

## 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  
19 NOVEMBER 2007**

**7:00 P.M.**

City Hall  
555 Santa Clara Street  
Vallejo, California 94590

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

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

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

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

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

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

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

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

A. ORDER OF BUSINESS CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF THE MINUTES: November 5, 2007

E. WRITTEN COMMUNICATIONS: None.

F. REPORT OF THE SECRETARY/Upcoming Items for December 3, 2007 meeting:

1. Vesting Tentative Map 07-0002, General Plan Amendment 07-0001, Zoning Map Amendment 07-0002, and Planned Development 07-0007 are applications for a 214-unit subdivision and 4.1 acre neighborhood park on property previously developed with ball fields and a drive-in theater on the northeast corner of Rollingwood and Benicia Rd. CEQA: Mitigated Negative Declaration. Staff Planner: Katherine Donovan, 648-4327.
2. Site Development 05-0007 is an application for a single-family residence in the View District located at 145 B Street. CEQA: Categorical Exempt. Staff Planner: Katherine Donovan, 648-4327.

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

2. Tentative Map 07-0002, General Plan Amendment 07-0001, Zoning Map Amendment 07-0002, and Planned Development 07-0007 are applications for a 214-unit subdivision and 4.1 acre neighborhood park on property previously developed with ball fields and a drive-in theater on the northeast corner of Rollingwood and Benicia Rd. Staff Planner: Katherine Donovan, 648-4327.

Staff recommends a **continuance** to the meeting of December 3, 2007.

L. OTHER ITEMS

None.

M. ADJOURNMENT

MINUTES

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

Absent: Turley.

- D. APPROVAL OF THE MINUTES.

Commissioner Peterman made a motion to approve the minutes of the meeting of October 15, 2007.

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

NOS: None.

ABSENT: Turley.

It is unanimous. Motion carries.

- E. WRITTEN COMMUNICATIONS

None.

- F. REPORT OF THE SECRETARY

Don Hazen: Thank you Chairperson Legalos. Just a couple of items. In the way of follow-up from our study session on the I-80 corridor, this was the meeting that I had told you that I would come back with a work plan for proceeding, and tonight, I am here to tell you that unfortunately, the reality is that I think we recognize, at least in the Planning Division, that really, all of the corridors deserve attention. Tennessee has been mentioned by at least one councilmember and Sonoma was mentioned by this group and the I-80 corridor, and so; staff is currently looking at strategies in doing our Comprehensive General Plan Update for next fiscal year. So, the reality being that without the staffing to perform this work, this current fiscal year, or the budget to hire consultants this fiscal year; I am proposing that we wrap that into our strategizing for next fiscal year as part of the General Plan Update, but that we place high priority on the corridors in conjunction with the update of the land use element, and the circulation element. I am cautiously optimistic that we will be able to begin this work next fiscal year, when there is a funding source to start doing this work. It was kind of a dose of reality for me after the nice, enthusiastic study session that we had and so I regret to have to report that this evening. The other item is in your packet, this evening. I have included a Planning Commissioner's Conference at Sonoma State University on Saturday, December 1. Again, not having the budget to offer the Commission members, it is \$90.00 per person, which includes lunch and course materials. I have signed up for it and plan to take our Department vehicle, and I would be happy to carpool with others. I can hold up to four in that car. If members of the Commission are interested, please contact me and we will get you registered for that. It sounds like it is a pretty good one-day conference for Commissioners, elected officials, and professional staff.

Chairperson Legalos: Thank you Mr. Hazen. Is there nothing in the agenda for the next November meeting?

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Don Hazen: On November 19, you will be having two items. You will be having a Subdivision Map for KB Homes at the Rollingwood School site. The second item escapes me at the moment.

Chairperson Legalos: So, we will be holding that meeting?

Don Hazen: Yes, and a multiple family project on El Dorado and Illinois. I have nothing else to report.

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

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

Please vote.

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

NOS: None.

ABSENT: Turley.

It is unanimous. Motion carries.

K. PUBLIC HEARINGS

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

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Commissioner Peterman: I move that we continue Item K1, Planned Development **07- 0001**.

Please vote:

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

NOS: None.

ABSENT: Turley.

It is unanimous. Motion carries.

2. Site Development **07- 0016** appeal of the conditions of approval.

Chairperson Legalos: Item K2 is the withdrawal of an appeal. Do we need to take any action on that? No.

3. Permit **07- 0013** to legalize an existing tow service/storage yard. Vehicles are stored on the property, both outside and within the enclosed building. Light vehicle repair is also conducted within the enclosed building. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648- 5392. He will present this item.

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

Marcus Adams: Our first item is, as Deborah stated, the Application for a Use Permit to legally establish an existing tow service and storage yard on Maine Street from Arrow Towing. It is not to be confused with the application that we had a few months with Arrow Towing on their location on Couch Street. I have a short PowerPoint presentation.

Arrow Towing is located outside of the downtown area a bit to the east. This came to the Planning Division's attention as noted in the Staff Report, due to some complaints that were received from our Code Enforcement Division regarding not only from the Code Enforcement, but from the Police Department, regarding vehicles that were being parked along Maine Street and what we say as "staging" and by "staging", what we mean by that is that when cars are towed to the area, they have to jockey cars in and out from the location that we can see here from the Maine Street storage area. Sometimes the tow trucks have to park here on Maine and move the cars in and out. So, that is what we mean by "staging." You saw that term in the Staff Report. This is the Maine Street storage area. There is also a storage area in the rear that we will get to in a second. Off of the alley, which is called Garfield Alley, this is how you reach the back section of the location. Within there is a building where they store the majority of their vehicles . . . ones that are inoperable and registered, maybe will be there for quite a while. I would say, upwards of 75 maybe 80 percent of the vehicles that they have there are stored within an enclosed building in the rear there, which has access off of the alley there.. You can see four different views. You may notice here in this alley though that there are some residences that back up against the alley, and so it is a sort of a sensitive area in which it is helpful that, at least, Arrow Towing does have the vehicles stored inside so that it reduces some of the negative impacts to the neighbors here along the alley. Here are some neighborhood views of Arrow Towing. Looking at the side here, we can see, looking away from downtown, going towards the Police Station and going further northeast. This shot right here, although it is hard to see; this is going towards downtown, and the majority of the complaints were received from residents who lived adjacent to the property. Unfortunately, I didn't have a good slide that

showed right next door at Arrow Towing but if you got a chance to go out there, you saw that there were some single-family residences that were to the west, adjacent to Arrow Tow, and the neighbors on the upside of that were probably the base of the complaints that were received as far as neighborhood complaints. You can see it is kind of a hodge-podge mixed use area. We have residential going to the west. You have the residences that are off the alley, but then going to the south and to the north, you see some kind of light industrial and in some cases, some heavy industrial uses that were there.

So, Staff's main recommendation that we feel can help to alleviate the complaints received, both from the Police Department and from the neighbors, is that that Main Street storage area that we feel is the base of the complaints . . . if that is utilized only for vehicles that are going to be picked up during the evening hours, that is from 7:00 p.m. to 7:00 a.m. We put those hours on there because those would be the hours where customers come in. Arrow Towing is closed but yet, people come in to pick up their cars. So, in that area it would make sense then to have that front area easier to access to where that even if there is some staging that has to be done, it is not going to block traffic, which is the case right now that the Police Department had an issue with. So, that front area, once again, will just be used for those vehicles. We would ask that they no longer have vehicles there that are non-operable, not registered, or damaged, which sometimes can be visible when that gate is open during the day. So, once again you would have vehicles in that front area that A) can be picked up rather quickly, and B) that are operable. That is one of the conditions that we recommend; that they no longer park vehicles on Maine Street and that is just a brief summary there, but in the Staff Report you probably noticed that I went into detail on that. Not only is there no parking of vehicles on Maine Street that are from Arrow Towing, but any of the vehicles ( and I am not sure that this is the case, but some of the complaints did state this), that sometimes Arrow Towing has some cars that they sell that they put on Maine Street. We also asked that those vehicles associated with Arrow Towing in any type of way not be parked on Maine Street any longer.

Once again you see there regarding this staging of vehicles that that be eliminated during the normal business hours, 7:00 a.m. to 7:00 p.m., that they no longer stage vehicles on Maine Street. Once again, that should address the situation and complaint regarding Maine Street being blocked or one lane being taken up, and in our last condition there, occasionally Arrow Towing has some vehicles parked there in front of the building. That is not a designated parking area. We have asked them to no longer park the vehicles there, so that they are not blocking the sidewalk. I also wanted to make note on talking with Arrow Towing tonight that they have stated that they are in the process of securing another lot within the county which can then take off some of the load of the excess cars that they have here on their Maine Street location, but they feel that they may not have secured that lot until the beginning of the year, so; they would ask for two months to totally comply with the condition here as far as the Maine Street store . . . this area in the front, but they are already in the process of moving the inoperable cars and the damaged cars and the non-registered cars from that Maine Street front storage area to the enclosed building. That would be a condition as far as the time constraints on that which I would want you to take into consideration also tonight. With that, I am available to answer any questions that you may ask.

Commissioner Gourley: When I drove by that facility this morning, I noticed that there were still cars parked in front of the building, and those are the ones they are asking to have the two month delay?

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Marcus Adams: No. Just the area behind the gate. As far as cars parked in front of the building, we would ask that that be ceased immediately.

Commissioner McConnell: Mr. Adams, what does staging of vehicles mean to you?

Marcus Adams: To me, staging of the vehicles means that, in a situation where, let's just use the Maine Street lot . . . if they maybe need to move some cars around on that, and so they have the tow truck parked on Maine Street and they may take a car off from that lot and put it up on the tow truck or take it off the vehicle from the tow truck on Maine, and they are kind of jockeying around vehicles; but basically, they are redistributing the vehicle situation there between the lot and the actual public street there on Maine.

Commissioner McConnell: Okay. Is there anyone on the premises between 7:00 p.m. and 7:00 a.m.?

Marcus Adams: Not to my knowledge. Arrow Towing is here tonight, so they can correct me if I am wrong, but I believe that they are closed at that time. They may have someone there but they are not open for normal operating hours. If someone is there, they would be coming to respond to someone who needs to pick up a car, or open the gate to drop off a car.

Commissioner McConnell: So, how does somebody who wants to bail out their car at 2:00 o'clock in the morning obtain their car?

Marcus Adams: That's a good question. In one of the Commissions, you saw that they have to have posted, a phone number that needs to be called as far as procedure to retrieve your car, and instructions on that, and Arrow Towing has informed me that they indeed do have that posted in a conspicuous area there.

Commissioner McConnell: So, somebody from Arrow Towing has to make a journey to this site to meet the client?

Marcus Adams: That's my understanding.

Commissioner McConnell: You are envisioning that they are going to deliver their cars to the warehouse only by going down this alley?

Marcus Adams: In the back . . . to the rear . . . yes.

Commissioner McConnell: That alley is in very bad condition already. What is the effect going to be of added weight and usage of tow trucks going down that alley?

Marcus Adams: I don't know if it is going to be that much of added weight on the alley. I am looking into the conditions right now to see if Public Works addressed that. No, they have asked them to do some work there in the front but not in the rear. We can definitely have an added condition to have Public Works inspect that and see if indeed there needs to be improvements for the additional use of that alley.

Commissioner McConnell: When I drove down that alley on two separate occasions, it was necessary to make two swings into a private parking area in order to turn around. It is a dead-end alley, and you are envisioning that a large



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two truck is going take one car down that alley in order to place it into the warehouse?

Marcus Adams: Like I said, Arrow Towing is here tonight. I don't want to speak for them so I think maybe when they speak, they can address that issue.

Commissioner McConnell: I'd like to hear that. You indicate in the Staff Report that the neighborhood is in a transitional state. In what direction is this neighborhood going?

Marcus Adams: Definitely I would say it is transitioning more upwards. As far as transitioning, I use that term with a caveat because it is not as if there are open parcels or it can transition to where you are going to have a lot of high-end housing. Most of the homes on Maine are established homes. There is not much room for much more development, but what you are seeing is property owners who are purchasing those homes and doing improvements on those homes and taking more pride into the neighborhood. That's what I mean when I say an upward transition in that area. Now, going away from downtown, you do have some industrial uses that are either being under-utilized right now or have been vacated. There are still zones for industrial uses, so, as far as those being transitioned away; you are going to see more residential uses or something like that. I only envision that because we don't have the active re-zoning applications going away from downtown.

Commissioner McConnell: Why is it not feasible to place the vehicles into the warehouse from Maine Street?

Marcus Adams: Once again, I will ask Arrow Towing to answer that question. As far as getting to the rear there . . .

Commissioner McConnell: Well, your proposal there is that the tow trucks will deliver the vehicles down the alley, into the warehouse. So, why can't they be accessed from the front of the warehouse from Maine Street?

Marcus Adams: That may be possible. Once again, I would like for Arrow Towing to address that question.

Commissioner Manning: Marcus: I am confused by the first recommendation. Maybe it is just the way their sentences read, but, are we saying that they can only use the building between 7:00 p.m. and 7:00 a.m.?

Marcus Adams: No. This area right here . . . they are using this as a storage area. This is Maine Street right here. So, what we are saying (here's a better view of the cars that are in there). I guess this is what Commissioner McConnell is asking: Could they just go through this door to put the vehicles in? As far as this front area . . . this area is what we are saying they can no longer use just for long-term storage. This will be a short-term storage area only where, once again, it is going to be vehicles that are operable, vehicles that are going to be picked up during the non-business hours, so that we can ensure then that this isn't going to become this area where you are going to see wrecked cars or what have you, since it is visible from the public point of view.

Commissioner Peterman: Marcus: Another question. It seems like we frequently deal with issues such as this where people come before us for Use Permits for a business that has already been existing for a long time. Can you explain why there wasn't a Use Permit before?

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Marcus Adams: When the application was received and the Planning Division signed off on it had just stated "towing service" and so according to the type of business, listed as "towing service" just meant to us in Planning that they would not be doing storage there but just going to be a call center or that type of an operation. That is why, according to our staff, the Use Permit was not required.

Commissioner Peterman: If it is a towing service, it would indicate to me that they would have to put the cars down that they towed. And certainly it is a facility that is large enough to do that. I am sure that you are not the person that is responsible, but it seems that should have been picked up a long time ago.

Marcus Adams: That could be, but, once again, when this comes to us, we just look at the site; we look at the zoning, and we go by how the type of business is described on here. I am sure the planner didn't know the site well enough to know that there could be the potential of storage being operated there. Once again, the type of business did not indicate storage on there.

Chairperson Legalos: Marcus: The Staff Report mentions one complaint about noise. Has there only been one complaint about noise of people picking up cars late at night?

Marcus Adams: There has been more than one complaint, but since this notice went out, and since this has been brought to our attention where we have actually sent out the public notice; there was one person who contacted me personally about noise. Over the past according to the Code Enforcement Division, there has been maybe two or three regarding noise. But, the majority of the complaints have been dealing with either the staging or the cars being parked along Maine Street.

Chairperson Legalos: And, we very frequently set limits on the opening hours for businesses in the City, and these hours seem rather unusual to me. Do you know how often people are picking up cars in the middle of the night?

Marcus Adams: From what I have been told, and once again, the representative from Arrow Towing can speak, but, not that often. Maybe once . . . twice at the most, but infrequently. There are some nights when they don't have anyone pick up a car.

Chairperson Legalos: Is there some legal requirement that they will be able to recover their vehicles?

Marcus Adams: I believe there is, but once again, I will let Mr. Oberman speak to that.

Chairperson Legalos: Those are the only questions that I have. If there are no further questions from the Commission, I will open the Public Hearing and ask the applicant if he would like to address the Commission.

My name is Keith Oberman. I am the owner of Arrow Tow Service. I guess the first thing . . . about the entrance to the warehouses. The warehouse that you are looking at in the right picture up there . . . that part of the warehouse is accessed through the front yard off Maine Street. The other part of the warehouse has to be off the alley. That is where the big doors in the alley open up. That is the only entrance to that part of the big warehouse. There is like two or three warehouses all combined next to each other there. The biggest part of it is right behind the

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office building, so we are in the office in front. Right behind the wall behind us is this warehouse. So, that is why it is accessed off the alley. The other part of it is accessed from Maine Street, on the right side in the lot.

Chairperson Legalos: Can you say something about the frequency of activity at night . . . people picking up cars, and so on?

Keith Oberman: I would say if I averaged it, maybe after regular business hours, maybe three people a month actually pick their car up later. We do have to release it to them. For instance, if Vallejo Police tow their car, they have to get a Police release from Vallejo. If they work, sometimes they might call at 7:00 or 8:00 o'clock. Usually the cars they release at night are drive-able cars. They were impounded for DUI, driving with a suspended license, and the Police have given them a release so that they can get their car now, and; they come after work. But, it is very, very seldom that that happens, but if it does, 95% of the time it is a car that is drive-able. There is no noise to be made with a tow truck hooking it up and pulling it out or nothing.

Commissioner Gourley: In relationship to the warehouse being only accessible from the alleyway, how much of that is done compared to what is accessed through the front?

Keith Oberman: Most of it is done through the rear alley. The majority, because that is the biggest part of the warehouse that is right there on the alley side.

Commissioner Manning: I am still trying to get clarification about this 7:00 p.m. to 7:00 a.m. Is that something you requested?

Keith Oberman: No, actually the City requested that Marcus requested that. That is not business hours. My business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, and I think the 7:00 to 10:00 was so that I am not staging cars on Maine Street when there is more traffic, or more flow, maybe. I don't know. I believe that is what he meant.

Commissioner Manning: I guess it is the way the sentence is worded. It is very confusing to me, but, basically, the point is that you are not to be taking cars in and out of the building during business hours and putting them on the street. Okay, I have got it.

Commissioner McConnell: What is the total capacity of numbers of cars that you can put into the combined warehouse space?

Keith Oberman: If it was full, and if I was using the front area on Maine Street to store most of them outside, I would say, 90 cars could go there.

Commissioner McConnell: If we break it down, how many just in the warehouse area?

Keith Oberman: The warehouse stores the majority of them. I would say, again if it was full, at capacity, it would probably be 55 or 60 cars inside, and that would be pushing it. Again, that is just how many cars the yard would hold. I usually don't have that many cars.

Commissioner McConnell: Do you normally lien sale these cars?

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Keith Oberman: Within the first 10 days, lien sales are started on them. It is a 30-day lien. The majority of the cars run. If you took the overall majority of the cars there, over half of them run and drive. Probably more like three-fourths of them run and drive. These are cars with 30-day impounds, a lot of them, for suspended license arrests.

Commissioner McConnell: So, what is the longest period of time you hold a vehicle?

Keith Oberman: Again, I don't get a lot of them because people pick up their cars; they don't leave them there. A car valued over \$4,000 is considered a long lien, and that lien takes about four months to do. The cars are usually picked up and if they are 30-day impounds, and they are good cars; they are usually picked up in 30 days.

Commissioner McConnell: Are you storing any vehicles for evidentiary purposes for the Police Department?

Keith Oberman: None for evidence – no.

Commissioner McConnell: I haven't seen the inside of your warehouse, but would it be possible to put some access routes inside of the warehouse so that you don't have to use that back alley?

