the only view that I could possibly be obstructing, and I'm kind of confused about the whole process because this house was built (which I was all for). They came in and destroyed an old house that was there, and they rebuilt this beautiful home here which is a very beautiful place, and I am sure that they will allow any of you to come in and take a look at the possible obstruction of view, but this whole process . . . nobody came to me, my neighbors, or anybody and looked out any my windows or looked at my house at all to see if they were going to block my view, and this was built, like, a year ago, which I don't have any problem with the house at all. I just don't know where the process is going, what we are doing with the view-thing, you know. I feel that I'm in the clear and nobody is even looking over my house. You have to really look through a bedroom window and two fences to find . . . and bushes, and trees, to even see any obstruction. And, I invite anyone of you to come up to my place and to take a look at the things that I have done there. That's all I have.

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Chairperson Legalos: Thank you. There being no further speakers, I will close the Public Hearing and bring the matter back into the hands of the Commission.

Commissioner McConnell: In reviewing the Ordinance, this sets forth the conditions. I don't feel that I can reach the findings on point 3 and point 4, that is: "The proposed projection minimizes the appearance of visually intrusive structures and that the proposed project prevents the obstruction of property owner's views by requiring appropriate construction of new structures or additions to existing buildings or adjacent parcels." I don't think there has been enough study done on sun and shade. I'm dissatisfied with the view restrictions. I don't think the report is sufficient enough for me to reach these findings. I'm not saying that I might not be able to do so in the future, so I would move to deny this application without prejudice at this time.

Commissioner Manning: I understand your point of view but I feel that the applicant has done his due diligence, and that adding onto his property will actually improve the neighborhood as well and enlarge the home in the area, and nobody's here objecting from the neighborhood on the building of this house. He has waited a long time to get where he is. It's a long process. It's a confusing process, and while it would be nice to have more information and perhaps Marcus, the next time one of these come up, it would be good to include things like shading and wind as well. I really don't see the point of delaying this decision for this applicant.

Commissioner Gourley: I would have to agree with Commissioner Manning. I think the applicant has done a fine job, and I am kind of loathe to reject a project that the applicant and the staff put this much work into just because of the issues that were brought up by Commissioner McConnell.

Chairperson Legalos: I am going to agree with Commissioner McConnell on this issue, and he is not suggesting, if I understood Commissioner McConnell correctly . . . not suggesting that we deny this project. He is suggesting that we need more study and more information. Once the structure is built, it is going to be there permanently, and if it does obstruct the view, you know, the view is lost for good. So, I would like to see more information on the view obstruction, and I agree, I don't see how we can say that it prevents that condition 4 has been met, and I also question that condition 2 has been met.

Don Hazen: Mr. Chair: I might ask Commissioner McConnell to clarify his motion because I thought his motion was to deny without prejudice and if that is in fact his motion, I might suggest that the motion be amended to possibly be a continuance to address those issues so you can make the findings so that we look at from a kind of a solution-oriented basis rather than make them deny and have to go reapply again. And, without prejudice, means they can do it within a year. So, that's my suggestion.

Commissioner McConnell: Thank you. I definitely agree with that recommendation, so I will withdraw my original motion and restate it to continue this matter for 30 days. Is that enough time?

Don Hazen: I think we would probably go for 60 days because we first need to quantify – what are the issues that you would like to see addressed so that we can work with the applicant and get the necessary exhibits that demonstrate those changes.

Commissioner McConnell: Okay, 60 days for the purposes of setting: 1) the view impact of the neighbor to the West – the one up street where the hot tub is. 2) The

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view impact from the adjacent house that you depicted the photograph in. I would like to see the story poles not only designating the height of the add-on structure, but also, the distance out from the building, and I would like some information about impact upon sun and shade on the adjacent neighbor's house as well as the view of the adjacent neighbor's house towards the sunset area that is mentioned in the Staff Report.

Commissioner Manning: I'd like to understand from staff what it is going to cost the City, what it will cost the applicant, and what needs to be done – what kind of studies to find out about wind and shade. I am not familiar with what would have to occur to make that happen.

Don Hazen: In my experience in the past with similar issues, you have to hire a specialist that is able to kind of look at the angles of the sun and track it during the day. Some architectural firms have that ability. The graphic representations of those are fairly sophisticated, and they don't come cheap.

Commissioner Manning: Would the applicant have to do that?

Don Hazen: Yes.

Commissioner Manning: Again, I just want to voice my objection to this. This is not looking at the coast of Monterey, and the City staff is already very busy. This is going to have to come back to the Planning Commission. The applicant has said that a house next door to him was built last year and we didn't do this kind of rigor. So, it just doesn't seem fair to me to put the applicant through this, and I really would be surprised if we did this study and we came back, and we rejected this. So, I would prefer to vote on this tonight and let the applicant move on. If somebody in the neighborhood had concerns about their views, they would have been here tonight and we would have heard them, and I would most definitely have a different point of view. But, that's not what I have heard tonight, and I would like to move on and just vote on this tonight. Thank you.

Commissioner Harrington-Cole: I agree with Commissioner Manning on this. I think the Ordinance says "minimize", not "doesn't at all." I think that the applicant has done everything he could do to minimize obstruction, and I would feel comfortable voting for this tonight.

Commissioner Turley: I'd like to ask: Who's gonna benefit from this study? Is it gonna be the project owner that we are talking about tonight or is it gonna be for the neighbor? Is that who it is supposed to benefit?

Chairperson Legalos: Well, I think there is a third possibility if we look at the Ordinance as protecting the character of the City and the views of the City, then it benefits the City also. I think we have to consider that.

Commissioner Peterman: I agree with Chair Legalos and the fact that we need to protect the views but I am not sure that just as we had a fence issue last year and decided that the view wasn't an issue. I think that minimal view out that side window is not an issue. I think if the front or rear views that were being blocked off, I think that would be more of an issue. That is my opinion.

Commissioner Manning: It's 757 square feet. This is a nice little neighborhood, and people are buying those homes, I would imagine, in that area, because they have lovely views. But, the homes were built pre-World War II, and they are smaller homes, and I have looked at some of those homes when we were looking at

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property to have a view like that, and their rooms are little. I can imagine that somebody would want to add onto their house, and 757 square feet is not damaging the views of our community. I just want to put this in perspective for what is being asked here, and I understand Chairman Legalos' position about protecting the views in Vallejo and we have to look at the bigger picture here. I totally understand that point of view and agree with you, but in this particular case, 757 square feet, a small addition to this house would probably give the owner the space that he needs to live comfortably in that house, and I don't see this as a detriment to the City of Vallejo.