Keith Oberman: No. They can only be accessed from the alley because, like I said, the office itself is in front, the way it is set up, and; that part of the warehouse is directly behind where we are in the office. So, the rear alley would be the only way to access that.

Commissioner Manning: So, the conditions being proposed by staff are ones that you discussed and worked with them on, and you feel they are workable for you?

Keith Oberman: Yes, they are. The only thing I talked to them tonight about is that I have rented another yard. It is in the county area, and I am estimating it will take about two months to get the fence up and get the Use Permit for it, and that will take a big load off the Maine Street yard. I might need to store some cars in that front yard until this goes through. Like I said; it is roughly two months. I am checking now with the City of Vallejo; you know how long it takes for the permit for that.

Chairperson Legalos: Does moving the damaged vehicles into the warehouse present a problem? I noticed today when I was up there that there was one very badly damaged vehicle, a grey Volvo, right near the entrance of the driveway on the right hand side, and there was another one that looked like a head-on accident. Also, is there a reason why those are stored there and not put in the warehouse?

Keith Oberman: Actually, they were just pulled out because the one car, the Volvo you are talking about, is going out tomorrow morning so it was pulled out and put there. It's going to be going out. It is completely moveable; the tires roll and everything. It was just broadsided. It hit a pole, sideways. The other one is a newer vehicle that was a rollover and its salvage company will probably pick it up for the insurance.

Chairperson Legalos: Mr. Adams: the reason for wanting the vehicles inside is purely aesthetic?

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Marcus Adams: Correct.

Chairperson Legalos: Do you wish to add anything more? Seeing no further questions or comments from the Commission, I will close the Public Hearing and bring the matter back into the hands of the Commission.

Commissioner Gourley: Just a quick comment. This is one of those times when we are going to retroactively approve something. I think this is a good way to do that. I think it tends to help clean up the problems we already have in the City with Lot Permits that are still out there, and I think if we deal with this rapidly; I am hoping that this message will get to the community that those others out there not in compliance will find it an easy transition to work this through the Planning Commission, to get these things done, and let's get all of these outstanding, non-permitted permits out there cleaned up. I think it is a good thing to do.

Chairperson Legalos: If there is no further discussion, may we have a motion please?

Commissioner Peterman: I move approval of Project # **UP 07-0013**.

Please vote:

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

NOS: McConnell.

ABSENT: Turley.

It is unanimous. Motion carries.

4. Use permit Code Text Amendment **07- 0002** would allow "Construction Sales & Services (16.06.320 V.M.C.)" within all Freeway Commercial zoned districts as a conditionally allowed use. Currently, these uses are only allowed in Intensive Use, Intensive Use. . . Limited, and Planned Development Industrial zoned districts. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

Staff recommends a recommendation of **approval** to the City Council.

Marcus Adams: Our second item tonight, as Deborah stated, is a proposed Code Text Amendment to our Freeway Commercial and Linear Commercial districts. This came to the Staff's attention some months back when the property which we see here on Lincoln Road East . . . there were some prospective purchasers of this property, but the use that they wanted to put in here, which was granted in cabinet as showroom, was not allowed in this zoning district. This happens to be the Freeway Commercial Zoning District, and so they talked to staff about how they could go about having that use permitted there. Staff considered either a Zoning Amendment or Code Text Amendment, and after consideration and reviewing the allowed uses and not only at this location but throughout the rest of the City, Staff recommended to the applicant that they request a Code Text Amendment for both of these districts. Once again, this location right here is off of the Georgia Street ramp . . . the on and off ramp here, and then the building is right here. A long time ago there was a Chinese restaurant on this site and most recently, there was a forklift operation that was operating here. One of the things Staff did was we took a look throughout the Bay Area, specifically Contra Costa, Alameda, Marin and Solano County, just to see if there were some other examples of these type of uses and to see if it would be something that Vallejo

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could benefit from. So, I have some examples tonight. . . this one right here, as we can see along the I-80 Corridor near Richmond. This is near the Albany/Richmond border, and this site right here is actually one of the applicant's stores. They have two stores, one in Richmond, and one in Rohnert Park. So, this is one of the stores here – off of the I-80 Corridor in Richmond. This would be on the side right here going towards Vallejo, going this way, going eastbound. Then, across from there you can see on the other side, some would say, the "Albany side". There are some existing stores. There is a florist store, a carpet store, and I think there is a cabinet shop there. Here is a better view of the I-80 Corridor. You might recognize the condominium towers here in Albany, so you can see this is a highly visible use, allowing a heavily traveled area here in the East Bay. Here is a better look at the parking lot of the applicant's site here in Richmond. I put this picture here. It doesn't show up too good because of the lighting but I put it in here for two reasons. One, is for the beautiful view of the Golden Gate Bridge, but it is also their warehouse location for the Richmond store, and the applicants have said that there is a possibility that this too may at some point in the future, become a showroom. So, this is more along the 580 Corridor.

Here are some examples from Marin County of these same types of uses. This is the applicant's Rohnert Park store location, so you can see the freeway here, once again here, and see how it is highly visible from the freeway in Marin County, 101 freeway, actually. Most of these uses kind of have a long, linear pattern, and most of the freeway commercial districts in Vallejo kind of have that same long, linear nature. They are not very deep, but they are long and linear, and so that is another reason why we thought this would be useful in our City. Here is another florist store here next to this Lexus dealership along 101. There are some more examples here in San Rafael along the 580 Corridor – a tile and stone store, a kitchen showroom, a cabinet shop here, and another view of another cabinet store. It is hard to see, but once again, here is the freeway, and the store location is right along here.

To conclude here, the benefits of this Code Text Amendment Staff believes is: 1) It expands the development opportunities for sites along the freeway, commercial and linear commercial districts here in the City. 2) It prevents the leakage to surrounding cities because we can see the surrounding cities and counties have these type of uses, and right now, because it is not allowed in Vallejo; they are not able to (even if they did want to open up that type of use here) they couldn't. So, that will prevent that leakage from happening, and, also 3) It would facilitate the occupancy of this particular building which has been vacant for awhile, even when the forklift operators were there. Before that time it had been vacant for a long period of time again. I forgot to point out that Staff was aware when we analyzed this, of the recent attention that has been along the I-80 Corridor and so we thought too that this would be an appropriate use, first, in the future, as we start thinking about how we envision our Corridor along I-80 in the future, that these type of uses would be something that would be something that would be welcomed. But, because of the nature of construction sales and services which was pointed out in the Staff Report, it is so broad, we didn't want to limit it to these type of building materials . . . these home improvement types of material . . . that are finished products and something that will be desirable, not something where you would have unfinished products such as things that would be presentable and would present a nice, aesthetic value. So, that is why, in both situations, whether it be in the Freeway Commercial district or in the Linear Commercial district, these would be conditional uses that would need to be approved with a Minor Use Permit so they are not permitted outright. Staff would have the discretion to look

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at these on a case-by-case basis to ensure that it is something that presents a nice, aesthetic value for the City.

One other thing I would like to point out on this is that there is an urgency to this because the applicants have been for awhile, patient enough to work with the City on this. They are in escrow on that property that we saw in the beginning, on that slide, and so I would like to thank them for their patience to work through our process as I bring this before you tonight. With that, please address any questions that you might have.

Commissioner Peterman: First of all, it was an excellent report, Marcus, and you answered some of my concerns already but I noticed in one of the pictures there was this huge sign that looked like almost a quarter of a building, saying "carpet any three rooms for \$549.00." Most of the buildings that you showed pictures of, I think, were fine, but I would hope there would be some kind of restriction on those giant signs because I don't think we need cut-rate signs lighting the side of the freeway.

Commissioner Harrington-Cole: Along with that, as you go through Albany, there is that huge blow-up gorilla. So, if we are not going to have large signs, I would also like to see a little more class than that as well. I do think this is a good use for the property. It would be nice if we could get some others along that line, along that corridor. Do you see that there are other buildings along there that might be good for similar uses in that area?

Marcus Adams: In the area, yes, the California Hotel or Motel that is just right adjacent to that just put a few \$100,000 into refurbishing the facades there. So, I don't see that turning over this type of use in the future, but there are some properties both going east and west when I was out doing my site and field surveys, that I could see could be amenable to these type of uses. We have had different proposals regarding the Yard Bird sites. We don't know what is going to happen there but I could see this definitely taking hold on some of the other freeway commercial districts along the freeway.

Commissioner Manning: I just wanted to say that was a great report, Marcus. I really applaud the Planning Department for being proactive and looking for ways to rent out some of these hard-to-use buildings just sitting there vacant. We are talking tonight about the Code Text changes, not about the look of the building. I know that you share all of our concerns about the Corridor on 80 and we'll take care of that within Minor Use Permits, but I just want to applaud the Planning Department for bringing something like this to our attention.

Don Hazen: And, I also wanted to thank Marcus for the work on this one, but I think you will see in the coming months, and upcoming years, that we will occasionally be bringing clean-up ordinance changes to our code as we see the limitations of it, and so well. Earlier this evening I reported we were not able to do a corridor study. This is the next best thing. We are trying to bridge the gap between where we want to be and to try to incrementally improve the code. You will be seeing this on a fairly regular basis. And, also, just one quick reference, that there is a revised resolution in front of you this evening that we would want you to reference when you make your motion.

Commissioner Gourley: Just another quick comment. I find this excellent use of that property. I think it brings two things in addition to what you had pointed out as the good points as much needed revenue, and also, it continues to act as



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buffer between the freeway and the residential units right behind with a low impact way of doing business. I think it is excellent.

Chairperson Legalos: If there are no further questions or comments from the Commission, I will open the Public Hearing. Does the applicant wish to address the Commission? Is the applicant here? Mr. Yoo? Do you wish to address the Commission?

Paul Yoo: Good evening everybody. My name is Paul Yoo. I am the potential buyer for this building. I wanted to make it a granite cabinet showroom in Solano County. Currently I have one showroom in Contra Costa County which is in Richmond, and the other one is in Sonoma County in Rohnert Park. We are doing pretty good so we wanted to expand it into Solano County. That is actually a very good sign for us. We wanted to make it work here in Solano County. If you have any questions, you can always ask me.

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

Commissioner McConnell: Yes, Mr. Chairman, I will move the adoption of the proposed ordinance in the package based upon the findings and facts as set forth in the Amended Ordinance.

Please vote.

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

NOS: None.

ABSENT: Commissioner Turley.

It is unanimous. Motion passes.

5. Planned Development **02-0015** Amendment. The applicant has petitioned to amend the condition of approval for Hyde Park which regulates the "entry gate" closure hours. Currently, the entry gate is to remain open every day between the hours of 6 a.m. and 8 p.m. The applicant would like to remove this condition, allowing the gates to be closed at all times. Proposed CEQA Action: Exempt. Staff Planner: Marcus Adams, 648-5392.

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

Marcus Adams: This is our last item, and I appreciate the brevity. You all know I am a big football fan so I know you are pushing this along for me. I appreciate that. This is the Hyde Park gate, and hopefully you are able to go through the Planning Commission Minutes and the City Council Minutes that gave you a little bit of historic background on the gate there. First, we summarized when the Hyde Park Development Residential project was approved. There was an issue regarding the proposed gates that were there. The City took the position of opposing the gates, and the Planning Commission at that time supported that. That was appealed to the City Council, and a compromise was reached to where the gates would be installed but remain open during the daytime period. That compromise was originally brought before the Commission and the Council by the developer. So, there is a little background on that. There are more details once again in the Minutes as far as the specifics on that. Here is a definitive picture and map of the area. We see here the entrance to the development and North Ascot Parkway here, and the gate is right there at the beginning. The next slide



will show it more in depth, so here we have the entrance. Right across the street, if you were able to go out there, if you know the area, they have the Belvedere Development that is coming along quite nicely. Once again, right now these gates are open during the day and then they are closed in the evening hours. Generally, in our field, we recognize three type of gated communities. We have lifestyle gates which are for the purpose mainly of the privatization of services, elite gated communities which promote stability, and security zone gated communities. I guess one could say, for Hyde Park, it could be a combination of two, possibly maybe even three, of these.

In the next slide, we will go into the reasons why the Northgate Homeowner's Association had wanted to amend the gate hours, and the things that were listed in the letter that was presented to Staff were numerous events – anything from vandalism to solicitation for goods, unauthorized use of the private parks within the Development, and imposition of the resident's privacy there in Hyde Park. One of the things that Staff did, as we went and analyzed this proposal, was to talk to the Police Department to indeed see what their record is and their feeling about the crime level or the incident level within Hyde Park. Not only did we want to just look at Hyde Park, but we asked them to look at some of the surrounding neighborhoods within Northgate, both the Tiara Development, which does have gates, and then the adjacent neighborhoods that do not have gates but basically have the same demographic, although Hyde Park residents may say theirs is a little bit higher end, but still, close enough as far as the same demographic, and the amount of homes. So, we looked at Hyde Park. We have the Headwater area. Hyde Park is here. The Headwater, then here is North Ascot again. Over here, off of Redwood, and there is Columbus up here. We have this area right here . . . Penny Lane being the main street . . . Garnet which is further down here on Ascot, and then Tiara. Once again, all of these are neighborhoods within the Northgate development and some of the older neighborhoods. Hopefully, I know you received this in your packet and you can decipher this chart with the different incident levels, with the graph here, and so; you can see here that Hyde Park is the darker purple, Tiara being the blue here, Headwater has the highest incident reports here, Garnet, and then Penny Lane area. The incidents here are the actual ones, anywhere from 0 to 25 here is the scale that was used. So, based on that and the conversations from the Police Department, staff did not feel that the statistics supported a high incident rate in comparison to the surrounding neighborhoods as far as further incidents. Staff also felt that the graph showed that the incident pattern was very similar to the Tiara gated community and taken into account there are less units in Tiara, less geographic area; the differential is very, very minimal. Also, there are other solutions that are available regarding some of the incidents and some of the complaints there that the HOA had. One of the solutions that was actually presented by the developer back to the Council . . . one of the Council members had asked if they could gate off the private area of the park areas, and it was told to the Council that "yes", they could indeed install gates that would prevent people from accessing the parks which they are now stating are being used by non-residents. With that solution, then, the staff looked into some other things such as private patrols from a private security company. Finally, staff believes that this is a short-term solution which doesn't address the long-term issue regarding just how to address situations such as this and how these other neighborhoods in Northgate are dealing with the same issues . . . One may argue on a more socially responsible solution.

This is just a slide here. I wanted to look at some other gated communities in Fairfield, and this is one called Eastridge. You will notice here that if you have been out there, this is off of Green Valley Road. So, it is kind of a long road that is around any type of neighborhoods but just kind of off to itself there. I just put this

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in as an example. Here you can see that it is out in a detached area . . . not in the middle of a whole bunch of other residential neighborhoods where they do have a gated community there in Fairfield. That is just an example. With that, may I answer any questions that you may have regarding this application.

Commissioner Gourley: It was mentioned in the applicant's letter about incidents of abandoned vehicles. Did that show on that Police slide? Has that been a serious problem? Do we have any numbers?

Marcus Adams: Once again, from the officer that I spoke to and who was kind enough to do that graph for me, and he also gave me a written description there; there was not an unusual amount of abandoned vehicles, at least as far as being reported to the Police Department there in Hyde Park.

Commissioner Gourley: Another question to make sure I understand it. Is a gated community, or potentially gated community or semi-gated community—whatever we have here . . . does their tax base go in and pay for city parks? Or their tax base, does that include costs for our city parks?

Marcus Adams: They have, because of their HOA and their association fees, they have these fees that are dedicated to the park service in there, but it is my understanding, and Don can correct me if I am wrong, but they still pay just like any other resident . . . taxes for City parks just like . . .

Commissioner Gourley: In addition to that, they pay an extra homeowner's fee for their own park?

Marcus Adams: Right.

Commissioner Gourley: Do they also pay for their own street maintenance?

Marcus Adams: Those are private streets so those fees would also go for maintaining . . .

Commissioner Gourley: So, there is no cost to the City for maintaining those streets?

Marcus Adams: Correct.

Commissioner Gourley: And, no cost to the City for maintaining their parks?

Marcus Adams: Correct . . . within the development.

Commissioner Gourley: Yeah, thank you.

Chairperson Legalos: Mr. Adams, I notice you compared Hyde Park with other gated communities in terms of vandalism and abandoned vehicles and unauthorized use of property. Have you done any comparisons with other parts of the City?

Marcus Adams: Just as we saw there in the graph . . . just the surrounding. There are three other neighborhoods besides Tiara, the gated community that I referred to. So, yes.

Chairperson Legalos: But, not beyond that?

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Marcus Adams: Not beyond that area, no.

Commissioner Peterman: I know that where we live, we pay into a maintenance district which takes care of our roads, landscaping, and things like that. In Hyde Park is there both a maintenance district and an HOA, or are they combined?

Marcus Adams: They have both an HOA, and I believe they have a maintenance district.

Commissioner Peterman: So, then, is it the maintenance district that is taking care of the parks, or is it the HOA?

Marcus Adams: Once again, I can be corrected on this if need be, but I believe the HOA pays the fee that then covers for the agency to maintain the facilities and the streets.

Commissioner Gourley: In the developer's letter to the Planning Department, she makes a statement: "In addition, there are several other gated communities in the City of Vallejo that are not required to leave their gates open during the day. This restriction should not apply to Hyde Park. Do we, in fact, have other gated communities in Vallejo that were not given this restriction?"

Marcus Adams: As far as other communities . . . to answer that question directly . . . yes, we do, as far as single family home communities that are detached such as this. Not to my knowledge. There may be one in Glen Cove. The other ones, though are attached: either attached apartments or attached townhome style communities.

Don Hazen: I might also add to Marcus' comment, that from what I hear from the people that have been with the City for awhile, that the multiple family gated communities that we have are either ones that, if the City could do it over again, they said they would not do. Or, ones that have identified crime problem areas, and so those are the two instances of other gated communities that we have in the City.

Commissioner Gourley: Is there any movement or intent to either make them all semi-gated or all gated? I have a problem with having a different set of rules for different groups of people, for whatever the reason. It doesn't sit well with me.

Don Hazen: I think the issue before you this evening was before the Council and the Commission previously as to whether there is a justification for the reasons that Marcus presented either in terms of security needs or crime prevention. Is there a demonstrated need for the gates, and, if not, are we as a community setting a precedent, and; is this a good precedent or a bad precedent, and then you would ask: Well, do we already have other gated communities? And, I said "yes", ones either that people would say we shouldn't have approved, or; ones that really do have bonafide crime issues.

Commissioner Gourley: I guess the other thing I struggle with is a letter from one of the homeowners that makes a good point.

Chairperson Legalos: Commissioner Gourley: Excuse me. Could we hold opinions until after Public Hearing is closed?

Commissioner Gourley: Absolutely.

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Chairperson Legalos: Are you finished?

Marcus Adams: Yes, the only thing I would add to Don and Commissioner Gourley's comment is that Don is correct as far as the developments that were in the past, and also that staff, since my time here which is going on my fifth year, that our position has not changed as far as the gated community. We have opposed them all.

Chairperson Legalos: Thank you. If there are no further questions from the Commission, I will open the Public Hearing and ask the applicant, Mr. Mandarich, if he would like to address the Commission.