Don Hazen: Mr. Chair: I am listening to a very lively debate on this issue and trying to do some mathematics at the same time and trying to figure out how this might work if we had the motion and maybe a substitute motion on the table. A couple of suggestions: Really, what you are doing this evening is balancing the public view shed with the private property owner's right to enjoy their property as well, and, through this democratic process of the Public Hearing, we have heard that there really is no opposition from the immediate neighbors. In a sense I perceive that you are really speaking in opposition to the project from the basis of the public's view shed, and then, there is the thought about continuing it for 60 days and having the applicant incur some additional consulting expense and time with staff. Would it be a helpful suggestion if we were to help ascertain that public view shed of the immediate possibly by a petition process or questionnaire to help provide you the information of - How do the rest of the neighbors see this that aren't, maybe, directly affected by it but that live down the street - that would travel by this property maybe more each day than what any of us do. Then, if you are still not convinced that it's in the best interest of the public to allow this; I would say if that's the prevailing vote on the motion, that maybe we go that route of the 60 day continuance. I guess I am looking for possibly the applicant to have another stab at demonstrating that this is or is not in the public's best interest. Not just the immediate neighbors that we focused our analysis on, but, it is just a suggestion to have an intermediate step and come back. We could do that easily within 30 days or two weeks with no additional expense on anybody involved, if the applicant was willing to do that.

Commissioner McConnell: I am willing to accept that recommendation.

Chairperson Legalos: My only concern about that recommendation is that it narrows the definition of the "public" to the immediate neighbors, and, in my mind, the public is not the immediate neighbors, it is the entire City.

Don Hazen: Right, and I wasn't intending that that would substitute your judgment but it would supplement your judgment so that you had the benefit of a greater, broader perspective, and we could go out as far as you feel is appropriate beyond our normal mailing radius of 500 feet. We could go out 2,000 feet if needed. If you just want us to make that effort so that we can provide you that information as well, it may be helpful to you. It may not be, but I think it's something worth pursuing.

Chairperson Legalos: For me this comes back to the fact that this is not an issue that is going to be settled here or its not an issue that on our agenda, in fact, but - What is the intent of this Ordinance? Because, we go through this over and over. Every time there is a view issue that comes up, we go through the same questions and answers and we never seem to get to a definitive and common understanding about this. The one piece of data here that is missing, and it has been pointed out that apparently this neighbor has not complained, is the view from the house behind. To my mind, the square footage is not the issue; the issue is height. It is not that it is 757 square feet, but it nearly doubles the height of the building.

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Commissioner Gourley: Although I appreciate Mr. Hazen's attempt to mollify the Commission a little bit, I would prefer to vote on the issue before us and then look at a different motion, possibly. Again, I respect everybody's opinion on what views are and what the intent of it is, but I have a hard time rationalizing because it seems like we are talking about – if there is nobody complaining now – we are only talking about the look out of one bedroom; we are only talking about one person, or one house. I doubt seriously if the 100,000 + citizens of Vallejo care about the view. I am not saying they don't care. I just don't think it is going to impact the reputation or character of the City if one person looking out their window has a minor impact on their view. And, I am also reluctant to put more hurdles in the way. We have already been looking at serious issues with the permitting process in the City, and this just continues the reputation we currently enjoy about a very difficult place to build and do anything. That impacts values tremendously because nobody wants to build or buy here.

Chairperson Legalos: Commissioner McConnell: Can you restate your latest motion, please?

Commissioner McConnell: Thank you. The proposal would be to continue it for a period of time to be selected by staff for the additional input from staff as to a survey of the neighborhood as well as comments concerning the issues I have raised tonight as to shade and wind, which I think can be, at least, addressed preliminarily without a professional study, particularly the shade aspect of it, and further designation as to the impact upon view of the immediate neighbor to the East and how far out that structure will be built, rather than just the height of the story poles. Also, how far forward that will be. So, I would move to continue it for that input for 30 days, and, if we need to continue it thereafter, so be it.

Don Hazen: I would just like to pull my calendar out so that we could actually, for the record, specify which meeting that would go to so we can avoid renoting it again. That would be going to the November 5 Planning Commission Meeting. Procedurally, you could entertain another motion and have two on the table, or you could ask for the vote on this one, and if it fails, ask for another motion.

Chairperson Legalos: Okay. Does somebody have a substitute motion? Then, I will ask you to vote on Commissioner McConnell's motion to continue. Please vote.

AYES: Legalos, McConnell, Turley.

NOS: Harrington-Cole, Gourley, Manning, Peterman.

ABSENT: None.

Motion fails.

Chairperson Legalos: Someone care to make a motion?

Commissioner Manning: I move to approve Use Permit 06-0033 with the revised documents put on the dais this evening and with the findings and conditions put forth by staff.

AYES: Harrington-Cole, Gourley, Manning, Peterman.

NOS: Legalos, McConnell, Turley.

ABSENT: None.

Motion carries.

L. OTHER ITEMS

1. Discussion of memo on process updates.

Don Hazen: The previous process was that an applicant could just simply walk up to the front counter with an application and a set of plans and a check and there would be someone there at the Planning Department to take in the application. It would be assigned to a Planner and then it would be routed to all of the departments typically with a comment deadline that would be typically two weeks but in my early days with the City, I saw that that could be four, five, six weeks, and even longer. Then, we would have an internal meeting of the various departments to discuss the project, and, it was my observation that most of the comments centered around incompleteness and we would have departments coming to this meeting saying: "I'm sorry, we can't offer any comments because it's incomplete." And, the bulk of the meeting then would be spent identifying deficiencies with the application. So, that really wasn't a service to the customer to have to wait two, three, four, six weeks, just to find out it's incomplete. So, what we did – we switched that to an appointment basis to where we could do screening of the application at the front counter before we even accept it into the process, and the goal there was to try to capture at least 95% of the incomplete applications that previously would be coming into the system. We felt that that would improve our internal efficiency as well as be a better customer service. It has been in effect now for about two months, and I have heard very positive feedback from that, and so I would have to say that for the most part, it is working.

Chairperson Legalos: That clarifies that a great deal. Aren't there two different processes for what are called major projects and non-major projects? Isn't there a kind of pre-review? There is a handout that is or was available on the desk that described a different process for major projects. Are you still doing that?

Don Hazen: I am not sure what you are referring to, but I will just quickly outline the various options that we have. First, we have a Preliminary Review. Now, that's free of charge. Anybody can submit that. They are conceptual plans and it gives them an opportunity to get a reading from all of the departments as to whether this project is even feasible. Then, we have minor projects that can be approved at the administrative level that do not go on to you for your decisions, and those are done administratively with noticing to neighbors, for example, in the case that Marcus just presented. This could have been an administrative item had we not received any comments from neighbors and then there are, I guess what I would classify loosely as major projects which are ones that require Planning Commission approval. Then, there are even some that have to go on the City Council. So, I am not sure that is answering your question but that's generally how we categorize our applications.

Chairperson Legalos: I may still have one of those folders around but the impression the folder gives, and it is not very clear about what a major project is, but for what are described as major projects where the applicant can have some kind of a preliminary review that an applicant for a minor project would not get.

Don Hazen: I guess part of it is that we are changing our procedures and if there was, in fact, something in the past that said only major projects could have a Preliminary Review, I would have to say that that is not the best system and that if anybody wants a Preliminary Review, it is open to them. Part of what this update to the Council is indicating is that we are evolving and we are looking forward, and we are moving away from some of the old practices that we find either to be inefficient or not good customer service.

Vallejo Planning Commission Minutes
October 1, 2007

Chairperson Legalos: But, it sounds like now that every application is reviewed at least for completeness before it moves on.

Don Hazen: Well, it always should have. We are required by law to determine whether an application is complete within 30 days of submittal and that, in the past the City was, in some cases, not doing that within the prescribed time limit. We feel that by doing it right there at the front counter, we are saving everybody up to 30 days in limbo.

Commissioner Harrington-Cole: I recently had the distinction of having a permit pulled for French doors being replaced. It went great. I had no problem with that but the final inspection was just disaster because people just show up at your door. No appointment. Whether you are there or not. Well, even though I am retired, I don't stay there 24/7. It took three visits and five phone calls, and I thought, the \$1,000 you charged me for a permit got spent in staff time, long before you ever got near to looking at that three minute section and signing a piece of paper. So, I would encourage you to continue this process. I know that it is ongoing but those small projects eat up a lot of time and money as well.

Don Hazen: I will pass that on to the Building official because it sounds like your dealings there were with Building Inspectors and I do believe that they get a schedule at the beginning of the day that says maybe they have 12 places they need to go, but you are absolutely right. I notice that with the UPS people or FedEx where you come home and there is a sign on your door saying: "We missed you." You can't sit home all day long and wait for the package so I can talk to the Building Official to see if it is possible to break it into maybe one or two hour time frames where at least the homeowners have some idea.

Commissioner Harrington-Cole: Not only that but when they come out the second time, they say: "If you are not home; there is going to be a fine." And, I am thinking: "Fine?" You don't have a fighting chance. She said: "You call me in the morning, and I will tell you if he is coming in the morning or the afternoon." So, I thought: "Three days ago you could have called me and said: "We will be out there in the morning or the afternoon tomorrow." Is that convenient?" We could have saved five days worth of work and three trips by your guy and four or five phone calls from me.

Don Hazen: I appreciate that. I think that is an excellent suggestion because one of the things we can ask people when they call for an inspection is: "Do you have a time frame preference?" Then, we could start to piece those daily schedules together.

Chairperson Legalos: Commissioner Harrington-Cole: Did you ever try calling in the morning, and if you did, did you ever get to talk to anybody, and, if you left a message, did they ever call you back?

Commissioner Harrington-Cole: Chairperson Legalos: I did. On the third try she finally said: "Call me in the morning and I can tell you." However, she couldn't tell me when I finally got through after 15 tries, so she had to call me back which was now 10:15 in the morning – to tell me that he would be there at 1:00 o'clock, so the whole day was gone anyway.

Chairperson Legalos: Thank you. Mr. Hazen: When will there be another update? This one is dated September 25.

Vallejo Planning Commission Minutes
October 1, 2007

Don Hazen: As the report indicates, prior to the September Memo, we updated them in June. We were kicking off a lot of new things. We are meeting with a large contingency of the public, next week I believe. We have invited all people that have received any planning or building permits over the last 60 days, I believe to a meeting at Mare Island in the Conference Room to get feedback from them on how our process is working. I would think that, based on that, it may trigger some more changes to the system plus the comments that I have heard tonight, and that would then prompt another update to Council. What I will do is that I will pass that on to the Assistant City Manager that maybe in a couple of months we will go back to the Council with this evolution of changes.

Chairperson Legalos: I would like to be on that invitation list. I haven't had a permit in about 60 days, but that is an exception over the past few years. I almost have one or more permits pending.

Don Hazen: That meeting is October 4 at Mare Island Conference Room, 4:00 to 6:00 p.m.

Chairperson Legalos: I don't know what the other Commissioner's experience is, but I get a fair number of questions from people about the permitting process, and often; I cannot answer them. I think it would behoove the Commission to be aware of the process and timing, etc., to be able to answer those questions.

Commissioner Peterman: Mr. Hazen: May I suggest also that somehow you publicly notice it because I am sure just from my experience and from speaking to people, that there have been many people who, beyond the 60-day period, have major concerns about the process. I think the input would be very valuable so, is there some way to publicly notice it in the Times Herald and on Channel 27 or 28?

Don Hazen: Could I be granted a waiver on this particular one because the fourth is just three days from now.

2. Request for Map Quest to each site be included in each packet using City Hall as a starting reference. Planners will include from now on.
3. Request for updated list of Commissioners be sent out to each Commissioner both hardcopy and electronic. Deborah Marshall will send this out tomorrow.

M. ADJOURNMENT

There being no further business to discuss, this session of the Vallejo Planning Commission is now adjourned at 8:35 p.m.

Respectfully submitted,



(for) DON HAZEN, Secretary

**STAFF REPORT – PLANNING
CITY OF VALLEJO
PLANNING COMMISSION**

DATE OF MEETING: October 15, 2007

PREPARED BY: Marcus Adams *MA*

PROJECT NUMBER: UP #07-0007

**PROJECT
DESCRIPTION:**

The applicant is proposing to legally establish an existing day care/pre-school facility. The Youth and Family Services day care/preschool facility operates Monday thru Friday, 7:30 a.m. to 5:30 p.m. The applicant does not propose any new construction or extension of current operating hours. Maximum capacity is for 12 children, ages 2 to 6.

RECOMMENDATION: Approve with Conditions

CEQA: Categorically Exempt (Section 15301) (Class 1)

PROJECT DATA SUMMARY

Name of Applicant: Youth and Family Services

Date of Completion: August 6, 2007

General Plan Designation: Highway Commercial

Zoning Designation: Linear Commercial

Site/Surrounding Land Use:

Site: 1017 Tennessee Street

North: Commercial

South: Church

East: Commercial

West: Commercial

Lot Area: square feet	9,618
Total Floor Area/Ratio:	0.77
Landscape Area/Coverage:	None
Parking Required/Provided:	Two spaces (one space per five students (12)/ 0 off-street spaces provided

BACKGROUND SUMMARY

In the Summer of 2007, the applicant submitted a business license application to the Planning Division for their review and approval. Upon research by staff, it became evident that Youth and Family Services had never obtained a Use Permit to operate a day care/preschool facility at the subject location. Youth and Family Services personnel stated to staff that they have been trying to obtain a business license for a few years, but due to multiple interior improvement requirements for City departments, had not formerly approached the Planning Division with an application and thus, were not aware that a use permit would be required for the operation of their daycare/preschool facility.

ANALYSIS

The proposed day care/preschool use is allowed in the Linear Commercial (CL) zoning district with use permit approval, per Section 16.22.040(A)(4) of the Vallejo Zoning Ordinance. As noted above in the Project Data Summary, there are no dedicated off-street parking spaces being provided for the facility. According to the applicant, parents/caregivers and staff (7 full-time) either park on Tennessee Street, surrounding side streets or in the Seventh Day Adventist church parking lot behind the building off Quincy Alley. Though the church parking lot displays signs stating that parking spaces are for "church members only," Youth & Family Services have a non-documented shared parking lot agreement with the church, according to their administrative staff. Because the church does not typically have services during the normal Youth and Family Services operating hours, staff believes this shared parking arrangement for the 15 spaces is an acceptable mitigation for any potential parking problems.