Gary Mandarich: Good evening. My name is Gary Mandarich. I am representing the Hyde Park Homeowner's Association, and our company was also the developer of Hyde Park, so right now, I am speaking on behalf of the association, of which I am the President. Where I would like to start is answering a few of the questions that were brought up previously about the association dues, and items such as that. The residents within Hyde Park have a Homeowner's Association which pays for the maintenance of the streets and the parks. Also, they do pay for the other parks in the area, so, they pay for the maintenance of the parks that are open to the general public, and; I have an information sheet that I will go over with you. They also contributed probably about \$450,000 through the purchase of their homes, to build the park. And, they also are within the lighting and landscaping district. The lighting and landscaping district for the Northgate area takes care of the green belts along the arterial and the major collector roads. So, if you go in along North Ascot or on Turner or Columbus, there is a certain amount of landscaping that is within the public right-of-way, and that is maintained by the Northeast Quadrant Landscape Maintenance District. So, what they do then, again, is that they pay for the maintenance of their parks and their roads, which are both private, they contribute as tax payers to all of the parks within the City of Vallejo, and they contributed to build the new park. Regarding the new park, I have an agreement with Belvedere to go ahead and complete that park, so, we took the money that was collected from Hyde Park, approximately \$450,00, and there is another \$600,000, and we are going to put in another \$200,000 to build a new park between the college and Belvedere. So, the plans are approved, and we will be starting that park this spring.

Now about other communities within Vallejo: if you go through this little booklet here, the information sheet on the front . . . to really show you some of the facts here. So, the costs to maintain the parks and the streets is around \$250,000 a year within Hyde Park . . . of their total budget of about \$310,000. There are other gated communities in the City of Vallejo that are single family detached. Marcus mentioned the one in Glen Cove, and I have pictures of it in the book, but there is also another one which is identical in nature to Hyde Park that was approved about the same time. That is the village in Hiddenbrooke. So, I have got pictures of that as well. It is the same concept. It is a two pact product, single family detached lots. One difference about Hyde Park is that Hyde Park is on North Ascot and next to commercial development. It is easier to get to. So, if you have approved gated communities such as the Village as Hiddenbrooke, at the same time frame you approved Hyde Park and the one in Glen Cove, you are discriminating. You are saying "one day we like gated communities; the next day we don't". You know, I live in the Roseville area, and gated communities are intermixed throughout. Sometimes they are on your major arterioles. Sometimes they are internal. It is just a preference. Some people want to live within a gated community, and they pay a premium for it. Just like the Hyde Park residents pay a premium for the gate.

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There are some issues about the parks in trying to gate off the parks within Hyde Park. The situation is this: The people come in and actually park in Hyde Park to use the parks. You know, there has been numerous occasions where there are weddings, big events . . . not by the people in Hyde Park, but people, non-residents of Hyde Park, come in 30 to 40 cars at a time, clog up the streets to use the parks in Hyde Park for weddings, for all kinds of things, soccer events, photo sessions. It is an ongoing problem. I am not familiar with if the homeowner's call the City and say: "Hey, there is a big wedding going on over at our park", or, there is a big photo shoot, or a soccer games, whatever it might be, you know, but they are there. There are some residents here in Hyde Park that can comment more on the specifics of how their parks and streets and privacy is being invaded. So, within here if you just flip through it, I put a map in there that shows location of the other two single family detached communities which shows they are on both sides of Hyde Park and then these are the pictures . . . the different tabs of the actual photos of the entry gates to the other communities, and at the very end of the booklet, I have shown you some pictures here of the playground areas and the parks within Hyde Park, so, with that, are there any questions of me?

Commissioner McConnell: Mr. Mandarich: During the discussion of this item at the Planning Commission in the past, there was some discussion about whether you were going to gate the park within Hyde Park. What has happened on that?

Gary Mandarich: I don't know the specifics. What happens in Hyde Park . . . there is not like separate parks. There is a linear park that connects to neighborhood parks within Hyde Park that goes under the power line. For those who have been out there, we have got a lot of linear parks. It is not so much that you could gate them, or let's say we do gate them. If they went in and put a gate over the parks, people would still come in. They would park on the street to use the parks.

Commissioner McConnell: So, what you are saying is that the large park that we had envisioned would have been gated, is not capable of being gated?

Gary Mandarich: Well, when you come into the main entry . . . you had a map up there a minute ago of Hyde Park. The main entry comes into the community and the park is linear to Berkshire, which is the main entry road. So, to gate it . . . we do have it gated coming out already so that you can come in. We have a private gate that comes in off North Ascot, but you would have to put a fence all along the park and then, you will have a gate internal to it. So, let's say you are at the same wedding party. What you would do is that you would come in. You would park on the streets. You would open the gate, and you would use the park.

Commissioner McConnell: Okay. You have Exhibit 5 in your pamphlet, the second page of Exhibit 5 depicts the circular park with the playground in the middle. I believe that is what we envisioned you were going to gate at one time.

Gary Mandarich: You are looking at what . . . I'm sorry, Exhibit 5?

Commissioner McConnell: 5, page 3. I think when you appeared before the Planning Commission when we initially approved the project, we were envisioning that this particular parcel was going to be gated. Now, is it capable of being gated or is it not capable of being gated?

Gary Mandarich: The one with the playground equipment here?

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Commissioner McConnell: Correct.

Gary Mandarich: Okay, there are two of these in that. I had just taken a picture of one, so there is one of these parks that back up to the Northgate marketplace, and there is another one of these playground parks at the other end. Okay, integrated within the community . . . and then along the frontage of this park here, there is a linear park extended all along Berkshire. You can gate this off, but that is not the only concern because what they are really using, is the gardens in the front at well. We replicated Bouchard Garden, so if you go back on the one page before; this is what people are attracted to . . . is all of the statutory, the temples, the clock, and all of this extensive landscaping. This is virtually impossible to gate off.

Commissioner McConnell: I have seen some photo shoots out there when I have driven by. Do you have any more precise statistics about the crime problem or the vandalism problem?

Gary Mandarich: I have a couple items that have transpired over the past few years. You know, we did have a patrol service out there. That is very difficult. I know that Marcus brought that up. It is not so easy to go out and patrol . . . you know, it is very difficult. You have to go through procedures of taking the cars, people sitting there, working with the Police Department. We tried that for a long period of time and we really didn't make any headway. It was very expensive. We really didn't get the desired results, and I know one of the homeowners can go into that a little more.

Commissioner McConnell: The Police Department seems to be saying that the statistics aren't there to support a reason of crimes being justification for the gating of the community, and I wanted to hear your input on that argument.

Gary Mandarich: Oh, I am not sure that there is that high of crime per se, although I think there were some bikes just stolen last week, so, I think one of these homeowners could speak on that too. So, there is crime, and graffiti. We have had graffiti out there. I don't know if you call that crime or not, but it did cost the association money to go in there and get rid of the graffiti off the park equipment. But, I think what I said earlier is that I don't think anybody calls the Police Department for people coming in to use the parks. You know, there is a group of 50 people over using the parks, but it is something that costs the association more money to go in clean up after them . . . the trash, the debris. There is extra wear and tear on it.

Commissioner McConnell: Do you have any statistics that show vandalism to, like, the gardening aspects of it? . . . to where you have had to incur additional expenses for replanting or correcting of damage?

Gary Mandarich: Yeah, we do. I don't have it with me. I mean, I have been to all these board meetings for the last four years. We had occasions where it cost us money to go remove the graffiti. The recent events . . . I will let the homeowners speak on . . . about the bicycles stolen recently, and I don't think we have had really serious vandalism to the landscaping. I don't know of, like, trees being stolen or anything of that nature.

Commissioner McConnell: Okay, if we look at the graph that the Police Department furnished, it seems to indicate a heightened problem between 6:00 and 7:00 p.m. Do you have any basis about which to voice an opinion as to why there would be an increased amount of incidences at that time?

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Gary Mandarich: I do not.

Commissioner McConnell: Are there any plans to provide reciprocities of these grounds to residences of Belvedere?

Gary Mandarich: No.

Commissioner McConnell: Is that possible or feasible?

Gary Mandarich: No. I think what we have done with Belvedere is that is why we decided to add additional money into the building of that park by Belvedere so that the people there could have the park built next year, versus some time in the future, so that park is easy access to Belvedere, and Belvedere also has a 10,000 square foot clubhouse within its property. So, it has a lot of private facilities there.

Commissioner McConnell: So, if somebody wants to go for a walk and they are law abiding, and they don't have a dog, they wouldn't be able to access this community at any time if this was approved. Correct?

Gary Mandarich: They would not be able to.

Commissioner McConnell: Okay.

Gary Mandarich: You know we are, in the big master plan of what's going on in Northgate . . . there's a lot of trail systems that we have recently enhanced so that people could walk around the outside of Belvedere. So, if you go behind neighborhood C, there are some trail systems around the hill, and we just added another trail system coming out of the back of Belvedere so that people from Belvedere could access the park and that the neighborhoods C and D and the other communities could access the new park that is being built this spring. So, we are trying to make it homogenous and work for the whole community.

Commissioner McConnell: Have there been any increased incidents since the automobile dealerships have opened out there?

Gary Mandarich: Early on there were some concerns about the volume of their sound, but I know that the auto dealers addressed that issue, and I haven't heard of any complaints from lighting or sound. I don't live right next to there, but no complaints have been filtered back to me.

Commissioner McConnell: Perhaps someone from the Homeowner's Association with that information can address some of those concerns if you are not right on top of them. Thank you.

Commissioner Harrington-Cole: Good evening. When I was out there today, I was struck by the fact that there were no readily visible signs that told me that was a private community . . . that I couldn't use your park . . . that I wasn't welcome there. There was nothing there to tell me that. Would you consider putting up some signs to tell people this is private? You are not a public place. Don't have your wedding here.

Gary Mandarich: I am sure the signs . . . there is something. Now, when we developed Tiara, which is a gated community, we had a lot of kids come in to vandalize and to use their facilities, even though it was gated. So, you know, there is some deterrent by the gates, and I don't know about the signage. I would



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say that, if I was going to have a wedding party there and that was in my plans, I would probably go have my wedding there.

Commissioner Harrington-Cole: I think if I saw a sign that said: "This is not a Public Park", I might reconsider having a photo shoot there or planning my wedding there. You said, when you have a wedding or an issue, you don't think people call the Police. Did I misunderstand you?

Gary Mandarich: I look at the Police reports at our board meetings. I have not seen a report of complaint by the homeowner's to the Police Department for photo shoots, for weddings, for social events. I think that the homeowners within Hyde Park . . . you know, it has taken away from their privacy. I don't think they have called it in as a matter.

Commissioner Harrington-Cole: Am I understanding that most of the issues that you have are mainly issues with the park itself since all of your houses in that area seem to be on cul-de-sacs?

Gary Mandarich: Oh, the park is one of the issues. There is a lot of solicitation, you know, in the community. And, . . .

Commissioner Harrington-Cole: People knocking on the doors?

Gary Mandarich: Well, I think there is more than that, but knocking on doors would be one. I will let some of the homeowners tell you about that.

Commissioner Harrington-Cole: Okay, then I see that you had a lot of trouble with the high school kids from Jesse Bethel hanging out in your children's playground area? It was in the Staff Report.

Gary Mandarich: I know that that was typical of Tiara. I don't know the specifics on Hyde Park. I will let them speak about that.

Chairperson Legalos: Mr. Mandarich: There is a small, white sign on the right side of the entrance that says "no soliciting". But, I believe that is all that it says. It doesn't say that it is private property, does it? There were a few more words in there. I don't remember what they were.

Gary Mandarich: It might say more than that.

Chairperson Legalos: I know it does say more than that. I remember "no soliciting". I don't recall the rest of the text on the signs. But, does it say it is private property?

Gary Mandarich: I don't know exactly what those signs say.

Chairperson Legalos: We have a number of speakers, and the first speaker is Sandra Reyes.

Sandra Reyes: Hello. I have never done this before, but I am passionate. I moved from Hiddenbrooke to buy a home in a gated community. We paid a lot of money for a home, and I sit on top of Kenny Ross and on top of the Ford dealership. That, I don't have a problem with. I have a problem because I was told I was buying a very expensive home in a gated community. A gated community means "private". I pay for my privacy. I pay dearly. We pay \$2,000 each a year to maintain our private streets and our parks and our landscaping,



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and it is private. There are two signs, but even tonight, one of the men running for mayor tomorrow . . . his wife knocked on my door before I came here. Many, many nights, I tell people "Get off of my porch; this is private property. There is a sign out front. No solicitation." They do not read it; nor do they care. Yeah, I walked into my park the other day and walked into seven kids, boys, from the high school, doing things they shouldn't have been doing. I just told them: "Guys, do you live here?" They said: "no." I just told them: "Guys, what are you doing here?" "We're hangin' out." But, what I want to address is . . . if you are going to have our gates open . . . I didn't know that when I purchased in Hyde Park because there is a gated community in Hiddenbrooke!. I had no problem with Kincaid Village. . . had no problem with the golf course. That too is private. But, my problem is, we are a very diverse community up there. We are not at all rich. We work very hard for our money. We worked hard for our home. My problem is . . . if you are going to have us keep our gates open, you do it to all of us, not just us. Don't just single us out, and if you didn't want gated communities, you should have just stopped it in the beginning. But, I sometimes feel like you are using us as an example, and it isn't right. It really, and truly, is not right. I thank you for listening to me, and just take into consideration that if you lived there, and you paid that kind of money (we paid the City of Vallejo \$15,000.00 for that little piece of land, in taxes). We do it because that is where we chose. That is still the "American Way." I chose to live there. I chose to live in a gated community . . . private, whatever you want to call it. Do I think I walk two or three feet above you? Heavens no . . . the ground is level where we all walk.

Chairperson Legalos: Thank you Ms. Reyes. The next speaker is George Reyes, who will be followed by Khashayar Elmi and then, Pat Lavery.

George Reyes: My name is George Reyes. I live at 9252 Hallmark Place. I am a resident, and Mr. Mandarich is not. A lot of the questions that you ask; I am capable of answering, should you wish to re-ask them. Otherwise, I will proceed with my three minute comments.

Chairperson Legalos: Go ahead with your three minutes, please.

George Reyes: Gated communities are a growing way of life in the United States. A recent statistic showed that communities such as Hyde Park comprise 11%, or one in nine of all new developments, and these numbers are growing. This trend will continue and is driven by consumer demand. Just as some have been noticing the growing purchases of large SUVs, people in the United States are blessed with the unalienable right to choose what they drive and to choose where they and their families live. To reject gated communities on the basis of the fact that their concept of gated communities are objectionable, is to reject what continues to be an ever growing movement by the people of this country. I was involved with physical and environmental planning of the University of California for 21 years, and I can tell you that I understand very well that the discipline of regional and City planning generally deplores gated communities because they are seen as exclusive, as fear-driven, and representing the white upper-class fleeing the crime of the cities. Generalizations. But, if you search the web, you will see those concepts. I am here to dispel those concepts. We are not exclusive. We are not wealthy, nor are we discriminatory. In a show of hands, how many people live in Hyde Park. As far as being white upper-class, I'd like to see the diversities represented in the audience be represented in the City government staff of Vallejo. That is what we all would like to see. Hyde Park is a community of hard-working, middle-class citizens, who have made the most significant investment of their lives in these homes, and we did so with the intent of living within the confines of a controlled environment so we could enjoy the

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beauty of our grounds, enjoy the lack of random vehicle traffic, and have the ability to control the community services within our environment. The situation that has been forced on us is similar to someone who spends a huge amount of money to remodel their backyard and are told that they have to keep the gate open for 14 hours a day to allow the general public to come in and enjoy their private space. I have lived adjacent to gated communities in Orange County, in Elk Grove, and out at Hiddenbrooke. Never do I feel excluded, discriminated against, or disenfranchised in any way. I always believed that gated communities reflected a general diversity in housing choices, and everyone had a right to purchase them.

Commissioner McConnell: I would like the speaker to address the questions I asked of Mr. Mandarich. If he would do so please . . .

Chairperson Legalos: Mr. Reyes: Would you return to the podium please.

Commissioner McConnell: My predominant concern is whether or not there is statistical support for your claim that there is an increase in vandalism or some type of criminal activity at that location.

George Reyes: Certainly. For one thing, the abandoned vehicles. I was told personally by the City of Vallejo Traffic Division, they would not respond to abandoned vehicles or vehicles that were inoperable or with expired licenses. We had one response early on by a traffic officer. He was told by his supervisor not to respond. We were told specifically with regard to vehicles; they would only do active pursuit. They would not come in. We tow one to two vehicles a month out of Hyde Park, at our own expense. As far as the vandalism . . . the vandalism is never reported to the Police Department. Many residences feel that the police are not responsive to Hyde Park. I personally have waited two to three hours for responses, and the officers have never shown up. Other times, they have been extremely good, and they have shown up. There is a perception in Hyde Park that the police are not responsive. So, therefore, a great deal of those calls never go in. Vandalism . . . I have seen people walk out of our parks, out into the street, with the boughs of blooming trees cut off . . . carrying them out, carrying out bouquets of flowers that they have cut from our rose gardens. Obviously, we are not going to report those things. And, the graffiti vandalism has been on the walls, on the playground equipment, cars have been defaced. Those things do not get reported. Violent crimes are another story. We have had the car thefts and things. Those are documented.

Commissioner McConnell: Your observations about the response of the Police Department are probably felt City-wide. I suspect that has more to do with the availability of budgeting and staffing concerns than anything else, but my concern is this. I am being asked as a decision maker in a fact finding setting, to approve your request, and unless I act upon my arbitrary and capricious standards, what standards can you offer to me to justify this application to set this community apart from any other neighborhood? I need some statistical information, some factual basis upon which to justify this request. I would kind of like to grant it, if I could. Mr. Mandarich is an excellent developer, and he has brought a lot to this City, but I am having a hard time making the findings that I am compelled to do as a fact finder in a Planning Commission setting. Otherwise, I am acting in a fairly arbitrary and capricious manner, as much as I might like to, otherwise, do so here.

George Reyes: I understand and I think that the crime aspect is probably overplayed somewhat. I will let some of the other homeowners speak about their concerns. If I tell you that any given night, there are 10, 15, 20 vehicles, that do

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nothing but cruise up and down the streets and then leave; that to me, is opportunistic casing of the neighborhood and things that that sort. That can't be documented. We don't have the cameras and things of that sort. I am asking you basically to listen to the testimony you are going to hear from the residents. As I said, these folks work hard, they are good people, they pay a lot of money, and they have told me personally (because I also serve on the Board of Directors for the Homeowner's Association), that they are very concerned about protecting their investment. Many of these people work out of town and are not home much of the time.

Commissioner McConnell: Well, a lot of us who live in standard communities have the same those same considerations and same pressures as you have expressed here. Let me ask you this: Has the Homeowner's Association kept a log of these incidents? For instance, if you are complaining about your neighbor's dog barking, you are going to need a log. Do you have such a log?

George Reyes: Yes, the management firm of E.R. Moore that provides management services for the Homeowner's Association, does keep a log of calls, so, anything that is called into the Homeowner's Association management offices is logged there.

Commissioner McConnell: And, where is that logged?

George Reyes: At their offices. I am not sure where their offices are. I think they are in Sacramento . . . if I am not mistaken.

Commissioner McConnell: It really needs to be here, before us, as part of the record, so, I think for that reason, I might present a motion of a later time. Secondly, let me ask you this as a member of the Board of Directors. In your judgment . . . would a modification of the hours of the gate being held open be of assistance? It is currently open until 8:00 o'clock at night. Would a lowering to 6:00 o'clock be of assistance?

George Reyes: No.

Commissioner McConnell: Why not?

George Reyes: I think for two reasons. No. 1: If you go through Hyde Park during business hours, there is no one there, and I think that is when the vulnerability exists, and I think that is when people are concerned about the safety. No. 2: The residents that I am responsible to here have made it very clear that the closure of the gates is their number one priority as homeowners, and nobody has mentioned to me that modifying the hours would be a satisfactory compromise.

Commissioner McConnell: When you say you are vulnerable, are you referring to personal safety or to property safety?

George Reyes: I am referring to property safety and to the unauthorized use of the facilities because most of these things take place during business hours when people come into the parks and walk their dogs or do their photo sessions and things of that sort. They don't take place in the later, evening hours. There are two signs at the front. There is one in the middle gate section and then one on the right section, and they both do say "private property" and "no trespassing".

Commissioner McConnell: They say "no trespassing". Are you sure?

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George Reyes: The one in the middle section which stands by itself, affixed to the green wrought iron gates says: "This is private property. No soliciting. No trespassing."

Commissioner Gourley: The previous speaker indicated that when the purchase of the property was made, that it was touted as a "gated community". Was it your understanding, either from implicit or implied, that it was going to be truly a gated community with a closed gate?

George Reyes: Yes, I had an understanding that the gates would be open during the construction period but also that after the construction was complete, after all of the home sales were complete, that the Homeowner's Association could come back before this board and petition to have the gates closed. Many of the homeowners have told me personally that they felt they were buying a 24/7 gated community. I can't speak for them.

Chairperson Legalos: The next speaker is Khashajar Elmi, who will be followed by Pat Lavery.

Khashajar Elmi: Good evening. My first name is Khashajar and last name Elmi. I am currently a resident of Hyde Park community. Everybody talks about safety and stuff about crimes. My concern is this: If everybody is focused on that; if the Board is focused on that; if the City has done the study about the traffic on those streets, the safety out there . . . people, neighbors that are walking on those streets, currently those streets are not designed, are not set as public streets. Does anybody consider the fact of not having a community that the purchase of the gated community as just a regular, standard single family homes, but the economic situation on these? What is the effect of removal of this gated community status from this community and to make it public, and I don't see any reason when there are other gated communities currently that the gates are closed from morning to evening, or 24 hours a day, why we should be excluded. I hope to have questions from you rather than comments, and I don't think anybody has addressed those issues right now. I haven't heard anybody from the Board nor from the City Planning Department. Marcus is here and presenting that, that addressed those today. If you are making a decision tonight, I think you should consider those effects to the residents of the community and possibly for the future safety of people that are allowed in the community, open to the traffic. What would be the effect on those? I have nothing to say. Do you have questions.

Pat Lavery: My name is Pat Lavery. I am an owner at Hyde Park and I wanted to comment on the fact that these numerous wedding parties that have gathered at the entrance to Hyde Park to have their photo albums done or whatever. Just a couple of weeks ago, I had to park down the street to my house. They were completely parked, but the main road coming in there that the park goes along, is a street with no parking on it. So, there is a no parking lane there. There is an island, so, for instance; if somebody had an emergency, a fire truck had to come in, for instance, and go to the back of the subdivision and were coming out and there are limousines and cars parked along that no parking lane; they would have to back up and come around the island, through the middle of the street, the other way, and, I mean, this could really be a problem. You know, people park in there and preventing emergency vehicles from getting in or out of the subdivision. That is my concern.

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Chairperson Legalos: Have you said what you wished to say? Thank you. Next speaker is Dennis R. Johnson, and he will be followed by Charles Lagasca.

Dennis R. Johnson: I am a resident of Hyde Park, and the thing I would love to share with the Planning Commission tonight is what you heard tonight as well as during the weekends, that is very difficult for us to even park in front of our residence because of the non-residents that is coming into our development just to take advantage of our park area, our garden area, and so it makes it very difficult to park at your own home on the weekend because of the congestion of cars. We have an island between the street and the sidewalk of beautiful, landscaped grass, where we found that some times those that don't live in the residence, they would drive on the grass and then they would break the sprinkler heads, and, all of the sudden when the sprinklers come on, you just got a Niagara Falls shooting up, you know, throughout the neighborhood. With all that goes on with those that are visiting our development, we have to constantly pick up after folks that don't live in our neighborhood. So, those are some concerns that I have concerning closing the gate 24 hours because it has already been stated that when you move in there, that it was kind of understood that once everyone had moved into the residence, that those gates would be closed 24 hours as other communities here in the City of Vallejo, so those are my concerns, and then, we did have a neighbor whose car was stolen about six months ago, right off of our street. So, those are the things I wanted to share with you tonight.

Charles Lagasca: Good evening Council. Good evening neighbors. I live at 9204 Hallmark Place. I would really like my gates to be closed, for two reasons. The Hiddenbrooke gates and the Glen Cove gates, they don't live by high schools. The high school is less than two minutes away from Hyde Park, and when I used to go to high school, kids used to say all the time: "Let's just go to Hyde Park", and do whatever they wanted to go over there and stuff like that because the gates are always open. The gates are open before school starts and long after school is finished, so they have all the freedom they want and what my neighbor says, they are most vulnerable in the daytime is because everybody is at work so no one can report these claims or anything like that, but I am home during the day a lot. I am outside on the streets skateboarding, just hanging out enjoying the sun, enjoying my neighborhood and, these kids, I see them all of the time. I keep track of what cars are coming in, what car belongs to what house, and I see a bunch of cars that do not belong there, and there is driving on the streets, parking, their windows are closed up. It is horrible. Another reason I would like the gates to be closed, you would not believe how many nights I have come home or how many afternoon I have come home and I have to park two blocks away from my house, just to park, and walk to my house and go inside. That is another reason I would like the gates to be closed.

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

Commissioner McConnell: Through the Chair to our legal counsel. You and I have been having some discussions about my desire to extend some green willing standards to large projects, and you have told me that I cannot be arbitrary and capricious; that I need to have a standard absent a legislative policy to do so. I am conflicted by this application because of that. What are the proper legal standards on the gating of a community request when the City Council has not adopted an ordinance that addresses that situation?

Claudia Quintana: I will do what I can here. As you note, there is no specific ordinance that says these are going to be the findings that you will reach and

make when considering a gated community or a gate on a community, but there are some standards, and I will refer you to page 3 of the Staff Report. Marcus has put forth what he considers to be the applicable General Plan and Specific Plan Growth and Policies which you will need to consider. These are in the Conclusions and not in the Analysis as they should be, but these are the ones that you should take a look at. And, the reason why you need to make a reference to the General Plan and the Specific Plan, is that the two most important things that you are going to need to decide today for this particular plan is whether the Proposed Unit Plan Amendment is consistent or inconsistent with the goals and policies of the General Plan and the Northgate Specific Plan. So, it is by no means very clear what the standards are but those are the standards that are set forth. That is, whether having this gate on this community closed all the time. . . would that be consistent with the General Plan or not? And, would it be consistent with the Northgate Specific Plan or not? Now, you have also raised the issue of arbitrariness and whether or not it would be arbitrary to consider this application, and there has been a lot of conversation as to the other two gated communities in the City of Vallejo. I would just point out that those are not before you today, and I don't know what happened in those but obviously, the Planning Commission at that time considered whether those were consistent with those Specific Plans and the General Plan at that time. So, I would certainly refer you to those two key issues . . . whether or not they are consistent with the Specific Plan and the General Plan.

Commissioner McConnell: Through the Chair . . . a question for Mr. Hazen. I was here when this application was originally heard and that was why we crafted a compromise on the opening of the gates, so it was certainly intended by this Commission and this City and made known at that time that that Commission application was heard that it was going to be a controlled gate and not an entirely opened gate, and that is a matter of public record. However, as to the other communities in this town where there are gated communities . . . do we have anything in our records which show the justification or the reasoning as to why those gated communities were approved?

Don Hazen: That is something we would have to research and bring back to you, but I guess I would just kind of echo what the City Attorney was saying is that you are really considering the issue in front of you this evening, not the other ones which are all looked at one a case-by-case basis, and each of those come with their own, unique set of facts and findings that must be made. So, I really would urge you to kind of focus in on this one and the other just to kind of add on to what Claudia was saying. You have the benefit of the past record in your packet as the past minutes from the City Council proceeding so you also have kind of the unique ability tonight to look to see if there has been any change in circumstances from when the decision was originally made by the Council versus where we sit today, several years later. I personally believe you have everything that you need in front of you this evening to weigh that decision. I will also, being the proverbial "new kid on the block" say that, when the City Council made that compromise to allow a gated community but to have the gates be open, I think it is inevitable that we would have this come forward, and particularly, after the lots become sold and occupied. It is also like taking a child to an ice cream store and giving him an ice cream cone, but not the ice cream. So, I think as part of your analysis this evening, you have to really conceptualize what should constitute a gated community. Is it, as it was currently approved by the Council, or, has your opinion changed from the last proceeding.

Commissioner McConnell: I think that I find myself in a situation that I would prefer to have added time to reflect upon this application, quite honestly. One of



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my thrusts this evening has been to ask for a documentation as to changes and circumstances, and particularly, the crime occurrences, and I have not heard any. I have heard references to them and I have heard conclusions of them, but I have not seen facts, and that bothers me because without those facts, I am not sure I can properly reach the findings that I am compelled upon, this evening to reach. Those are my observations at this time. I see there are other people who wish to make comments, and I will yield for now.

Commissioner Gourley: I share your concern, Commissioner McConnell. Although the incidences of crime, I am not so concerned with, although I think it is indicative of the entire population of Vallejo. The things that do concern me is the authorized use of their parks and the willy/nilly in and out of solicitors. These people did pay extra to have, what they considered at the time, and their perception was that this was going to be a gated community. I am not necessarily a fan of gated communities. I probably couldn't afford one. But, if I could, and I had chosen to purchase one, I would be extremely upset when I found out at the end . . . see, I am paying for the park, I am paying for the streets, I own them all as part of my package, but they are really not mine because anybody can come in and use them. And, so, I would be upset as it appears that they are. Whether they were implicitly told that it was going to be a gated community . . . I hate to use it because it is kind of vulgar, but it is almost like being "almost pregnant". You can't be "almost pregnant". In my mind, you either have a gated community or you don't. Having a semi-gated community gives them nothing, and they seem to have paid dearly for at least, a perception, of it being a gated community, and to answer your question earlier, I am going to give a guess why the incident reports are between 6:00 and 7:00. It is probably when they get home from work and recognize that something happened during the day. Because, they weren't there when it happened. I drove through there. It is a very nice little community, and there was hardly anybody around except a couple of gardeners. Obviously, I didn't hit it at the peak times when it was right after school when it was inundated with the school age. I struggle with it as well, but I am almost in favor of saying: "Let them have their gated community."

Commissioner Harrington-Cole: Through the Chair to Mr. Hazen. Is this consistent with the Northgate plan since Tiara is already there in a gated community, or, is it not consistent with the Northgate Plan?

Don Hazen: The Sixty-Four dollar question for this evening. Mr. Adams has put in his Staff Report, Goals and Policies of the Northgate Specific Plan and General Plan which staff believes shows that it is inconsistent with. Now, if you are in support of it, then you would want to reference the Goals and Policies that you feel that it is in support of.

Commissioner Manning: This is very difficult but I just want to remind everybody that it did come before the Planning Commission in 2003, and the Planning Department recommended no gates. The Planning Commission upheld that recommendation, and, the developer at that time recommended a compromise of having the gates closed in the evenings. That was recommended by the developer as a compromise at that time, and then, they appealed because the Planning Commission said: "no gates" so they took it to the City Council and it was passed with the say it is today. So, I mean, this is on public record, as Commissioner McConnell has said, and this is the way it has transpired, so, if people believed they were getting a fully gated community, that is not something the City ever authorized for that neighborhood. I hear everybody's concerns, and I see what a lovely neighborhood it is and how frustrating it must be to have these beautiful park areas and have all of the people come in and use it. I totally

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understand that, but it puts us in a very difficult position because this Commission, which I wasn't on at that time, was opposed to gates, and we don't really have any clear direction from the City on policies around gates except that they are not popular anymore. Vallejo is a City of many communities and our neighborhoods have lots of history in the last 20 years of really pulling together and turning neighborhoods around. We take great pride in our neighborhoods and we like to share our neighborhoods and our gardens. Again, I hear your concerns about the kids coming in from the schools, and people knocking on your doors. I lived in Glen Cove for years, and I wasn't in a gated community, but I lived next door to one. I lived in a community that we paid for our own streets and we took care of our own streets and people came and used the park sometimes. I think you have a kind of unique situation because you have such a beautiful park. I have never heard of anybody's park being used for weddings before, but, really, I think that we don't have enough facts right now, and if there is more information that can come back to us, more statistics, perhaps we can look at it again, but I don't really feel like . . . I have personal opinions about gated communities, but that is not what I am being asked to do here. I don't feel like I have enough information to make a good decision here, one way or the other.

Chairperson Legalos: I have a couple of concerns in general, with the concept of gated communities. So far, admittedly, we have a lack of hard data here on crime but so far, I haven't heard anything that differentiates this community from any other area in the City in terms of abandoned vehicles. We have those everywhere. We have trespassing everywhere. All of the issues that are mentioned here are City-wide issues, and my concern is that if we begin to well off areas of the City to where protecting ourselves, we will lose the general impetus and the general motivation to improve conditions in Vallejo as a whole. That is my overriding concern here. It is one of creating a number of small enclaves which could have the effect of reducing motivation and interest in the condition of the rest of the City and in dealing with these issues in the rest of the City. Again, I agree with Commissioner McConnell and Commissioner Manning that there is a lack of hard data here, however; I cannot imagine that there are more abandoned cars in Hyde Park than there are in my neighborhood. One of the other things that concerns me is, I have been up to Hyde Park several times for meetings with Mr. Mandarich and on Commission business and other business, and while those signs may be there; I do not recall seeing a sign that says "no trespassing", which means to me that the signs are not permanent enough and perhaps the less extreme measures that could be taken, have not been taken, to move immediately to a proposal to shut down the area 24 hours a day, seems to me to be a bit premature when less restrictive measures have not been tried. I am not saying the signs are not there. I did see a sign that I recall that said "no soliciting" but that sign was probably 12 inches high, 10 inches wide, off to the right hand side of the gate, and the other signs, I am sure, are there, if you say they are there, but they are not very prominent. I would rather see some other measures taken that would be less restrictive than a lockdown on the community.

Commissioner Gourley: A couple of quick comments and a question to the attorney. As you pointed out the fact of signs, and maybe a larger sign would be helpful, and, I point out that on the freeway there are signs that say "no littering" and it doesn't seem to be working on I-80 real well. So, I am not sure that would be the solution. The other one about, if we were to approve the fully gated community, would that take away from the rest of the City? Actually, I think it might help because, if there were less calls to the City Police, to not answer calls that they can't answer already, maybe they could answer them in other places in the City that doesn't have the benefit of the gate. To the City Attorney and one of the residents that had asked the question, what would happen, let's just say for



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example if the community decided, you know what, we don't have a gated community. We are paying for it. What would it take for them to say, okay, we are going to give the City back the streets and the park, and then the City is going to have to pay for it, and they kind of just disbanded their Homeowner's Association? Would that happen? Is that feasible, and could that be done?

Claudia Quintana: Let me look in the magic ball! I guess in the future it might be something . . . It is an interesting question because I think Mr. Mandarich filed this application, thinking that he was going to be asking for a gated community, and the design of the streets is such that he thought it was going to be a Homeowner's Association, and they are paying for all these things, but, realistically, I don't think that would ever happen. City Council would need to accept the dedication. There are a number of other obstacles. I don't think it would just be a "gift", for instance. Usually, when a private entity hands over land or something of value to the City, there are requirements to compensate them. Realistically, I don't think that would happen.

Commissioner Gourley: So, basically their perception of a gated community is now not a gated community, and they are kind of stuck paying an extra amount of money to have something that they don't have. That's a comment . . . not a question, I guess.

Commissioner Peterman: Just speaking from where I live, our Maintenance District fees are part of our property tax. If we chose not to pay them, there would be severe consequences, though I don't think it would be turned back to the City.

Commissioner Manning: I just once again want to say that this development was never authorized to be a fully gated community. So, if people had that perception, they were not being told that by the City of Vallejo. So, I just think about some of the things that we do in other neighborhoods of Vallejo, and that is, we have a Neighborhood Watch Association. We have signage which was suggested by several of the Commissioners here that our signage go up. Keeping logs that you could present to the Police Department. Also, keeping logs and keeping justification and perhaps coming back here, asking us to look at this later, after you have some more facts. These are the suggestions that I can think of now.

Commissioner Harrington-Cole: I too have some concerns. I am very concerned about the gentleman who spoke about the emergency vehicles, having trouble getting in and out of the community, because people are parking illegally. We recently had a big fire in Washington Park. The fire engine couldn't get down the alley, had to go back up, go around, in five minutes the building was pretty much gone. So, I think that is a real concern. However, I don't believe gating your community would make it any safer. What my real concern is that you are not calling the police every time someone comes upon your public property. Now, don't expect the police to show up every time, but also, don't expect them to have ESP and know that people are there if you are not calling. You need to become, in my opinion, much more proactive at protecting what is your public property, and, I don't think a gated community is an inalienable right, but I think it is a great privilege, and I think that you need to protect that privilege, so I would put up great big signs that say "this is public property". I would put them in English, and Tagalog and Spanish, and other languages . . . Chinese, whatever you can do. I would call the police every time I saw someone in my neighborhood who didn't belong. I would call abandoned vehicles every time there was an abandoned vehicle in my neighborhood, and I would call daily, but you need to protect what is yours, and, putting up a gate is not going to keep the high school kids out. It

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probably won't keep the wedding parties out. You need to do that yourself, in my opinion.

Chairperson Legalos: One other suggestion. We have a couple of suggestions here on how to be more proactive and handle this problem in other ways. A thing that has worked very well in my community, which is Vallejo Heights where we have had major crime problems (we no longer have those problems), is that the community put together an E-mail list serve, and everyone who is interested in participating has a working mail and their home E-mail on it, and the way that works is, somebody in the neighborhood sees some kids wandering around, knocking on doors or looking suspicious. E-mail goes out, you get it at work; you get it at home, and we have had situations where the police have been called and have caught these kids in the act in a matter of minutes, but the list server has worked very well, so it is something that you might consider doing. It keeps everybody informed, and it also can provide a permanent log in an effortless way. An E-mail goes out stating that there is an abandoned vehicle, there are kids wandering around doing smash and grabs on cars, looking for things, breaking windows, and you have got a log. It is a permanent record if you set your E-mail system up that way. So, that might be another way to deal with the issues if you are having major issues. We don't know what the statistics are at this point but you might consider that. Any other comments? Do we have a motion?

Commissioner McConnell: I move the application be denied.

Commissioner Gourley: I have a question. The application for what? I'm sorry, what are we voting on?

Chairperson Legalos: We are voting to approve or deny the application.

Commissioner Gourley: The application to give them their gated community?