Staff has not received any complaints related to the operation of the facility during their existence, nor have any comments in opposition to the facility been received by staff during the use permit public comment period. Based on these facts, staff believes that as long as the maximum capacity of the facility does not increase, the lack of off-street parking will not negatively impact the surrounding businesses. Staff will recommend as a condition of approval that Youth and Family Services obtain a documented shared parking lot agreement with the church. If the applicant is unable to obtain a documented parking agreement, a parking mitigation plan subject to Planning Division review and approval shall be submitted and implemented upon verified complaints received by the City from neighboring businesses or residents.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt due to the fact that the existing use would involve no expansion or new construction (CEQA Section 15301, Existing Facilities).

CONCLUSION/RECOMMENDATION

Staff has determined that the proposed project, as conditioned, is consistent with the City's General Plan and Municipal Code, and all applicable ordinances, standards, guidelines, and policies. Therefore, staff recommends that the Planning Commission approve the Conditional Use Permit, number UP 07-0007, based on the findings and subject to the attached Conditions of Approval.

FINDINGS

The Planning Commission finds, based on the facts contained in this 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.

EXPIRATION

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

APPEAL

The applicant or any party adversely affected by a 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 and Planning Division. 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 regular business day.

ATTACHMENTS

1. Resolution
2. Site plan and floor plan
3. Pictures of site
4. Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC 07-24

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A CONDITIONAL USE PERMIT APPLICATION
USE PERMIT #07-0007**

Youth and Family Services

The existing daycare/preschool facility is located at 1017 Tennessee Street between Monterey and Colusa Streets.

APN# 0056-093-010

I. GENERAL FINDINGS

WHEREAS an application was filed by David Burns of Youth and Family Services seeking approval for a conditional use permit to legally establish a daycare/preschool facility; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on October 15, 2007 at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission; and

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 Planning Commission finds that on the basis of the whole record before it there is no substantial evidence that the project will have a significant effect on the environment per Section 15301, Class 3 Categorical Exemption, "Existing Facilities" of the California Environmental Quality Act.

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 Major Use Permit application for a daycare/preschool facility pursuant to the City of Vallejo Municipal Code Chapters 16.22.040 and 16.82 Conditional Use Permit Procedure.

Section 3. Planning Commission finds, based on the facts contained in 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 use are consistent with the City's General Plan.

**IV. RESOLUTION APPROVING THE CONDITIONAL USE PERMIT
APPLICATION FOR A DAYCARE/PRESCHOOL FACILITY LOCATED AT
1017 TENNESSEE STREET**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Conditional Use Permit application (UP# 07-0007) for the Youth and Family Services daycare/preschool facility, 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 15th day of October, 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 #07-0007
(APN# 0056-093-010)

CONDITIONS OF APPROVAL:

Planning Division

1. Provide compliance departmental signatures from the Building Division and Fire Prevention within sixty (60) days of use permit approval. Failure to provide sign off signatures may result in administrative citations of \$200 or more per citation.
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 submit to the Planning Division a documented shared parking lot agreement with the neighboring Seventh Day Adventist Church. If a documented shared parking lot agreement is unattainable, Youth and Family Services shall submit a parking mitigation plan for Planning Division review and approval, to be implemented upon complaints received by the City from neighboring businesses or residents related to staff parking.
4. The applicant shall provide to the Planning Division copies of all applicable state and county licenses required for their daycare/pre-school operation prior to business license sign-off.
5. 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.
6. 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.
7. 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.

Building Division

1. Provide exist analysis with occupant load per exit door. Exit door needs to open out when load is over fifty persons.
2. ADA requires 12' of wall on strike side of doors.
3. Provide information regarding the previous use of the building before the current daycare facility.
4. All previous work needs to be permitted and approved.
5. The staircase needs handrails.
6. ADA parking and path of travel to the public way needs to be provided, if applicable.
7. Provide the occupancy of the adjacent building. A firewall is required.

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied. (F1)
2. Additional fire hydrants 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).
3. An off-site inspection is needed for this project.
4. Prior to building permit submittal, building construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid. (F4)
5. Prior to final inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (1998 CFC Standard 10-1; NFPA 10) [F8]
6. Prior to 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. For this facility, minimum 6" numbers. (1998 CFC Section 901.4.4; added VMC Section 12.28.170)[F9]

7. Prior to 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) [F10]
8. Prior to 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. (F11)
9. Development sites shall be maintained weed free during construction. (1998 CFC Section 1103.2.4) [F12]
10. The project shall conform to all applicable requirements of Title 19-Public Safety, 1998 CFC and all VMC amendments. (F2)







STANDARD CONDITIONS

Planning Division

1. The space and staffing standards shall at a minimum meet state requirements (VMC 16.58.040[D][1])
2. The operator and the premises must be licensed or certified by the California department of social services (VMC 16.58.040[D][3])
3. The premises shall be subject to fire and health inspection by the city and the use permitted thereon shall be contingent upon compliance with fire and health regulations and requirements (VMC 16.58.040[D][5])
4. Such use shall not adversely affect the neighborhood in which it is located. For the purposes of this subsection, “adversely affect” shall mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties in the immediate area (VMC 16.58.040[D][6]).

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.

Maneuvers	Distance
 1: Start out going SOUTH on SANTA CLARA ST toward GEORGIA ST.	<0.1 miles
 2: Turn LEFT onto GEORGIA ST.	0.6 miles
 3: Turn LEFT onto ALAMEDA ST.	0.4 miles
 4: ALAMEDA ST becomes BROADWAY ST.	0.2 miles
 5: Turn RIGHT onto TENNESSEE ST.	0.1 miles
 6: End at 1017 Tennessee St Vallejo, CA 94590-4547, US	
Total Est. Time: 4 minutes Total Est. Distance: 1.48 miles	

Youth & Family Services Bldg.

1017 Tennessee Street

Vallejo, CA 94590

Youth & Family Services Bldg.
For Mr. David Burns
1017 Tennessee Street, Vallejo, CA 94590