Chairperson Legalos: The application is to allow the gates to be closed 24-hours a day. That is correct. So, Commissioner McConnell: Please restate the motion.

Commissioner McConnell: Before I do that, let me follow up on another thought here. I am reading through, probably for the third or fourth time, some of the records of the City Council sessions where different recommendations were made that these parks and these pathways could be gated and would be gated, individually. That, because of the representation of the limited hours of operations for the gates, the Council was willing to accept this application, whereas, otherwise they would have denied it. If we are going to properly act on this application, we really should have statistical information, I think. A man who cannot change his mind, can never change anything, and I am willing to consider it, but I need information. I need information. I need data, and I don't see it yet tonight. I have heard the suggestions about signs and logs, and I think they are excellent ideas. What I would like to do is ask Mr. Hazen whether or not we can continue this for a period of time to see if that information can be developed and presented to us without jeopardizing this application immediately.

Don Hazen: What I would recommend then is . . . Commissioner McConnell: You first had your motion for denial, and now you would like to possibly entertain some additional facts. I would suggest that we ask the applicant whether he believes he can produce the type of facts that you have all indicated that you would need to see or whether he would prefer that you make a decision tonight so that he could move it along to City Council potentially for an appeal.

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Commissioner McConnell: I think that is an excellent suggestion. For the record, I will withdraw my motion at this time.

Chairperson Legalos: Mr. Mandarich, What would you like to do?

Gary Mandarich: My name is Gary Mandarich, and a lot of cases have been brought out tonight. We could present a lot more facts where you could see clearly how this subdivision is laid out, how the access truly works, why people are parking where they do, you know . . . how it all functions. Because, right now I think a lot of you that are not completely familiar with how the park is laid out and why people are parking where they do to use those parks and the different issues. I think that we can give you a lot more information, we would like then to have the opportunity to present that information to you, prior to you making a decision.

Commissioner McConnell: Mr. Mandarich: How much time do you think you would need to develop this information?

Gary Mandarich: Within 30 days would be fine. We could get it back within 30 days to the Planning Commission.

Commissioner McConnell: How does 30 days look on our calendar, coach?

Don Hazen: That would put you at the December 3 meeting. Your first meeting in December.

Commissioner McConnell: I will move to continue this matter to December 3 for the purpose of receiving further information from the applicant on the desirability and the justification for this application.

Commissioner Gourley: I would like some clarification here because it seems to me that Mr. Mandarich has said that he will provide information as to the layout of the streets and the parks, and the information I thought that the Commissioner was asking for, was statistics on crime. Am I mistaken there?

Commissioner McConnell: You are not mistaken. I believe the Homeowner's Association members are aware of that, and will probably present that information and statistics as well as they can plus they may need some time to develop logs if they don't currently exist.

Chairperson Legalos: Well, I would like to make that explicit.

Gary Mandarich: Sure, we will prepare the records from the Association as well.

Chairperson Legalos: Okay, and we are looking for statistics on crime as well as the information that you have just described providing. Correct?

Gary Mandarich: I will bring whatever the Management Company has. We will share that with the Planning Commission.

Commissioner McConnell: Not just crime, but, parked cars, loitering people, the whole avenue of complaints that we have heard this evening.

Chairperson Legalos: I just want to be certain that we don't continue and then come back and have incomplete information again.

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Commissioner Gourley: Just a suggestion . . . you had a very nice visual here . . . the old "picture worth a thousand words". Some pictures of some weddings that were not authorized, of the students after school, before school, vagrants, that kind of stuff, I think, would go along way. The gentleman said that he had to park two blocks from his house, indicating that . . . someone might say his neighbor had company, and they were invited guests. If that is the case; that is fine. I think that would be fine.

Gary Mandarich: The only difficulty I see is that some of the activities are really high in the summer months. The next 30 days we will probably not have as much opportunities as we would have had if we went back a year and took pictures of everything that has transpired. We will do our best to recreate incidents that have happened in the past. I am just saying; this time of year is different.

Commissioner McConnell: Mr. Mandarich, if the homeowner's are desirous of our time, I am willing to accommodate them in my motion.

Chairperson Legalos: Are you making a motion to continue?

Commissioner McConnell: Well, we have to continue it but we have to continue it to a specific date, and I am willing to accommodate additional time if they feel that they need it.

Don Hazen: If I understand Mr. Mandarich, he is saying that this may not be a representative time of the year, so I would hate for him to come back in 30 days and say "Here are the facts, but it doesn't reflect the true scenario". If he wants to pick another time and continue it a little more into what he would consider a typical pattern, we are fine because we have got the existing condition in place that those gates are open during the day. I think it is whatever the prerogative of the applicant is here.

Chairperson Legalos: Would you like to do that, Mr. Mandarich? What is the peak problem period?

Gary Mandarich: I can't speak on that but I would expect that we will gather more information through the Holidays and that if we continued it until January, I am sure there will be a lot of things going on around Thanksgiving and Christmas. There will probably be some spikes going on that we can document. So, I would ask to have it continued until January.

Chairperson Legalos: I would think that Thanksgiving and Christmas, you would have a lot of family visiting. Is that justification for closing the gates? That's going to happen no matter what. The gates would be open to family visitors, would they not?

Gary Mandarich: The gates would be closed, and they would call in. So, if you and the community would visit, you would dial in and then they would radio from their house back.

Chairperson Legalos: Then they would come in and they would park and you would have the same parking problem, wouldn't you?

Gary Mandarich: Oh, I think what you would have is more people from outside the community coming in. I don't think it is just going to be more activity. I think that people will want to go over there, outside the community, come in, show the

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parks. I don't think it will all be limited to residents. But, I would think that giving us another month, it will help us get a little more data.

Chairperson Legalos: My concern there is that I don't think that period is necessarily representative of the kinds of problems that are being presented here. That period when you are going to have relatives and family visiting and, in a very real sense, that is going to happen every year whether the gates are closed or whether the gates are open. The gates are going to be open to those people. It would seem to me that a more representative time . . . it is more a question of season. Is it summertime? Is it better weather?

Gary Mandarich: Summer would be the highest use . . . of course. Because, it is lighter later after school so you would have more kids then. Weddings. . . they are probably summer events. The other events around the park are more warm weather type events.

Chairperson Legalos: Well, if we continue to January and you come back with information that is actually not representative, then what are we going to do? Are we going to ask for another continuance, or are we going to act on the information we already have? This doesn't sound like a good solution to me.

Commissioner McConnell: It is obviously not a great solution, but, this is a compromise solution just as the application was, and as I said, I am willing to give the applicant as much time as they think they need. If it is seasonable, I am not even opposed to putting it off until May or June, but I think it is an issue that needs to be addressed. Gated communities are not going to cease to be a part of applications in the future by other developers. There isn't any current City Council policy on, so whether we are making a judgment rapidly or based upon our whims, let's take the time to do it right. I am willing to go out to May or June if we have to, if that is agreeable to the applicant.

Chairperson Legalos: My only concern is that we pick a representative period. . . whether it is May or June, or February, or April, but I don't think November and December is representative. I think you are going to see a different set of problems in November and December, and I think the issues you are going to see . . . whether the gates are closed or whether the gates are open.

Commissioner McConnell: I agree with you about the timing of this, also related to the inclement weather that we are probably, hopefully, entering into. A lot of these appear to be good weather-related activities so that is why I am willing to give him as much time as I think he needs. All we are really talking about is what time period,

Chairperson Legalos: Exactly.

Commissioner Gourley: Is it reasonable or possible that the applicant could query the Board and the other residents. Maybe somebody has got pictures of these things and they could present with 30 days, and if not, he could get back to planning the problem so we want to do it in a more representative time where we actually have the pictures, which will be June. Is that something that could be reasonably done.

Chairperson Legalos: I am not certain pictures would be sufficient, and we need logs. We need insurance.

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Commissioner Manning: I just wanted to remind you that we did talk about some of the people that came and talked about calling into the property management company. So, there are existing logs, and the proposal is to give you two more months to get more information. It won't be representative of the summer, but you have got existing data. Put all the data together. I would expect that nobody wants to wait for the Homeowner's Association until next August, just to get some more facts. So, the proposal, I think, is a good one, that we give you two more months. You come back in January, gather more information from the information you already have, from people calling in and complaining. You poll the neighbors, people keep logs or perhaps they have logs already, and then you come back with the compelling case for us.

Gary Mandarich: Okay, that is fine.

Commissioner McConnell: I will move that we continue this matter until the second meeting in January, 2008.

Please vote:

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

NOS: Peterman

ABSENT: Turley

It is unanimous. Motion carries.

L. OTHER ITEMS

None.

M. ADJOURNMENT

There being no further business to discuss, this session of the Vallejo Planning Commission is now adjourned at 9:45 p.m.

Respectfully submitted,



(for) DON HAZEN, Secretary

**PLANNING DIVISION**

**CITY OF VALLEJO**

November 19, 2007

TO: Planning Commission

FROM: Katherine Donovan, Associate Planner  
Don Hazen, Planning Manager

SUBJECT: GPA 07-0001, ZMA 07-0002, TM 07-0002, and PD 07-0007 for the 214-unit subdivision proposed by KB Home at the northwest corner of Rollingwood and Benicia Road

The applicant has requested the public review period for the Mitigated Negative Declaration for the above project be extended to Friday, November 20, 2007 and that the public hearing for the project be continued until December 3, 2007.

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

**DATE OF MEETING:** November 19, 2007

**PREPARED BY:** Katherine Donovan

**PROJECT NUMBER:** ZMA 07-0001, PD 07-0001, TM 07-0002, and ME 07-0001

**PROJECT LOCATION:** 1700 block of El Dorado Street (west side); APNs 0056-024-020, -030, -040, -050, -060, and -070

**1. PROJECT DESCRIPTION:** The proposed project would include a Zoning Map Amendment to rezone the property from Intensive Use - Limited to Planned Development Residential; a Master Plan/Unit Plan and a Tentative Map to develop 24 townhome units on individual lots on the 39,200-square-foot property; and a Minor Exception to allow an interior garage width of 19 feet, 4 inches and to eliminate the five required on-site guest parking spaces. The units would be contained in four three-story buildings, each with six units. Twelve of the units would front on El Dorado Street; the other twelve units would front on a paseo between this property and the adjacent properties to the west. All units would access their garages from a driveway running through the project from Illinois to Arkansas Street. A private tot lot and a pocket park area would separate the adjacent buildings. The project would provide a combination of three and four bedroom units, with a total of ten three bedroom units and fourteen four bedroom units.

The tentative map would subdivide the six existing parcels into 24 residential parcels and a remainder parcel containing the access driveway, the tot lot, and the pocket park. The residential parcels would range in size from 1,000 square feet to 1,355 square feet. The remainder parcel would be owned and maintained by the Homeowners Association.

**2. RECOMMENDATION:** Approve the Tentative Map and Minor Exception with Conditions, Recommend Approval of the Zoning Map Amendment and Planned Development with Conditions.

**3. CEQA:** Mitigated Negative Declaration with Monitoring Plan.

**4. PROJECT DATA SUMMARY**

Name of Applicant: Glenn Gorden

General Plan Designation: High Density Residential

Zoning Designation: Intensive Use Limited



Site/Surrounding Land Use:

Site: The site is currently occupied by a corrugated metal building used for vehicular repairs and container storage for the former moving and storage company across El Dorado Street.

North: Vallejo Motorcycle Club, Inc. on the northwest corner, with residential uses beyond. There is a church on the northeast corner.

South: Single family residential uses.

East: Warehouse building and vacant land, with commercial uses beyond.

West: Vacant land approved for small-lot single-family project; single-family home, with single- and multi-family uses beyond. There is another church northwest of the property.

Lot Area: 39,200 square feet total area

Total Floor Area/Ratio: The total floor area of all units is 38,950 square feet; FAR = 0.99

Landscape Area/Coverage: 7,712 or approximately 20 %

Parking Required/Provided: Required: 2 spaces per unit, minimum of 1 space covered; 1 guest space per five units or 5 guest spaces.

Provided: 2 covered spaces per unit; no guest spaces.

## 5. BACKGROUND SUMMARY

**General Plan.** The General Plan designation for the property is High Density Residential, which allows 17.5 units per acre or more. Objective B.3.ii of the General Plan Housing Element states "Within neighborhoods, provide a range of housing types and densities suitable for households with a range of income levels that are designed to be compatible with those neighborhoods." Objective C.2.iii is to "Convert vacant in-fill land and surplus, vacant non-residential properties to housing and mixed-use where feasible, economically desirable, and compatible." Program 2 of this objective refers to rezoning underutilized land in commercial corridors to expand opportunities for multi-family residential development.

The project would provide 26.67 units per acre, which is consistent with the General Plan density requirements. The project would provide a different housing type and density than is found in the immediate neighborhood and is designed to be compatible with the more traditional architecture found in the vicinity. The project would provide 24 "for-sale" units on an underutilized parcel that is zoned for limited industrial uses.

**Zoning Ordinance.** The property is currently zoned Intensive Use Limited, which is not consistent with the General Plan designation of High Density Residential. The proposed Zoning Map Amendment to rezone the property to Planned Development Residential, which is “clearly compatible” with the General Plan designation, would bring the property into consistency with the General Plan.

Development Standards. The Planned Development Residential district does not set specific development standards. Instead, the Master Plan for the project provides the development standards, which are evaluated based on the size and location of the site, the circulation patterns, site topography, existing natural resources, the relationship to the surrounding area, the land use mix in the vicinity, the architecture, public improvements, development intensity, landscaping, and intent and purpose of the proposed project. The development standards for this project are contained in the Master Plan and are discussed in the “Project Analysis” section of this report.

Parking. The parking requirement for condominiums and apartments with two or more bedrooms is two spaces per unit, a minimum of one of which must be a covered space. In addition, one guest parking space is required for each five units. The project would provide a two-car garage for each unit; however, no guest parking is available on-site. The minimum interior dimensions of covered parking spaces are 20 feet deep by 10 feet wide. The proposed garages would be 19’ 4” wide, 4 inches per space less than the standard. The project application includes a request for a minor exception to the parking requirement and to the covered parking width. A minor exception may be granted to any measurable standard if the exception: would not exceed twenty-five percent of the prescribed measurable standard; would not adversely affect any development or persons on abutting property; would not result in a hazard to pedestrian and/or vehicular traffic; and would be reasonably necessary to the sound development of such property or would result in better environmental quality of development of such property.

Public Comments. The Planning Division hosted a neighborhood meeting on the project on August 23, 2007. Prior to the meeting, staff received one phone call from a neighboring property owner who was not able to attend the meeting. His comments related to changes that have occurred over time in the neighborhood, particularly as these changes related to increases in the crime rate. He objected to the project because he felt there were too many units and it would bring in too many children to the neighborhood.

Seven members of the public attended the neighborhood meeting. Concerns raised related to whether the project would be low-income or become rentals, speeding cars and additional traffic in the neighborhood, and utility infrastructure. Comments about the design of the project were positive.

After the notice for the public hearing, the owner of the Vallejo Motorcycle Club, located on the northwest corner of El Dorado and Arkansas, came in to the Planning Division office to review the project. His concerns related to parking, particularly in view of the

two churches in the vicinity. He also said that when Vallejo High School had major events, parking for these events extended into this neighborhood.

John Wignall, the owner of the adjacent property on Illinois Street, also attended the neighborhood meeting and came in the Planning Division offices to discuss the project. He later sent a letter describing his concerns, which related to his approved project on the adjacent parcel, the impacts of the proposed development on his project, and potential environmental concerns (see Attachment 7d). Issues of concern have been addressed in the staff analysis portion of this report.

## 6. ANALYSIS

***Land Use Compatibility.*** The project would utilize a currently underutilized group of parcels that is zoned Intensive Use Limited and in use as auxiliary storage for a former van and storage company to provide 24 townhome condominium units. Although the property is zoned Intensive Use Limited, the General Plan designation for the area is High Density Residential. The project conforms to the General Plan designation, providing development that generally conforms to the development standards for High Density Residential development contained in the Zoning Ordinance. The proposed Zoning Map amendment would bring the zoning map into consistency with the General Plan designation for the property.

The project would provide a transition between the small, three-block single-family neighborhood to the south, the industrial and commercial uses to the east, and the mixture of residential, church, and private motorcycle club uses to the north and west. The property is separated from the single-family neighborhood by the width of Illinois Street, a distance of approximately sixty feet. Directly adjacent to the west is a vacant parcel that was approved for a "courtyard cluster" project, originally proposed for six two-story manufactured homes. Although this project was conceptually approved by City Council, the applicant directed to revise the building design and bring it back to the Planning Commission for approval. Also directly west of the project is a 14,000 square foot parcel zoned Medium Density containing one single-family residence. As this parcel is significantly underutilized, it is anticipated that future development at this site would occur at a higher density, which would be more compatible with development anticipated in the General Plan and with the proposed project.

It is generally considered desirable to have projects with higher density to provide a buffer between commercial/industrial uses and lower density residential projects. The General Plan envisions a commercial corridor along Broadway and Tennessee Streets, with High Density Residential development beyond. The existing single-family neighborhood to the south is limited to the area south of Illinois, north of Tennessee, between El Dorado and Napa Streets. North of Illinois, the General Plan envisions High Density Residential development and the zoning is largely Medium Density Residential. The proposed project, located at the edge of the Broadway commercial corridor, would provide a high density residential buffer between that commercial corridor and other residential development to the west.

Project Architecture. The project has been designed in a “Neo-Craftsman” style to be more compatible with the older residential development in the vicinity. The level of architectural detailing of the project is similar to and compatible with the existing residential development in the vicinity. Although the buildings are three-story, they step down to two stories on the corners and in the rear to reduce the overall building mass and to better blend with the less dense residential development in the vicinity. Along El Dorado Street, where the project faces industrial land uses, the project is largely three stories.

Planned Development Criteria. The site, which takes up approximately 40 percent of a City block, is located in a low-lying, flat area with industrial zoning to the east, single-family zoning to the south, planned development residential and medium density zoning to the west, and medium density zoning to the north. The site is one block west of Broadway and one block north of Tennessee Street in an area where the streets are in a regular grid pattern. There is a mixture of uses in the vicinity, including industrial, commercial, single-family, multi-family, and several churches. The architecture in the vicinity is a combination of 1930s cottages, older single-family homes, early 1960s box-like four-plexes, and industrial warehouse buildings.

The proposed project is intended to provide housing for first-time and workforce buyers, with sufficient space for families with children or older parents living with the family. Amenities include the tot lot for younger children and the pocket park for adults and older children. Each home has a private yard surrounded by a low, open fence that provides a safe play area for children and pets that is visible to its neighbors to provide safety and a sense of community.

Project Development Standards. The standards proposed for the project are similar to those found in High Density Residential developments. The proposed setbacks are 19 feet in the front, five feet on the sides, and 16 feet in the rear. There is an additional five feet of City right-of-way between the property lines and the back of sidewalk on the front and sides, providing 24 and 10 foot actual setbacks. The maximum building height is 40 feet, with lower, two-story elements on the corners and along the interior property line to minimize the impact of the building height.

<b>COMPARISON OF PROJECT STANDARDS</b>		
<b>Standard</b>	<b>High Density Residential</b>	<b>Proposed Project</b>
Minimum lot area per unit	1,600	1,633
Setbacks: Front	15 feet	19 feet*
Side (corner)	10 feet	5 feet*
Side (non-corner)	5 feet	5 feet*
Rear	7 feet (5 feet + 2 feet for each story in excess of two)	16 feet
Lot coverage	60 % maximum	56%
Maximum structure height	75 feet	40 feet
Open Space	Each unit: 150 square feet, with 300	204 min. per unit;

	square feet per unit total	314 per unit total
Parking	1 covered and 1 uncovered minimum per unit; 1 guest space for each 5 units	2 covered spaces per unit; no guest parking provided

\*Plus 5 feet additional City right-of-way beyond back of sidewalk

As illustrated in the table above, the project meets or exceeds all High Density Residential development standards with the exception of the side setbacks and the guest parking; however, with the additional City right-of-way that is not being utilized by the City, the project would meet the required side setbacks for High Density Residential projects and a minor exception has been requested to the guest parking requirement.

Minor Exception. The applicant has requested a minor exception to the covered parking width requirement to allow the width of the garages to be four inches per space less than the standard. The buildings have been carefully designed to take advantage of standard building material dimensions, which would provide a considerable cost savings that would be passed on to the buyers. Providing the required ten-foot interior width per car would significantly affect the cost of materials and, not incidentally, the labor costs involved in the construction of the building. Although the City of Vallejo’s standard interior width for covered parking is ten feet, this standard varies from one jurisdiction to another and a minor reduction in the width would not be considered a safety hazard.

The applicant has also requested a minor exception to the number of parking spaces required to eliminate the five required guest parking spaces. As the total number of spaces including guest spaces would be 29 spaces, a decrease in five spaces would be less than twenty-five percent of the applicable standard. The required guest parking could be provided on-site; however, it would require the elimination of the tot lot and pocket park, amenities that substantially improve the environmental quality of the project. As the access driveway provides the only driveway cuts for this project, more on-street parking would be available than with the standard residential project. Generally, residential projects have a noticeable impact on the number of on-street parking spaces available as each driveway cut eliminates parking spaces. It appears that at least twelve on-street parking spaces would be available directly adjacent to the proposed project. If individual driveway cuts were provided, no more than six on-street parking spaces would be available.

Although there are two churches in the vicinity, both have substantial parking lots. According to the owner of the Vallejo Motorcycle Club on the northwest corner of El Dorado and Arkansas Street, parking in the vicinity can be problematic when there are special events at the church or the club, but they work together to ensure that such events are staggered and don’t compete for parking. Given the number of available on-street parking spaces in the vicinity, the proposed minor exception to the parking requirements would not substantially affect the economic value, habitability, or enjoyability of properties abutting the proposed development, nor would the minor exception result in a hazard to pedestrian or vehicular traffic. By allowing the development of the tot lot and pocket park, the elimination of the guest parking would

result in better environmental quality of development than if the parking were provided but the parks eliminated.

Tentative Map. The proposed tentative map would provide 24 residential parcels and one remainder parcel containing the access driveway, pocket parks, and paseo. The remainder parcel would be owned and maintained by the Homeowners Association. The tentative map has been reviewed and found to be in conformance with the Subdivision Map Act and with the requirements of the Vallejo Municipal Code.

## **7. ENVIRONMENTAL DETERMINATION**

An Initial Study and Mitigated Negative Declaration, including Mitigation Monitoring Program, were prepared for the project. Potentially significant impacts were determined in the areas of air quality, cultural resources, geology and soils, and hydrology/water quality. In all cases, mitigation measures were included that would reduce the potentially significant impacts to a less-than-significant level.

Air Quality. Construction-related air quality impacts are normal for a project of any significant size. Standard mitigation measures provided by the Bay Area Air Quality Management District (BAAQMD) can reduce these impacts to a less-than-significant level. These mitigation measures are generally aimed at reducing particulate matter that is normally released into the air during construction. These measures include wetting down soil and sweeping and removing dirt from paved roadways at regular intervals.

Cultural Resources. Whenever a project includes grading or digging, there is a chance that unsuspected historical, archaeological, or paleontological resource or human remains may be discovered. In the event that such resources or human remains are discovered during any phase of the project, land alteration work in the vicinity shall be halted and a qualified professional consulted to evaluate the resource and determine an appropriate management plan. If human remains are discovered, the County Coroner shall be notified. If the Coroner determines that the remains are of Native American descent, the Coroner shall contact the Native American Heritage Commission within 24 hours of the determination.

Geology and Soils. The Bay Area is a seismically active area. Construction within seismically active areas has the potential of exposing people and structures to seismic-related hazards. Construction techniques appropriate to the specific seismic zone and project-specific engineering techniques would be required to reduce potential impacts to a less-than-significant level.

Hydrology/Water Quality. The project is located within the 100-year flood hazard area. The project has been designed to lift the property out of the flood zone. The applicant has applied to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision. Once the grading has been completed as approved and prior to building permit approval, the applicant shall provide a Letter of Map

Revision from FEMA. The Letter of Map Revision indicates that the property has been removed from the 100-year flood hazard zone and, therefore, reduces potential impacts related to flooding to a less-than-significant level.

## **8. 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 Tentative Map 07-0002 and Minor Exception 07-0001, based on the findings and subject to the attached Conditions of Approval. Furthermore, staff recommends that the Planning Commission forward a recommendation of approval to the City Council on Zoning Map Amendment 07-0001 and Planned Development 07-0001.

## **EXPIRATION**

The Tentative Map shall expire thirty-six months after its approval unless final maps have been filed prior to the expiration date. The Master Plan/Unit Plan and Minor Exception shall expire upon the expiration of the Tentative Map.

## **APPEALS**

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

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

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

## **ATTACHMENTS**

1. Zoning Map Amendment Resolution (Petition)
2. Tentative Map, Minor Exception, and Master Plan/Unit Plan Resolution

3. Project plans
4. Master Plan
5. Photographs of existing site
6. Letter from CLW Partnership dated October 26, 2007
7. Conflict of Interest Map
8. Driving directions
9. Notice of Intent



CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-\_\_\_\_\_

A PETITION  
TO AMEND THE ZONING ORDINANCE  
Zoning Map Amendment  
ZMA 07-0001

El Dorado Village  
1700 block of El Dorado Street (west side)  
APNs 0056-024-020, -030, -040, -050, -060, and -070

\*\*\*\*\*

**I. GENERAL FINDINGS**

WHEREAS an application was filed by Glenn Gorden seeking approval for Zoning Map Amendment 07-0001 to allow a change in the zoning of the properties listed above from Intensive Use Limited to Planned Development Residential;

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for Zoning Map Amendment 07-0001 on November 19, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission;

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

**II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.**

Section 1. An Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration were prepared by the City and made available to the public for review on October 15, 2007. The Notice of Intent to Adopt the Mitigated Negative Declaration was duly sent, posted, and available for public review.

Section 2. The Planning Commission finds that the Initial Study identifies potentially significant effects for which the project's proponent agrees to make project revisions and follow mitigation procedures that clearly mitigate the effects, and the revised project, with mitigation, will not have a significant environmental effect.

Section 3. The Planning Commission hereby makes these findings based on the whole record, including the environmental findings contained in Section 7 "*Environmental Determination*" of the staff report attached hereto and incorporated herein by this reference.

### **III. FINDINGS RELEVANT TO REZONING, PROJECT APPROVAL, AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE GENERAL PLAN**

Section 4. The Planning Commission finds that applicant submitted an application for an Amendment to the City of Vallejo's Zoning Ordinance, in that the applicant seeks a change to the zoning map to allow for the development of 6 parcels into a 24-unit townhome condominium project.

Section 5. The Planning Commission finds that amendments to the City of Vallejo's Zoning Ordinance are subject to the procedures contained in Chapter 16.86 of the City of Vallejo Municipal Code, and that such amendment may be initiated by a verified petition of one or more property owners pursuant to Vallejo Municipal Code section 16.86.030.

Section 6. The Planning Commission finds that the amendment is consistent with the General Plan, zoning regulations and subdivision regulations in that:

1. The General Plan Land Use Element designates the property as High Density Residential. The proposed rezoning of the six parcels to Planned Development Residential is clearly compatible with the General Plan Land Use Designation.
2. The proposed 24-unit townhome condominium project is consistent with the General Plan Land Use designation of High Density Residential and with the proposed zoning map designation of Planned Development Residential.
3. The tentative map for the project provides 24 residential parcels ranging in size from 1,000 square feet to 1,355 square feet, with one remainder parcel containing the access driveway, tot lot, pocket park, and rear paseo.

### **IV. RESOLUTION RECOMMENDING AMENDMENT TO THE ZONING ORDINANCE FOR THE EL DORADO STREET VILLAGE.**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES this petition to amend the zoning ordinance, forwarding a recommendation of approval to City Council to adopt Zoning Map Amendment 07-0001 for the El Dorado Village, based on the findings contained in this resolution, with reference to the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached hereto and incorporated herein by reference. The monitoring or reporting program included in the Mitigated Negative Declaration is hereby adopted.

### **V. VOTE**

PASSED and APPROVED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 5<sup>th</sup> day of November, 2007, by the following vote to-wit:

AYES:  
NOES:  
ABSENT:

---

CHARLES LEGALOS, CHAIRPERSON  
City of Vallejo PLANNING COMMISSION

Attest:

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Don Hazen  
Planning Commission Secretary

**CITY OF VALLEJO PLANNING COMMISSION**

**RESOLUTION NO. PC-07-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION  
APPROVING A TENTATIVE MAP APPLICATION**

**(TM 07-0002)**

**and**

**A MINOR EXCEPTION**

**(ME 07-0001)**

**and**

**RECOMMENDING CITY COUNCIL APPROVE  
A MASTER PLAN/UNIT PLAN**

**(PD 07-0001)**

**for**

**El Dorado Village**

**1700 block of El Dorado Street (west side)**

**APNs 0056-024-020, -030, -040, -050, -060, and -070**

\*\*\*\*\*

**I. GENERAL FINDINGS**

WHEREAS an application was filed by Glenn Gorden seeking approval for a Master Plan/Unit Plan, Tentative Map, and Minor Exception to allow the development of a 24-unit townhome condominium project of six existing parcels,

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Master Plan/Unit Plan, Tentative Map, and Minor Exception on November 19, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission,

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

**II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.**

Section 1. An Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration were prepared by the City and made available to the public for review on October 15, 2007. The Notice of Intent to Adopt the Mitigated Negative Declaration was duly sent, posted, and available for public review.

Section 2. The Planning Commission finds that the Initial Study identifies potentially significant effects for which the project's proponent agrees to make project revisions and follow mitigation procedures that clearly mitigate the effects, and the revised project, with mitigation, will not have a significant environmental effect.

Section 3. The Planning Commission hereby makes these findings based on the whole record, including the environmental findings contained in Section 7 "*Environmental Determination*" of the staff report attached hereto and incorporated herein by this reference.

### **III. FINDINGS RELEVANT TO TENTATIVE MAP, MINOR EXCEPTION, AND MASTER PLAN/UNIT PLAN AND FINDINGS FOR PROJECT APPROVAL AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE GENERAL PLAN**

Section 4. The Planning Commission finds that the applicant submitted an application for a Tentative Map, a Minor Exception, and a Master Plan/Unit Plan, which are required for the 24-unit townhome condominium project. Tentative Map approval is governed by Chapter 15.08 of City of Vallejo Municipal Code.

Section 5. The Planning Commission finds, based on the facts contained in the staff report attached hereto and incorporated herein by this reference, and given the evidence presented at the public hearing, and subject to the conditions attached to this resolution, that:

1. The tentative map is consistent with the goals and policies of the Vallejo General Plan.
2. The design and improvements of the proposed subdivision is in conformance with Title 15 "Subdivisions" and Title 16 "Zoning Ordinance" of the Vallejo Municipal Code.
3. The tentative map is in conformance with the Subdivision Map Act.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision and proposed improvements would not cause significant environmental damage or substantially injure fish or wildlife or their habitat.
6. The design of the subdivision and improvements will not cause serious public health problems.
7. The design of the subdivision and improvements would not conflict with easements of record, or established by a court of competent jurisdiction acquired by the public at large, for access through or use of property within the proposed subdivision.
8. The subdivision and improvements are no proposed for lands subject to the Williamson Act and are consistent with the requirements of Section 66474.4 of the Government Code.

Section 6. The Planning Commission also finds, based on the facts contained in the staff report attached hereto and incorporated herein by this reference, and given the evidence presented at the public hearing, and subject to the conditions attached to this resolution, that:

1. The minor exception to the width of the covered parking spaces will not exceed twenty-five percent of the prescribed width for covered parking spaces. Additionally, the elimination of the five guest parking spaces would not exceed twenty-five percent of the prescribed number of parking spaces.
2. The minor exception to the width of the covered parking spaces and the elimination of five guest parking spaces would not adversely affect any development or persons upon abutting property, with adversely affect meaning to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties.
3. The minor exception to the width of the covered parking spaces and the elimination of five guest parking spaces would not result in a hazard to pedestrian and/or vehicular traffic.
4. The minor exception to the width of the covered parking spaces would be reasonably necessary to the sound development of the property and the elimination of five guest parking spaces would result in better environmental quality of development of the property than without such exceptions.

Section 7. In addition, the Planning Commission finds, based on the facts contained in the staff report attached hereto and incorporated herein by this reference, and given the evidence presented at the public hearing, and subject to the conditions attached to this resolution, that:

1. The master plan/unit plan is consistent with the goals and policies of the Vallejo General Plan.
2. The master plan/unit plan furthers the stated purpose of the planned development district.
3. The master plan/unit plan is in conformity with public convenience, the general welfare, and good land use practice.
4. The master plan/unit plan will not be detrimental to health, safety, and general welfare.
5. The master plan/unit plan will not adversely affect the orderly development or the preservation of property values.
6. The unit plan is consistent with the intent, purpose, and development standards of the master plan.
7. The unit plan provides four structures with six units each that are well-related to each other and, taken together, will result in a well-composed urban design, with consideration given to site, height, arrangement, texture, material, color, and appurtenances, the relation of these factors to other structures in the immediate area, and the relation of the development to the total setting as seen from key points in the surrounding area.
8. The unit plan is of a quality and character that harmonizes with, and serves to protect the values of, private and public investments in the area.

**IV. RESOLUTION RECOMMENDING APPROVAL OF THE TENTATIVE MAP AND MINOR EXCEPTION FOR El Dorado VILLAGE, SUBJECT TO CONDITIONS OF APPROVAL**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby

APPROVES the Tentative Map and Minor Exception application (TM 07-0002 and ME 07-0001) for El Dorado Village, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached hereto and incorporated herein by reference.

**V. RESOLUTION FORWARDING A RECOMMENATION OF APPROVAL OF THE MASTER PLAN/UNIT PLAN FOR EL DORADO VILLAGE, SUBJECT TO CONDITIONS OF APPROVAL**

LET IT FURTHER BE RESOLVED that the Planning Commission hereby recommends that the City Council APPROVES the Master Plan/Unit Plan application (PD 07-0001) for El Dorado Village, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached hereto and incorporated herein by reference.

**VI. VOTE**

PASSED and APPROVED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 5th day of November, 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**  
**PD 07-0001, TM 07-0002, and ME 07-0001**  
**(APNs 0056-024-020, -030, -040, -050, -060, and -070)**

**A. Planning Division**

1. Submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. All exterior lighting shall be directed and shielded so as not to glare onto adjoining residential properties.

**PROJECT REQUIREMENTS:**

**A. Planning Division**

1. Approval of the Tentative Map and Minor Exception are conditional upon the approval of the Zoning Map Amendment and Master Plan/Unit Plan.
1. Conceptual landscape plans were included in the project plans. Prior to building permit submittal, submit 3 sets of landscaping plans prepared by a registered landscape architect to the Planning Division for review and approval. The requirement for a registered landscape architect may be waived at the discretion of the Planning Manager. Landscape plans shall comply with Chapter 16.70 (VMC), and are to include the following:
  - a. a minimum of 4 City-approved street trees to be planted at least 6 feet from any sewer line;
  - b. specification of low growth type species adjacent to doors, windows, and walkways;
  - c. low-water using and drought-resistant plant materials;
  - d. screening of required backflow preventer;
  - e. all trees to be minimum of 15 gallon, double staked; at least 50 percent of the proposed shrubs shall be a minimum of 5 gallon;
  - f. irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping, and water usage;
  - g. 6 inch high curbing around planters; and
  - h. screening of vines and trellis or fencing for the parking lot from Sonoma Boulevard.

Prior to occupancy/final building inspection, install landscaping and irrigation per approved plans. The landscape architect shall verify in writing that the landscaping and irrigation have been installed in accordance with the approved landscaped plans with respect to size, health, number and species of plants, and the overall design concept.



**B. Building Division**

1. Project must comply with current building standards in effect at time of submittal for building permits. 2007 California Building Code is in effect as of January 1, 2007.

**C. Department of Public Works**

1. The entire property is within 100-yr flood zone and floodway. Therefore, prior to obtaining grading permit applicant shall apply to Federal Emergency Management Administration (FEMA) for Conditional Letter of Map Revision (COMR).
2. Due to multiple trenching along El Dorado Street, the entire El Dorado Street fronting the property shall be ground and overlaid from curb to curb per City standard.
3. Grind and overlay curb to curb up to minimum five feet beyond last trench on Illinois and Arkansas Streets fronting the property per City standard.
4. Remove all existing driveway approaches fronting the property that will not be used with City standard curb, gutter and sidewalk.
5. Entrance to private driveway from public streets shall be standard driveway approach.
6. In order to have proper striping, 20 feet of private access at both ends shall have concrete/asphalt pavement without texture.
7. Fronting property on Arkansas and Illinois Streets shall be designated "No Parking" zone.
8. Landscape and utility plan shall be designed in such away that traffic line of sight shall not be blocked at the exit driveways.
9. All water meters shall be installed behind the sidewalk.
10. Install standard stop sign and stop marking at both exits of private alley (access road).
11. Install "No Parking" sign within private alley every 75 feet on both sides.
12. Install required standard street lights fronting the property per City standard.

13. Install standard handicap ramp at the two corners of property at Illinois and El Dorado Streets and Arkansas and El Dorado Streets.
14. Establish a Homeowners Association for operation and maintenance of private landscape, irrigation system, drainage system, fences, alley, paseo, lights, signs, striping, and other private facilities subject to the approval of the Planning Division, Public Works Director, Vallejo Sanitation and Flood Control District (VSFCD), and the City Attorney. The Covenants, Conditions, and Restrictions of all deeds issued within the subdivision shall contain provisions requiring participation in said Homeowners Association.
15. Prior to issuance of building permit, submit for review and secure approval of the Covenants, Conditions, and Restrictions by the City Attorney, Planning Manager, VSFCD, and Public Works Director.
16. Homeowners Association must accept common areas before City acceptance of subdivision.
17. Submit address map for assignment of street address for this project.
18. Prior to building permit submittal, submit a final map prepared by a qualified registered civil engineer or land surveyor for review and approval. The submitted map shall include all documents necessary for map review (title report, closure calculations, monument security, fees, etc.).
19. Prior to approval of the final map, the applicant shall pay the city charges required by Solano County for providing copies of the recorded map to the city.
20. Prior to occupancy/final inspection, install required street trees fronting the property. Street tree shall be selected from City's approved street tree list. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48).
21. Pay map checking fee. (Resolution No. 02-55 N.C.)