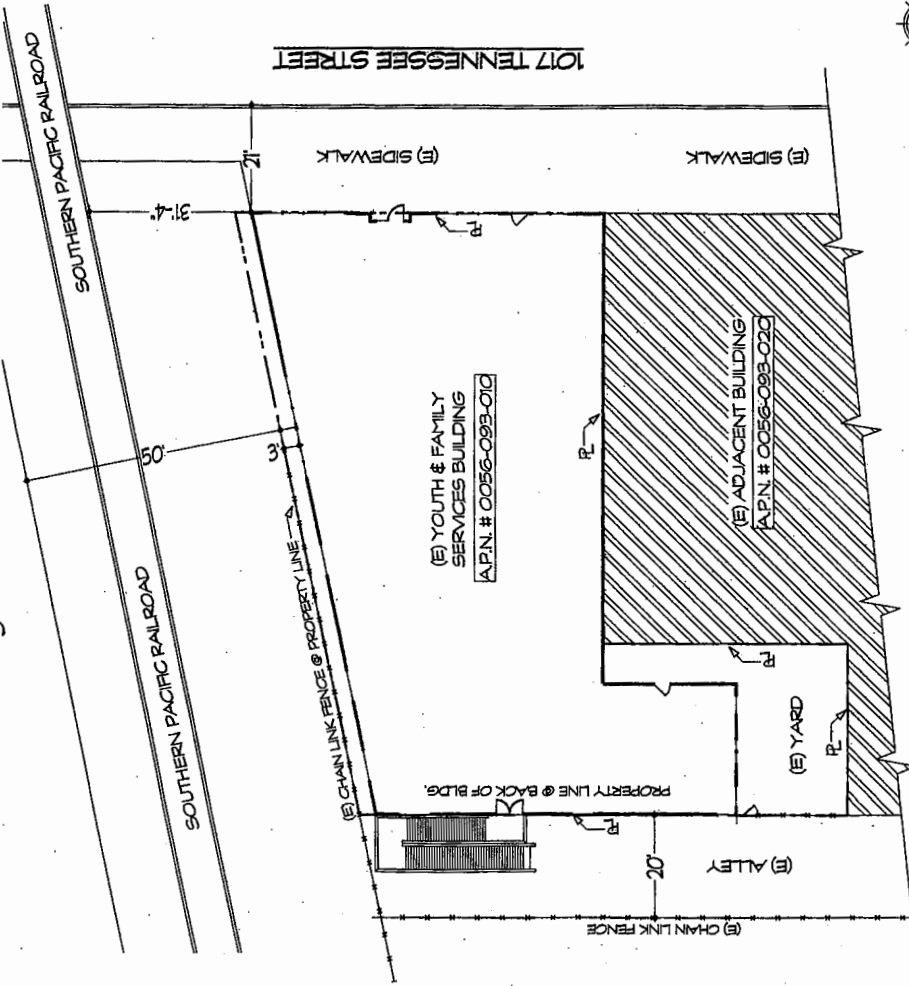


Submitting Site Plan

Sheet Number

July 2007

1 OF 2



Site Plan

Scale: 3/32" = 1'-0"



Paul D. Howard
 4171 Mariposa Valley Road
 Redwood City, CA 94061
 (650) 967-1111
 www.pdh.com

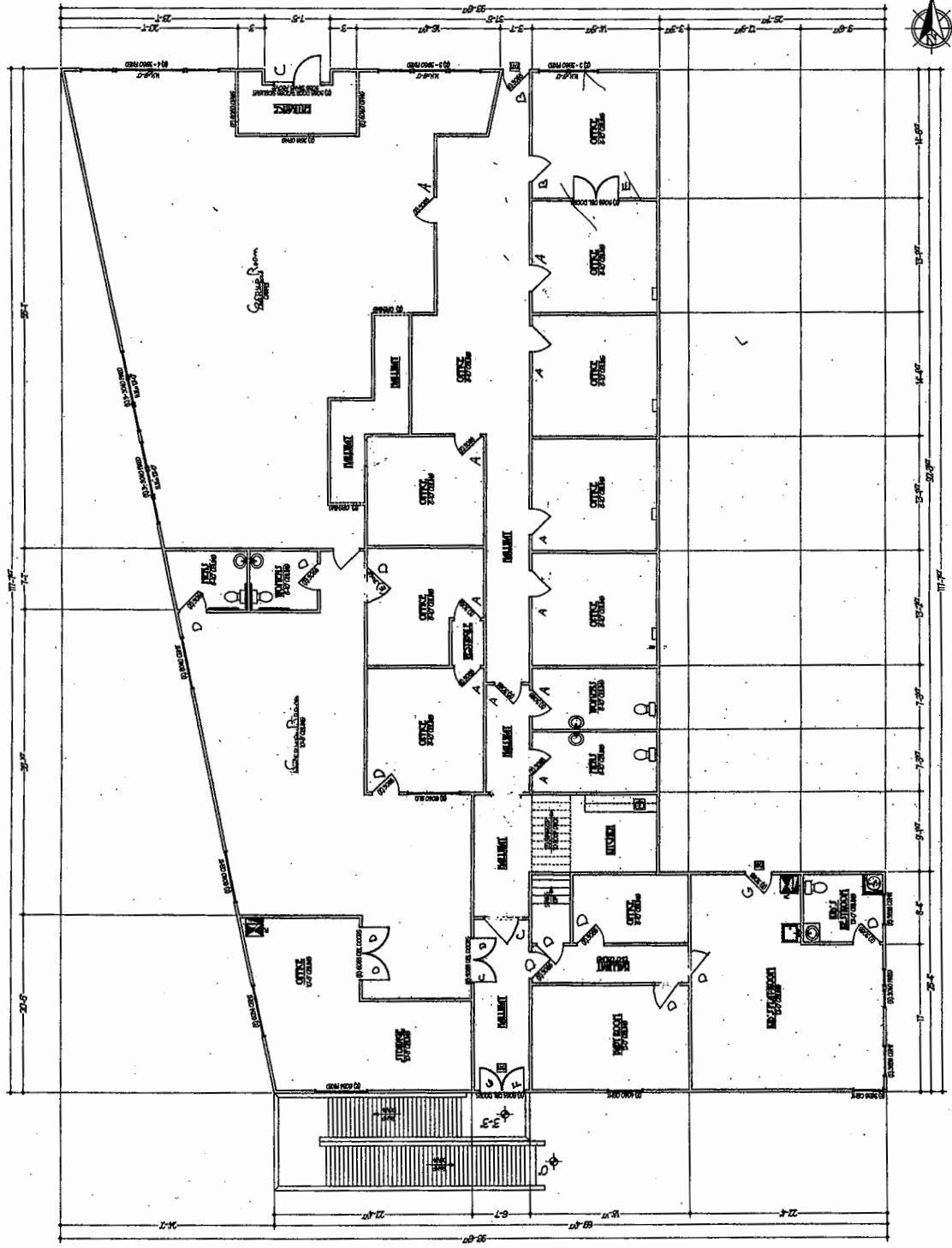


Youth & Family Services Bldg.
 For Mr. David Burns
 1017 Tennessee Street, Vallejo, CA 94590



Existing Floor Plan
 Scale: As Shown
 July 2007

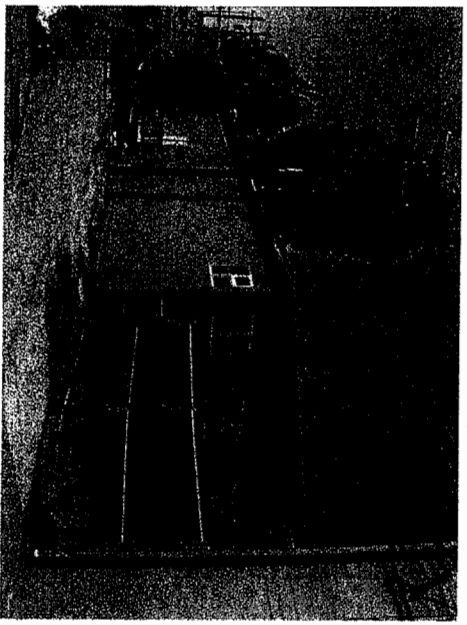
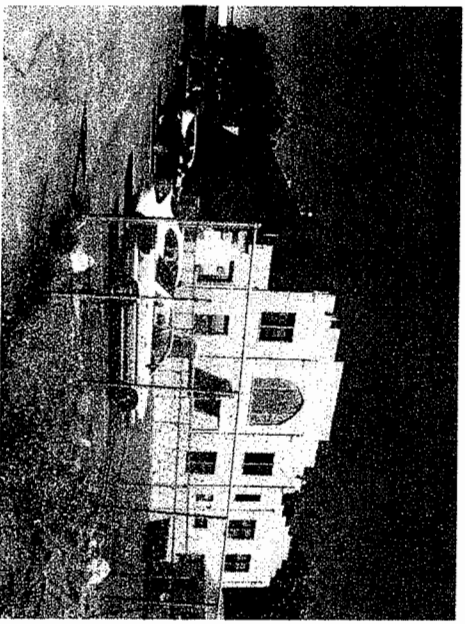
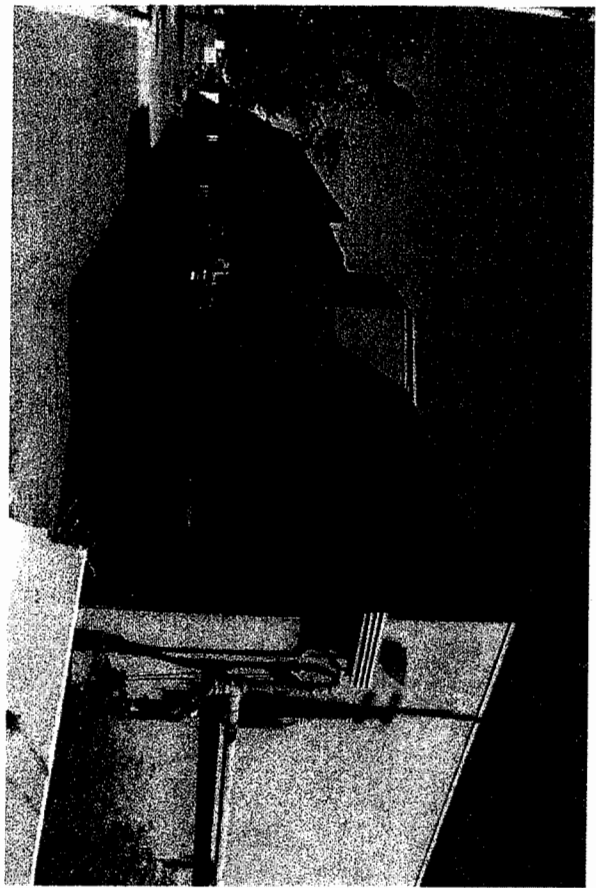
Sheet Number
 2 OF 2



Approx. 7,000 sq. ft.

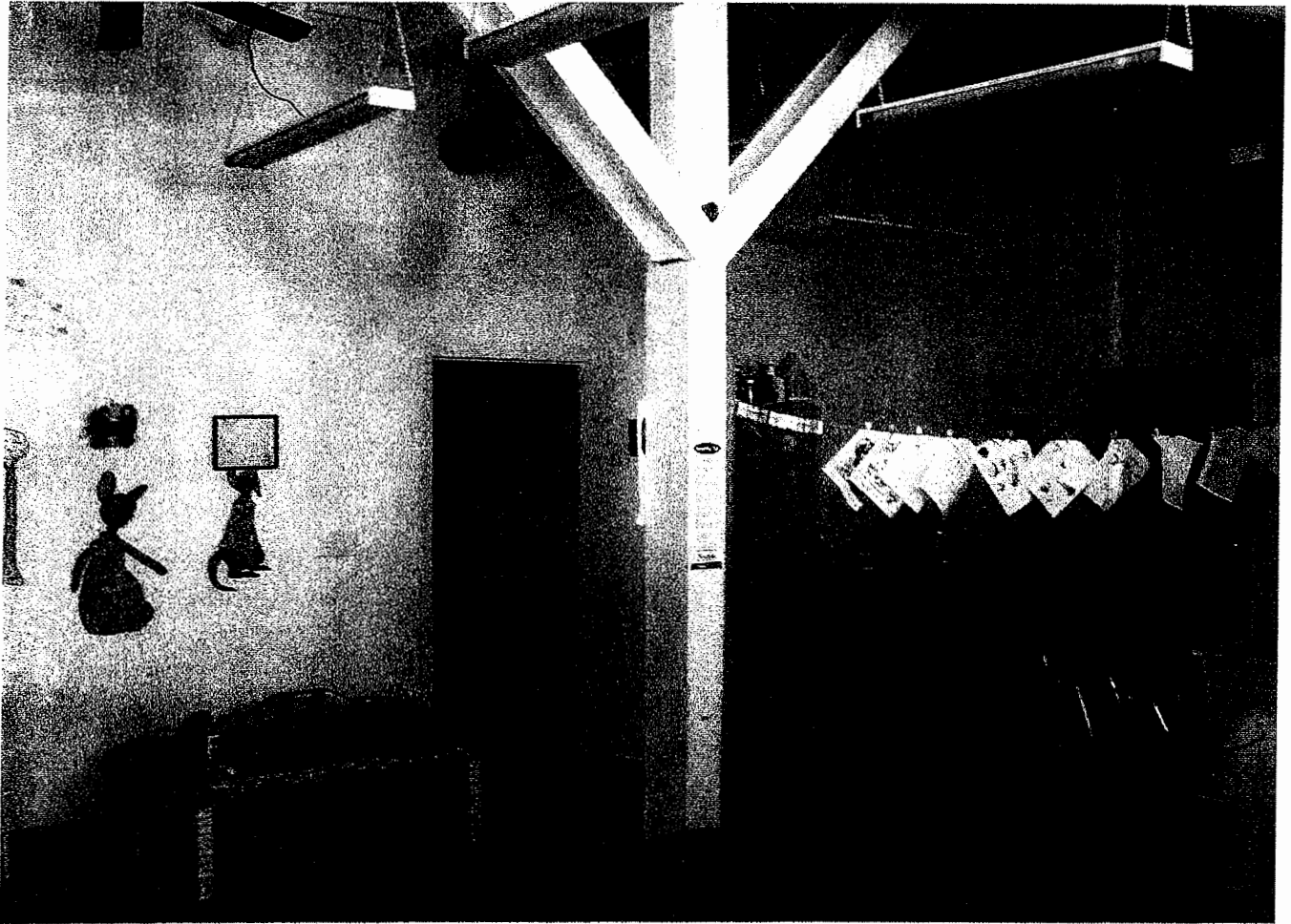
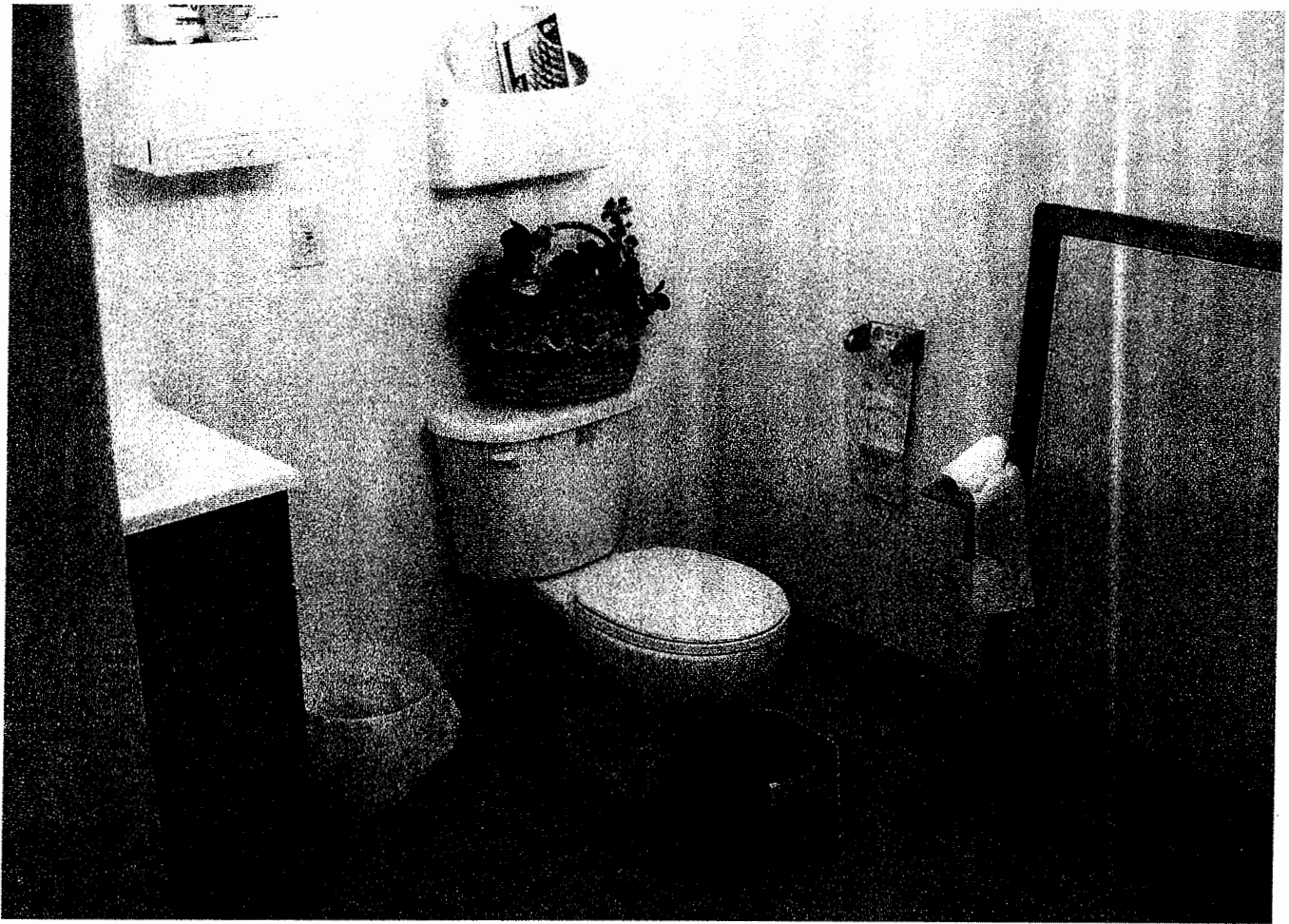
Existing Floor Plan
 Scale: 1/8" = 1'-0"