**Additional standard comments that may apply are:**

PW1 through PW19

**D. Fire Prevention**

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
2. The project shall conform to all applicable requirements of Title 19 – Public Safety, 1998 CFC, and all VMC Amendments.

3. Automatic fire sprinkler/extinguisher systems are required for all residential, commercial, and industrial occupancies.
4. Prior to occupancy/final building inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division.
5. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings positioned to be clearly visible and legible from the street. Residential buildings shall have numerals or letters not less than 3 inches in height and of an approved color that contrasts with the background.
6. Prior to occupancy/final building inspection, install "No Parking/Fire Lane" signs along interior access roadways in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manuel, sign # R26F).
7. Prior to occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.
8. Development sites shall be maintained weed-free during construction.
9. Additional fire hydrant(s) may be needed in the street right-of-way. Submit a complete set of plans for review and approval. All hydrants are to have "blue dot" highway reflectors installed on the street adjacent to the driveway to clearly identify the fire hydrant locations.
10. If security gates are desired at the entrance to the project, it shall be provided with a Fire Department-approved entry system.
11. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story (including basements), there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level.
12. Every sleeping room below the fourth story shall have at least one exterior opening for rescue purposes. The opening shall be a minimum of 5.7 square feet and 20 inches wide by 24 inches high. The finished sill height of the opening shall be no higher than 44 inches from the floor. Ladder access shall be provided for buildings over the first floor.

**E. Vallejo Sanitation and Flood Control District**

1. Prior to building permit submittal, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. Prior to occupancy/final building inspection, provide standard VSFCD cleanout at the right-of-way/easement line per District standards and a two-way cleanout at the building per the U.P.C.
3. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
4. Incorporate into the plans the District's standard notes for sewer and storm drain. Incorporate into the plans the District's standard drawings for manholes, cleanouts, laterals, catch basins, and pipeline construction. Please label on the drawings the sewer and storm drains that will be private and/or public.
5. The existing five foot sewer easement shall be maintained and no new construction shall encroach above the easement.
6. Private and public systems shall be constructed to District's specifications. The filter trench shall be maintained by the Homeowners Association.

See attached "Standard plan notes of the Vallejo Sanitation and Flood Control District".

**F. Water Division**

1. Submit a numbered list to the Water Division stating how each condition of project approval will be satisfied.
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers, as updated by Brown & Caldwell, 1996. Prior to building permit issuance, water system improvement plans shall be submitted to the Water Superintendent for review and approval, and shall contain at least:
  - a. Location and size of fire sprinkler service connection(s).
  - b. Location and size of domestic service connection(s).
  - c. Location and size of irrigation service connection(s).
  - d. Location of fire hydrants.
  - e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
  - f. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d)).

3. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25 psig residual pressure shall be available within 1,000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure. For single-family residential units, the fire flow is 1500 gpm. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy Jenks and its latest update by Brown and Caldwell dated April 1996.
4. Prior to building permit issuance, submit hydraulic calculations that demonstrate compliance with the fire flow requirements to the Water Superintendent.
5. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied.
6. Easements shall be granted for all water system improvements installed outside the public right-of-way in the City's Standard Form for Grant of Water Line Easement with the following widths:
  - a. 15 ft. wide (minimum) for water mains.
  - b. 10 ft. wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
7. Each unit or structure shall be metered separately.
8. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfections, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.
9. Prior to occupancy or final building inspection, install water system improvements as required. Backflow devices/s where required shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.
10. Individualized water services/meters for these units shall be situated along the frontage at El Dorado Street. Combined services along Illinois and Arkansas Streets shall show specific details on how these services are split and metered.

**GENERAL REQUIREMENTS:**

1. All businesses on the premises and all contractors and subcontractors working on the project shall obtain current City of Vallejo business licenses.

2. The conditions herein contained shall run with the property and shall be binding on the applicant and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
3. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.

**APPENDIX G**

**Environmental Checklist Form**

1. Project title: El Dorado Townhomes
  
2. Lead agency name and address:  

City of Vallejo Planning Division  
P.O. Box 3068  
555 Santa Clara Street  
Vallejo, CA 94590
  
3. Contact person and phone number: Katherine Donovan, 707-648-4327
  
4. Project location: West side of El Dorado Street between Illinois and Arkansas Streets
  
5. Project sponsor's name and address:  

Glenn Gorden  
6435 Zumirez Drive, #19  
Malibu, CA 90265
  
6. General plan designation: High Density Residential      7. Zoning: Intensive Use - Light
  
8. Description of project:

The proposed project consists of the development of a 24-unit townhouse development consisting of 4 buildings, each with 6 units. The buildings would be 3 stories, with two-car garages on the ground floor accessed from a private driveway running between Illinois and Arkansas Streets. Twelve of the units would front on El Dorado Street and twelve units would front on a paseo developed between this property and the adjacent properties to the west. The project would require that the property be rezoned from Intensive Use – Light to Planned Development Residential but would be consistent with the General Plan designation of High Density Residential. A minor exception would be required to the garage widths and to excuse the provision of 5 guest parking spaces.

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

The property is in a transitional area, with commercial and industrial development to the east, industrial uses to the north, and residential uses (both single-family and multi-family) to the south and west. The property has been used as an auxiliary lot for a moving and storage company for many years.

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

None.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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



effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

---

Signature

Date

---

Signature

Date

#### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.

- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
  - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
  - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
  - 9) The explanation of each issue should identify:
    - a) the significance criteria or threshold, if any, used to evaluate each question; and
    - b) the mitigation measure identified, if any, to reduce the impact to less than significance

**SAMPLE QUESTION**

Issues:

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

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

*There are no scenic vistas within the project vicinity.*

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

*There are no scenic resources within the vicinity of the project.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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c) Substantially degrade the existing visual character or quality of the site and its surroundings?

*The site is currently occupied by an aged warehouse building and storage containers. The proposed residential buildings would improve the visual character and quality of the site.*



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

*The proposed residential development would provide lighting similar to and compatible with existing residential development in the vicinity and would not create a new source of substantial light or glare. All new light sources shall comply with all applicable regulations, standards, and policies of the Vallejo Municipal Code and the Vallejo General Plan.*



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

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

*The project is not located on any designated Farmland.*



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

*The existing zoning for the project is not agricultural and there is no Williamson Act*



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Contract associated with the project.*

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

*The project is not located in the vicinity of any Farmland and would not involve in any changes that would result in conversion of Farmland to non-agricultural use.*

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

*The primary source of air pollution emissions associated with residential projects is from motor vehicles traveling to and from the project. Table 5 of the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines indicates that residential projects with fewer than 320 units would not produce potentially significant emissions. As the proposed project is for 24 units, it would not exceed the level of significance for air pollution emissions and, therefore, would not conflict with or obstruct implementation of the Bay Area 2005 Ozone Strategy, the latest applicable air quality plan.*

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

*Construction-related air quality impacts are anticipated with any construction project. The following mitigation measures, as recommended by BAAQMD for all construction sites, would be required for the project:*

- *Water all active construction areas at*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*least twice daily.*

- *Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.*
- *Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.*
- *Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.*
- *Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.*

*Implementation of these mitigation measures would reduce potential construction-related air quality impacts to a less-than-significant level.*

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

*Figure 2 "Evaluating Cumulative Impacts" of the BAAQMD's CEQA Guidelines is a flow chart designed to assist in determining a project's potential cumulative impacts. As illustrated by the flow chart, the project would not have a significant cumulative impact because: 1) the City's General Plan population projections are consistent with CAP and ABAG projections; 2) the rate of increase in vehicle miles traveled would not exceed the rate of increase in population; 3) the General Plan implements CAP transportation control measures; 4) the General Plan provides buffer zones around sources of odors, toxics, and accidental releases; and 5) the project is consistent with*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*the City's General Plan.*

d) Expose sensitive receptors to substantial pollutant concentrations?

*The project consists of the development of a 24-unit townhome complex and would not expose sensitive receptors to substantial pollutant concentrations or objectionable odors.*



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

*See d) above.*



IV. BIOLOGICAL RESOURCES -- Would the project:

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

*The project site was previously developed and is located in a developed area with no natural habitat, riparian habitat, wetlands, or waterways in the vicinity.*



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

*See a) above.*



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

*See a) above.*



d) Interfere substantially with the movement of any native resident or migratory fish or wildlife



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

*See a) above.*

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

*The City has no policies or ordinances protecting biological resources and, as this is a developed site with no existing landscaping, there are no such resources on the site.*



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

*There are not conservation plans affecting properties in the project vicinity.*



V. CULTURAL RESOURCES -- Would the project:

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



*There are no known historic, archaeological or paleontological resources, unique geologic features, or evidence or expectation of finding human remains on or near the site; however, should any such resources, evidence, or remains be discovered during any phase of the project, the following mitigation measure would limit impacts to a less-than-significant level:*

- *In the event that unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division shall be notified, and a qualified professional in the appropriate field shall be consulted to*

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*evaluate the resource and an appropriate management plan has been determined and adopted. If human remains are discovered, the County Coroner shall be notified. If the coroner determines that the remains are of Native American decent, the coroner shall contact the Native American Heritage Commission within 24 hours of the determination.*

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



*See a) above.*

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



*See a) above.*

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



*See a) above.*

**VI. GEOLOGY AND SOILS -- Would the project:**

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

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



*The project site is not within the Alquist-Priolo Earthquake Fault Zone as defined by the California Geologic Survey. The project site is therefore not susceptible to ground surface rupture during an earthquake.*

ii) Strong seismic ground shaking?





<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*Although the project site is not located within the Alquist-Priolo Earthquake Fault Zoning Map, the San Francisco Bay Area is one of the most seismically active regions in the United States. The project is within twenty-five miles of three active fault zones: the West Napa Fault Zone, the Concord-Green Valley (South) Fault Zone, and the Rodgers Creek Fault Zone. Although potential ground shaking at the site cannot be mitigated, adherence to the most currently California Building Code requirements for Seismic Zone 4 would mitigate the danger of ground shaking to the extent feasible, reducing the impact to a less-than-significant level.*

iii) Seismic-related ground failure, including liquefaction?



*According to the Susceptibility Map of the San Francisco Bay Area, the project is rated as low to moderate risk of liquefaction. The structural design of the project would be required to comply with recommendations of the soils report for the project and with the applicable California Building Code. Compliance with these requirements would reduce impacts to a less-than-significant level.*

iv) Landslides?

*The site is in a level area and would not be at risk to landslides.*



b) Result in substantial soil erosion or the loss of topsoil?

*As the project would result in coverage of the site with buildings, paving, and landscaped areas, there would be no soil erosion as a result of project implementation. The site is currently paved over a bed of gravel, so there is no top soil remaining on the site.*



c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

*The project is located on a flat plane and is not in danger of on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.*

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

*According to the Geotechnical Investigation prepared for the project by KC Engineering Company on June 1, 2007, from a geotechnical standpoint, the site is suitable for the proposed townhome development provided the recommendations presented in the report are incorporated into the project plans and specifications.*

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

*The City's sewer system would serve this property, so septic tanks or alternative waste water disposal systems would not be needed.*

**VII. HAZARDS AND HAZARDOUS MATERIALS B** Would the project:

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

*The project would not include the routine transport, use, or disposal of hazardous materials except at normal residential levels, which would be considered less than significant.*

*There were previously three underground fuel storage tanks on the site that were removed in 1989. The site was subject to an Underground Storage Tank Investigation in 1995 and received a Remedial Action*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Completion Certification from the San Francisco Bay Regional Water Quality Control Board and the Solano County Department of Environmental Management on January 28, 1997.*

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?



*See a) above.*

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?



*See a) above.*

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?



*The site is not included on a list of hazardous materials sites compiled pursuant to Gov. Code Section 65962.5.*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?



*The project is not located within an airport land use plan or within two miles of an airport.*

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?



*The project is not within the vicinity of a private airstrip.*

g) Impair implementation of or physically

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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interfere with an adopted emergency response plan or emergency evacuation plan?

*The project would not include any alteration to the existing roads or other infrastructure that could adversely affect the implementation of an emergency response plan.*



h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

*The project is on an infill site surrounded by urban development with no wildlands intermixed.*



VIII. HYDROLOGY AND WATER QUALITY

-- Would the project:

a) Violate any water quality standards or waste discharge requirements?

*The property is currently paved. Implementation of the project would include the development of yards for each individual property as well as landscaped areas for the tot lot and pocket park, which would increase natural infiltration of storm water on-site, decreasing stormwater peak flows and runoff volumes.*



b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

*Groundwater recharge would be increase through project development as existing paving would be removed and replaced with landscaping (see a above).*



c) Substantially alter the existing drainage pattern

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <i>There is no river or stream on-site and the site, although within the 100-year flood hazard area, is not within a floodway. Any change in the drainage pattern in the area would be minimal.</i>				▶
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>See a) and c) above.</i>				▶
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>See a) above.</i>				▶
f) Otherwise substantially degrade water quality? <i>The project is a 24-unit residential project. Residential projects of this size are not considered likely to substantially degrade water quality.</i>				▶
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>The project would be within the 100-year flood hazard area per Flood Insurance Rate Map, Community Panel number 060374 0005 C; however, the property would be removed from the flood hazard area by placing fill on the site. As a condition of project approval, the applicant shall apply to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision prior to obtaining a grading permit from the City of Vallejo and</i>		▶		

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*prior to building permit approval, the applicant shall provide a Letter of Map Revision from FEMA. Removal of the property from the 100-year flood hazard area would reduce any potential impacts to a less-than-significant level.*

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?



*See g) above.*

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?



*There are no dams or levees in the vicinity of the project.*

j) Inundation by seiche, tsunami, or mudflow?

*The project is not located in the vicinity of a large body of water that could be the source of a seiche or tsunami. As the project is located in an area that is relatively flat, there is no threat of mudflows in the vicinity.*



IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?

*The project would not physically divide an established community. The property is located between a residential area and an industrial/commercial area and would provide a transition between the two land uses.*



b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?



*The project is consistent with the General*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Plan designation for the property. The current zoning designation of Intensive Use Limited is not consistent with the General Plan designation and the change in zoning required for the project would bring the zoning into conformance with the General Plan designation for this property.*

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

*There is no applicable habitat conservation plan or natural community conservation plan for the area.*



X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

*There are no known mineral resources at the project site.*



b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

*There are no mineral resource recovery sites in the vicinity.*



XI. NOISE - Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

*The project is not located near any noise-generating land uses. The proposed residential project would provide a noise environment compatible with other residential development in the vicinity. Existing industrial uses in the vicinity do not produce significant noise levels and any future uses would be required to comply with the City's noise standards, which would*



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*protect residents of the project from excessive noise impacts.*

*Short-term construction-related noise levels may be in excess of the standards established in the General Plan; however, short-term noise impacts are not considered significant impacts. Nevertheless, the following mitigation measures shall be implemented to lessen construction-related noise impacts:*

- 1. Locate stationary noise generating equipment as far as possible from sensitive receptors, including residential uses to the south and west of the site. Acoustically shield stationary noise sources when located in areas adjoining sensitive receptors.*
- 2. Utilize "quiet" air compressors and other "quiet" equipment where technology exists.*
- 3. Prohibit unnecessary idling of construction equipment.*
- 4. Properly maintain and muffle all internal combustion-driven construction equipment.*
- 5. The contractor shall prepare a detailed construction plan identifying the schedule for noise-generating construction activities. The construction plan shall identify a procedure for coordination with the adjacent noise-sensitive residential uses so that construction activities can be scheduled to minimize noise disturbances.*
- 6. Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented.*



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The City shall be responsible for designating a noise disturbance coordinator and the project sponsor shall be responsible for posting the phone number and providing construction schedule notices).*

7. *Noise-generating construction activities shall be limit to the hours of 7:00 a.m. to 6 p.m. Monday through Friday. No construction shall occur on weekends or public holidays.*

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?



*See a) above.*

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?



*See a) above.*

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?



*See a) above.*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?



*The project is not located within an airport land use plan or within two miles of an airport.*

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*The project is not within the vicinity of a private airstrip.*

**XII. POPULATION AND HOUSING -- Would the project:**

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?



*The proposed project would provide 24 housing units, which is within the increase in housing anticipated in the City's General Plan and the Association of Bay Area Government (ABAG) projections 2007. In addition, the size of the project would preclude it from inducing substantial population growth.*

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?



*The project would not displace any existing housing.*

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?



*The project would not displace any people.*

**XIII. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

*The project consists of the redevelopment of a property previously used for parking and storage by a moving and storage company. The location is within the developed area of*

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*the City and the limited size of the project precludes any need for an expansion of public services. In addition, the project is within the projections for additional housing units within the City's General Plan and ABAG's Projections 2007. The City collects impact fees for both schools and parks, which would reduce impacts to these services to a less-than-significant level.*

Fire protection?  
*See a) above.*



Police protection?  
*See a) above.*



Schools?  
*See a) above.*



Parks?  
*See a) above.*



Other public facilities?  
*See a) above.*



**XIV. RECREATION --**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?



*The City Municipal Code requires developers to dedicate land or pay a fee in lieu of the land dedication, or a combination of both, at the option of the City, for park, recreation, or open space purposes. This City requirement mitigates any potential impact of the project on parks and recreational facilities.*

*The project is approximately three blocks from Washington Park. This distance is generally accepted as within walking distance of the project and would provide additional recreational opportunities to*

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*residents of the development. In addition, the Vallejo Plunge, which is available for public use during the summer months, is also within three blocks of the project site.*

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

*The project includes a tot lot and a pocket park; however, these facilities are part of the project and would be privately owned and maintained by the homeowners association. Therefore, the project would not have an adverse physical effect on the environment.*

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

*The proposed project would provide 24 townhome units. The trip generation rate provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Seventh Edition, for this use type is an average of 4.8 trips per unit per day, with 0.51 trips during the peak a.m. hours (7 a.m. to 9 a.m.). This would equate to a total average of 115.2 trips per day, with approximately 12.24 of these trips occurring during the peak a.m. hours. This increase in traffic would be considered less than significant and would not change the existing level of service on surrounding streets.*

*The project site is also served by two Vallejo Transit bus routes: Route 1, the South Vallejo / Rancho Vallejo route, and Route 6, the Beverly Hills / Tennessee Street route.*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*Both routes stop at the intersection of Tennessee Street and Broadway, two blocks from the project site. Route 1 provides service either north or south every half-hour Monday through Friday from about 5:20 a.m. to about 8 p.m. and every half hour starting at about 7 a.m. and ending at about 9:30 p.m., with on bus at 10:30 p.m., on Saturdays and holidays. Route 6 provides service once per hour (twice per hour for the first hour of service) Monday through Friday from about 5:40 a.m. to about 8:00 p.m. and from about 7 a.m. to 7 p.m. on Saturdays and Holidays. Bus service is provided on only one route, Route 5/7, the Redwood / Gateway / Springs Road route, on Sundays. This route runs down Florida Street, approximately a half-mile from the project site.*

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?



*The project size would preclude it from having a significant impact on the level of service on designated roadways.*

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?



*The proposed project is to develop 24 residential units. The limited size of the project would preclude any change in air traffic patterns resulting from the project.*

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?