Youth & Family Services



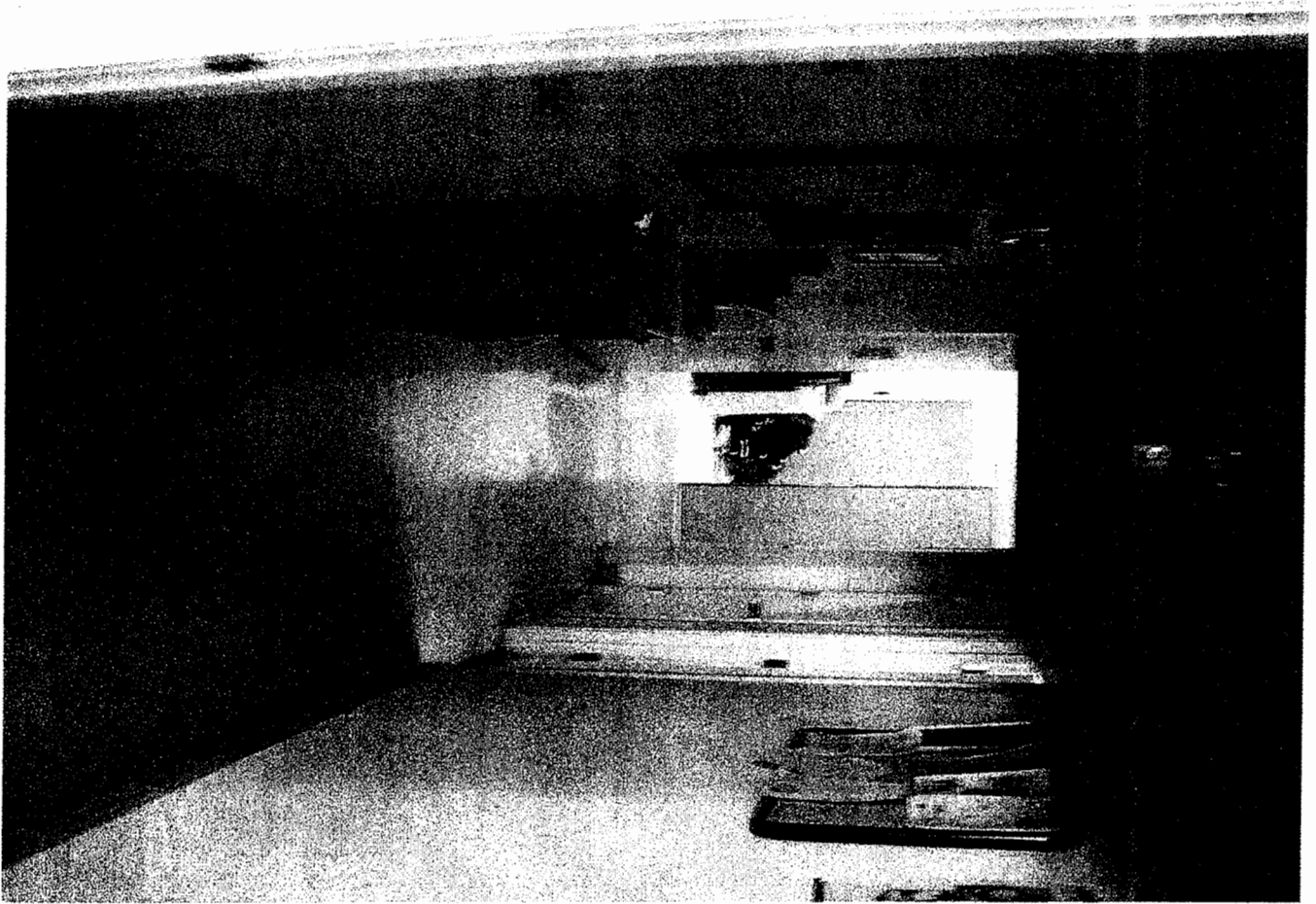














Building blocks is a non-profit preschool which is a program of Youth and Family services Inc.

We are a State licensed day care center (Facility # 483006020) with the capacity for 12 children ages 2 years to first grade entry. Our hours of operation are 7:30a.m. to 5:30p.m. Monday thru Friday.

Building Blocks is a therapeutic childcare center that is designed to address each child's individual development and attachment issues. Child activated curriculum is followed with in a structured environment, allowing for the child to explore with the guidance of qualified staff. Special attention is give to supporting the parent/child relationship in developing greater strengths, sensitivity, and creativity. Staff and parents work together to provide a consistent nurturing, safe and fun place for children to explore. Allowing children to learn by doing promoting problem solving skills enabling to cope with the issues of everyday life. When you are interested in what a child is saying, he will always say something interesting.

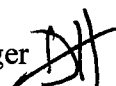
Youth & Family Services @ 1017 Tennessee Street 500' Conflict of Interest Boundary



subject site

**STAFF REPORT – PLANNING
CITY OF VALLEJO
PLANNING COMMISSION**

DATE OF MEETING: October 15, 2007

PREPARED BY: Don Hazen, Planning Manager 

SUBJECT: Study Session, I-80 Corridor

BACKGROUND SUMMARY

This Study Session is intended to kick off a process that may ultimately result in the formulation of policy recommendations from the Planning Commission to the City Council. The two subjects that have been discussed recently are the visual appearance of the I-80 corridor, and the need for a “vision” along the corridor (and the properties that abut the corridor).

The Study Session will include a presentation by Public Works staff and a Caltrans representative. Questions may be asked, but no decisions are permitted to be made at a Study Session. I previously asked Commission members if they had any advance questions, and those are listed below. Some of the questions are related to Sonoma Blvd. as well, which is also maintained by Caltrans.

In the upcoming weeks, I will propose a workplan that will allow the Commission to ultimately develop policy recommendations for the I-80 corridor. I envision that workplan to include public meetings on visioning, stakeholder participation (i.e. affected property owners), and input from the Economic Development, Housing, and Public Works staff.

ADVANCE QUESTIONS SUBMITTED

1. Can CCC workers be used for litter control? Sonoma at Sandy Beach Rd. appears to be out of control. (Peterman)

(All other questions by McConnell)

2. Why do more affluent areas such as Napa, Santa Barbara, Sacramento, Livermore, appear to have a more cared for appearance than in Vallejo?

3. What provisions does the local Caltrans have to weed, seed, and feed its right of way areas on ramps, shoulders, and adjacent hillside?

4. Is Caltrans willing to grant some, partial, or all authority to the City of Vallejo to control or at least influence right of way appearances and maintenance on Highway 29 from

the toll plaza to the Napa County Line?

5. What actions can Caltrans take to help create bicycle paths on Sonoma from the bridge to the county line?
6. What actions can Caltrans take to create and build sidewalks, with landscaping, including trees, along Sonoma Boulevard?
7. What is the cost share between Caltrans and the City of Vallejo for improving all on and off ramps along I-80, and especially the Redwood West exit?
8. Are there any present plans to reconstruct any off or on ramps along I-80?
10. What plans does Caltrans have to tie Vallejo into mass transit systems now in existence or that are to come into existence in Contra Costa County?
11. If WalMart is approved at the White Slough location, what demands will Caltrans likely ask of 1) the City of Vallejo, and 2) WalMart?
12. What is the division of responsibility between Caltrans and the City of Vallejo to control or prevent wild fires on the hills adjacent to the Carquinez Bridge?
13. What studies does Caltrans have that show the impact of off and on ramps on retail businesses that locate within 1/2 mile of a ramp?
14. The Magazine ramp to I-80 East is confusing due to its configuration. I know of at least one person who was killed by getting onto I-80 East but intending to go across the overpass and then onto I-80 West. At night this can and has easily happened. What can Caltrans do at this point to place barriers or route control procedures into place to reduce the likely repeating of this type of driving patterns?
15. The 780 West to I-80 East on ramp at Benicia Road is a dangerous condition. This is due to the off loading onto Lincoln Road from I-80 East and the short merging lane on I-80 East. What can be done at this time, and within the next four years, to reduce this dangerous condition?
16. What statistics are there from the CHP, Vallejo PD, and Caltrans that show the number of traffic accidents and their severity on I-80 within the city limits of the City of Vallejo?
17. Would Caltrans clarify the arrangements that do exist between the City of American Canyon and Caltrans concerning the cost and the allocation of responsibility for the improvements on Highway 29 that were caused or are to be caused by the building of the Wal Mart shopping center in American Canyon? I believe this information is necessary so that the City of Vallejo will not make the same mistake that the City of American Canyon has by the approval of such a big box project.

18. If Crossroads and Lowes are built in the North Quadrant of the City of Vallejo, what corrections will need to be made on the ramps that service that location? What is the likely time schedule for these changes?
19. The I-80 West off ramp at Fairgrounds that leads to Columbus Parkway and the shopping areas of the North Quadrant of the City of Vallejo are narrow and have turning angles that are dangerous at moderate speeds. The off ramp by the Fair Grounds to Columbus Parkway is a single lane that conflicts with drivers attempting to merge into I-80 West. What can be done to reduce this condition, and when?
20. When we approved an animal hospital for Redwood Clinic near the Fairgrounds we were told that there might have to be an overpass from Turner Parkway that could result in the Animal Hospital having to again be moved. What is the current status of the need and likelihood that an overpass from Turner Parkway is needed? If so, when, and what will that require in the use of land adjacent to I-80, East and West.
21. There have been a large number of vehicles traveling I-80 East between Redwood and the Highway 29 overpass that have gone off the east side of I-80 and into the chain link fence immediately adjacent to Admiral Callaghan Lane with city traffic traveling at 30 to 40 mph. This is also a dangerous condition. There have been deaths and lawsuits over these conditions. One involved the striking of a light standard along Admiral Callaghan Lane. What remedial actions can and will Caltrans take along this right of way? Will they erect fencing? A guard rail? A sound wall with landscaping. Can they extend the feeder lane from Redwood to I-80 East?
22. What is the Master Plan of Caltrans for the I-80 corridor through Vallejo for the following time periods: a) 12 months; b) 36 months; c) 60 months. d) 120 months?
23. Two years ago I attended a Caltrans study session they held due to the removal of a large number of trees along 780 from the Benicia City line to the I-80 interchange. The representatives of Caltrans all faithfully promised that new trees and improved vegetation would be in place by the summer of 2008. So far, nothing! So far, only the stripping of the trees. What are the plans of Caltrans for this area, and when will they happen?
24. What authority will the Caltrans representative who will be in attendance on October 15, 2007 have to commit the State of California to anything?