*The project would not change the existing grid system in the project vicinity. Project traffic would enter and exit the project site*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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*from the interior drive aisle, perpendicular to Illinois and Arkansas Street. The driveway intersection would be controlled by a stop sign at the driveway entrance to the street, which would prevent the intersection of the driveway and street from being dangerous.*

e) Result in inadequate emergency access?  
*The project would not result in any change to the existing emergency access to other uses in the vicinity. Adequate emergency access has been provided for the project in the site design.*

f) Result in inadequate parking capacity?  
*The City's parking standard for multi-family residential uses is two parking spaces per unit and one guest space per unit. The project provides two spaces per unit with no guest spaces, which would fall short of the City standard by five spaces; however, because all access is provided by one driveway from Illinois to Arkansas Street, a total of approximately 18 on-street parking spaces would be available. Given the limited parking demand of the warehouse-type uses in the vicinity, the on-street parking would more than off-set the loss of five spaces on-site.*

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?  
*There are no adopted policies, plans, or programs supporting alternative transportation that would be affected by the project. There are no bus turnouts in the vicinity of the project. As the project is for individually owned units, bicycle storage would be provided by each homeowner as needed.*

XVI. UTILITIES AND SERVICE SYSTEMS B

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>The project is within the development parameters anticipated in the Vallejo General Plan and ABAG Projects 2005. The project conditions of approval contain Best Management Practices (BPM) that would ensure that the project would not exceed wastewater treatment requirements of the Bay Area Regional Water Quality Control Board (BARWQCB).</i>			▶	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project is within the development anticipated in the General Plan and can be served by the existing water and wastewater treatment facilities and would not result in the expansion of those facilities.</i>			▶	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The project site is currently paved. The construction of the project would result in a decrease in the amount of impervious service, which would result in a decrease in the input to the storm water drainage system. Therefore, the project would not require an expansion of the existing system.</i>				▶
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Sufficient water supplies are available from existing entitlements and resources to serve the project.</i>				▶

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

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

*The project is within the anticipated housing increase for the City, which has been determined to be adequately met by the existing capacity of the Vallejo Sanitation and Flood Control District.*



f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

*The City of Vallejo has an exclusive contract with Vallejo Garbage Service, Inc. to collect and transport solid waste and recyclable material to the Devlin Road Transfer Station in American Canyon, Ca. Waste from the Devlin Road facility is transported to Keller Canyon Landfill in Contra Costa County for ultimate disposal. Keller Canyon Landfill is permitted to receive up to 3,500 tons of waste per day and currently receives about 2,500 tons of waste per day. The California Integrated Waste Management Board lists the expected closure date of the landfill to be December 31, 2030. The landfill has a total capacity of over 75 million cubic yards and a remaining capacity of over 68 million cubic yards. Therefore, the proposed project would be served by a landfill with sufficient capacity to accommodate its solid waste disposal needs.*



g) Comply with federal, state, and local statutes and regulations related to solid waste?

*The City of Vallejo has adopted a construction and demolition (C&D) debris recycling ordinance to redirect C&D materials away from landfills. The ordinance requires that at least 50 percent of the C&D debris and at least 75 percent of concrete and asphalt generated from a*





Potentially  
Significant  
Impact

Less Than  
Significant with  
Mitigation  
Incorporation

Less Than  
Significant  
Impact

No  
Impact

*construction site be salvaged and/or recycled. In addition, the City requires that curbside recycling and yardwaste collection be provided for all residential subdivisions within the City's jurisdiction. Compliance with the City's C&D ordinance during construction and the provision of curbside recycling and yardwaste collection service after construction would ensure that the project complies with local and state laws related to waste reduction.*

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

*The project has no potentially significant impacts.*



b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

*The project would not result in any potentially significant cumulative impacts.*



c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

*With the proposed mitigation, the project would not have any environmental effects that would cause substantial adverse effects on human beings, either directly or*



**Potentially  
Significant  
Impact**

**Less Than  
Significant with  
Mitigation  
Incorporation**

**Less Than  
Significant  
Impact**

**No  
Impact**

*indirectly.*

## SUPPORTING INFORMATION SOURCES

1. Project Specific Factor/Project Design
2. Geotechnical Investigation on Proposed Townhome Development, El Dorado Street, KC Engineering Company, June 1, 2007.
3. Underground Storage Tank Investigation Report, 623 Broadway, Versar, Inc. – Sacramento, January 11, 1995.
4. Letter from Ricardo M. Serrano, Solano County Department of Environmental Management to Mr. Brad Job, California Regional Water Quality Control Board, re: update of site information, dated October 16, 1996.
5. Letter from Ricardo M. Serrano, Solano County Department of Environmental Management to Mr. Brad Job, California Regional Water Quality Control Board, re: request for closure, dated October 16, 1996.
6. Case Closure Summary, Leaking Underground Fuel Storage Tank Program, October 16, 1996.
7. Letter from Ricardo M. Serrano, Solano County Department of Environmental Management to Mr. Marcel Campbell re: Underground Storage Tank Case Closure, dated January 28, 1997.
8. City of Vallejo General Plan, July 1999.
9. City of Vallejo Municipal Code (as adopted).
10. State of California, Subdivision Map Act (Government Code Sections 66410 to 66499.58)
11. Vallejo Citywide Traffic Study, June 1994
12. BAAQMD CEQA Guidelines Assessing the Air Quality Impacts of Projects and Plans, Bay Area Air Quality Management District, April 1996, revised December 1999.
13. City of Vallejo, Regulations and Specifications for Public Improvements (as adopted)
14. City of Vallejo, Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers, as updated by Brown & Caldwell, 1996.
15. City of Vallejo, 1995 Urban Water Management Plan
16. Vallejo Sanitation and Flood Control District, Wastewater Facilities Master Plan, 1992.
17. Vallejo Sanitation and Flood Control District, Storm Drainage Master Plan, 1992.
18. Greater Vallejo Recreation District Master Plan, January 11, 2007.

20. Uniform Building Code (as adopted)
21. Uniform Fire Code (as adopted)
22. Vallejo Fire Prevention Standards.
23. Verbal and/or written comments from Vallejo Department of Public Works (Engineering Division)
24. Verbal and/or written comments from Vallejo Water Division
25. Verbal and/or written comments from Vallejo Fire Prevention Division
26. Verbal and/or written comments from Vallejo Police Department
27. Verbal and/or written comments from Vallejo Sanitation and Flood Control District
28. Verbal and/or written comments from Vallejo City Unified School District
29. Verbal and/or written comments from Greater Vallejo Recreation District
30. Verbal and/or written comments from Pacific Gas and Electric Company
31. Verbal and/or written comments from Pacific Bell
32. California Department of Fish and Game
33. U.S. Fish and Wildlife Service
34. California Archeological Inventory, Northwest Information Center, Sonoma State University.
35. Federal Emergency Management Agency, Flood Insurance Program.
36. California Department of Conservation, Special Report 166 - Mineral Land Classification: Aggregate Materials in the San Francisco - Monterey Bay Area.
37. Office of Planning and Research, Hazardous Waste and Substance Sites List.
38. City of Vallejo, Emergency Operations Plan, September 1998.
39. Solano County Integrated Waste Management Plan.
40. Bay Area Stormwater Management Agencies Association, Start at the Source, 1999 Edition.
41. Department of Conservation, California Geological Survey, Fault-Rupture Hazard Zones in California, Interim Revision 2007.

42. Bay Area Air Quality Management District, Bay Area 2005 Ozone Strategy, January 4, 2006.

43. Bay Area Air Quality Management District, Bay Area 2000 Clean Air Plan, December 20, 2000.

44. Vallejo Transit website, [www.vallejo-transit.com](http://www.vallejo-transit.com).

## CITY OF VALLEJO

### PROPOSED MITIGATED NEGATIVE DECLARATION

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

PROJECT ACTIONS: Zoning Map Amendment 07-0001, Planned Development 07-0001, Tentative Map 07-0002, and Minor Exception 07-0001

PROJECT DESCRIPTION: The proposed project would include a Zoning Map Amendment to rezone the property from Intensive Use - Limited to Planned Development Residential; a Master Plan/Unit Plan and a Tentative Map to develop 24 townhome units on individual lots on the 39,200-square-foot property; and a Minor Exception to allow an interior garage width of 19 feet, 4 inches and to eliminate the five required on-site guest parking spaces. The tentative map would subdivide the six existing parcels into 24 residential parcels and a remainder parcel containing the access driveway, the tot lot, and the pocket park. The residential parcels would range in size from 1,000 square feet to 1,355 square feet. The remainder parcel would be owned and maintained by the Homeowners Association.

LOCATION: 1700 block of El Dorado Street (west side);

APNs: 0056-024-020, 0056-024-030, 0056-024-040, 0056-024-050, 0056-024-060, and 0056-024-070

APPLICANT: Glenn Gorden

FINDING: This project could have a significant effect on the environment. However, the mitigation measures described below have been incorporated into the project or recommended as conditions of project approval, mitigating to less than a significant level the potential adverse environmental effect of this project action.

#### MITIGATIONS:

##### Air Quality

1. Water all active construction areas at least twice daily.
2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.

4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

#### Cultural Resources

1. In the event that unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division shall be notified, and a qualified professional in the appropriate field shall be consulted to evaluate the resource and an appropriate management plan has been determined and adopted. If human remains are discovered, the County Coroner shall be notified. If the coroner determines that the remains are of Native American decent, the coroner shall contact the Native American Heritage Commission within 24 hours of the determination.

#### Geology and Soils

1. The structural design of the project shall comply with recommendations of the soils report for the project and with the applicable California Building Code.
2. The project plans and specifications shall incorporate the recommendations presenting in the Geotechnical Investigation prepared for the project by KC Engineering Company on June 1, 2007.

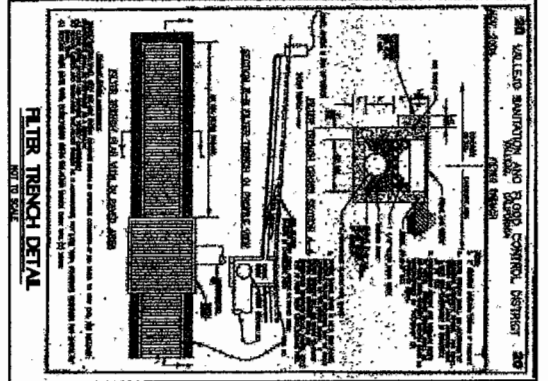
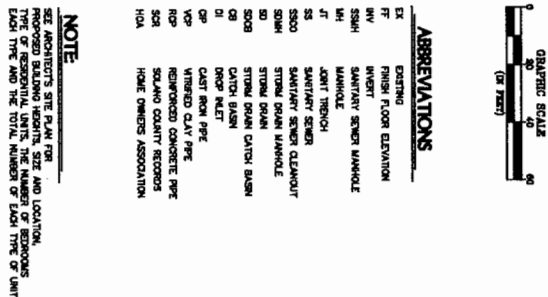
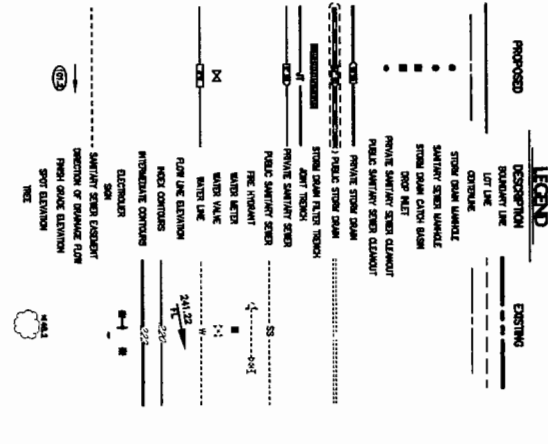
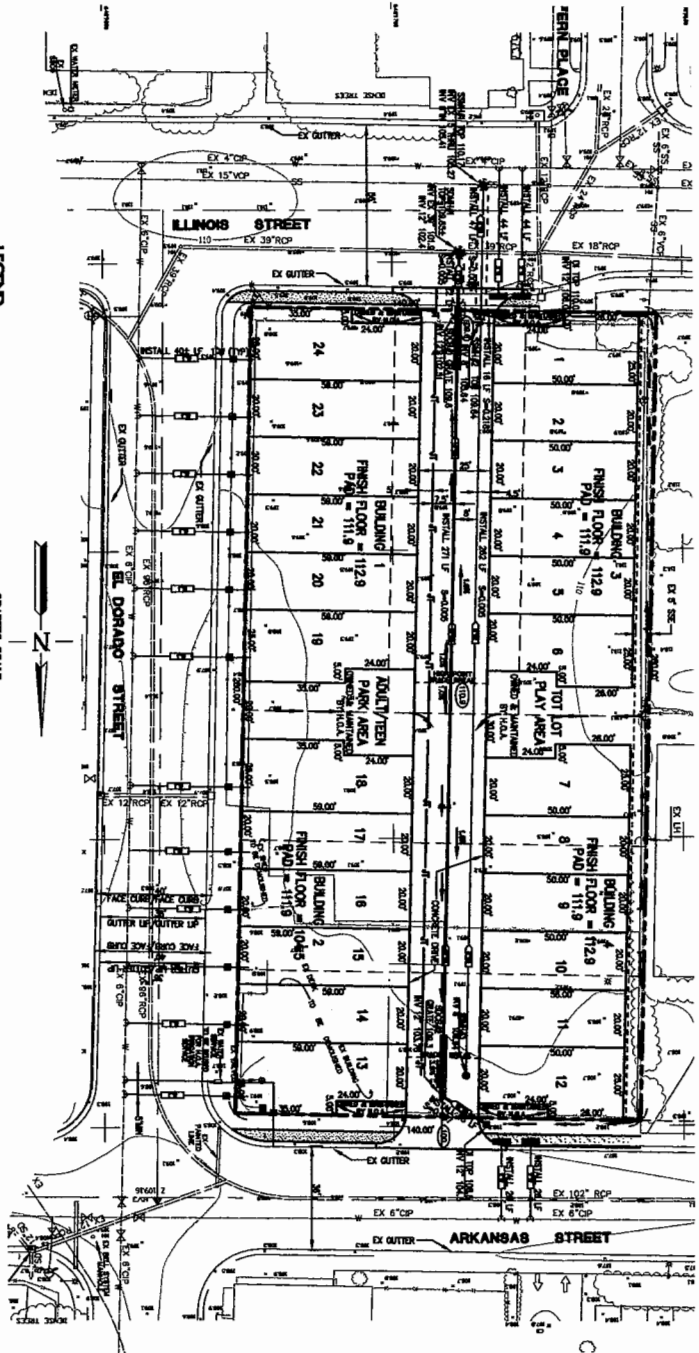
#### Hydrology and Water Quality

1. The applicant shall apply to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision prior to obtaining a grading permit from the City of Vallejo and prior to building permit approval, the applicant shall provide a Letter of Map Revision from FEMA.

#### INCLUSION OF MITIGATION MEASURES AS PART OF PROJECT

I, as applicant/authorized agent, have reviewed the mitigation measures noted above and agree to include said measures as part of this project.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_



**NOTE**

SEE ARCHITECT'S SITE PLAN FOR PROPOSED BUILDING FOOTPRINTS AND LOCATIONS. EACH THE AND THE TOTAL NUMBER OF EACH TYPE OF UNIT.

**GENERAL NOTES**

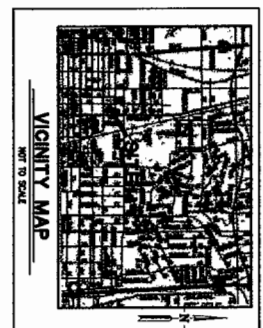
1. THE PROPERTY TO BE REDEVELOPED CONSISTING OF 6.5 ACRES SHOWN ON THE FINAL MAP OF SUBDIVISION NO. 1 OF THE CITY OF VALLEJO, CALIFORNIA, IS SHOWN IN BOOK 5 RECORDS, CALIFORNIA, CITY OF VALLEJO, SUBDIVISION NO. 1.
2. PROPOSED TOTAL NUMBER OF UNITS: 24
3. OWNER: ALCA PROPERTY, LLC A NEVADA LIMITED LIABILITY COMPANY 677 ALABAMA STREET VALLEJO, CA 94580 (707) 441-4143
4. SURVEYOR: ALCA PROPERTY, LLC A NEVADA LIMITED LIABILITY COMPANY 677 ALABAMA STREET VALLEJO, CA 94580 (707) 441-4143
5. SOILS ENGINEER: MC CONNORS INC. 1000 W. STATE A VALLEJO, CA 94580 (707) 441-4143
6. AREAS TO BE SUBJECT TO REMEDIATION OR OVERLIEF NONE
7. WETLANDS: NONE
8. DESIGN LOADINGS ON PROPERTY: 1
9. THE PROPERTY IS FOR SINGLE FAMILY RESIDENTIAL USE.
10. ELEVATIONS FOR PUBLIC UTILITIES TO BE DEGRADED AS REQUIRED.
11. WATER SERVICE TO BE SUPPLIED BY THE CITY OF VALLEJO.
12. SERVICE SPECIAL TO BE PROVIDED BY THE CITY OF VALLEJO.
13. FIRE CODE: THE CITY OF VALLEJO FIRE DEPARTMENT AS REQUIRED.
14. STORM DRAINAGE SHALL BE IN ACCORDANCE WITH VALLEJO SANITATION AND FLOOD CONTROL DISTRICT STANDARD SPECIFICATIONS.
15. ELEVATIONS ARE BASED ON N.A.V.D. 108 FEET.
16. ASSessor'S PANEL NUMBER: 0006-004-001, 0006-021-001, 0006-022-001, 0006-023-001, 0006-024-001, 0006-025-001, 0006-026-001, 0006-027-001, 0006-028-001, 0006-029-001, 0006-030-001.
17. THE CITY OF VALLEJO STANDARD SPECIFICATIONS FOR CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEJO STANDARD SPECIFICATIONS FOR CONSTRUCTION.
18. THE EXISTING TEMPORARY SIGN ON THESE PLANS ARE BASED ON AN ALTA SURVEY DATED NOVEMBER 8, 2006, PREPARED BY KNOX-DEBONO CORP.
19. CONTAINMENT INTERVAL IS 1.0' IN PLANT AREAS.
20. AVERAGE SLOPE OF SITE = 1%.
21. THIS PLAN SHOWS A PRELIMINARY GROUND ELEVATION & FLOOD ELEVATION FOR EACH TOWNHOME CONCEPT.
22. NO TREES EXIST WITH A DIAMETER OR MORE ON THE PROPERTY.

PREPARED UNDER THE DIRECTION OF:

ROBERT A. KARN R.A.E. 30175 DATE

ROBERT A. KARN R.A.E. 30175 DATE

ROBERT A. KARN R.A.E. 30175 DATE



NO.	DATE	REVISIONS
1		

TENTATIVE MAP - RESUBDIVISION OF LOTS 22-27 BEING A PORTION OF BLOCK 618 EL DORADO TOWNHOMES VALLEJO, CALIFORNIA

FOR: ALCA PROPERTY, LLC A NEVADA LIMITED LIABILITY COMPANY

**RAK** ROBERT A. KARN & ASSOCIATES, INC.

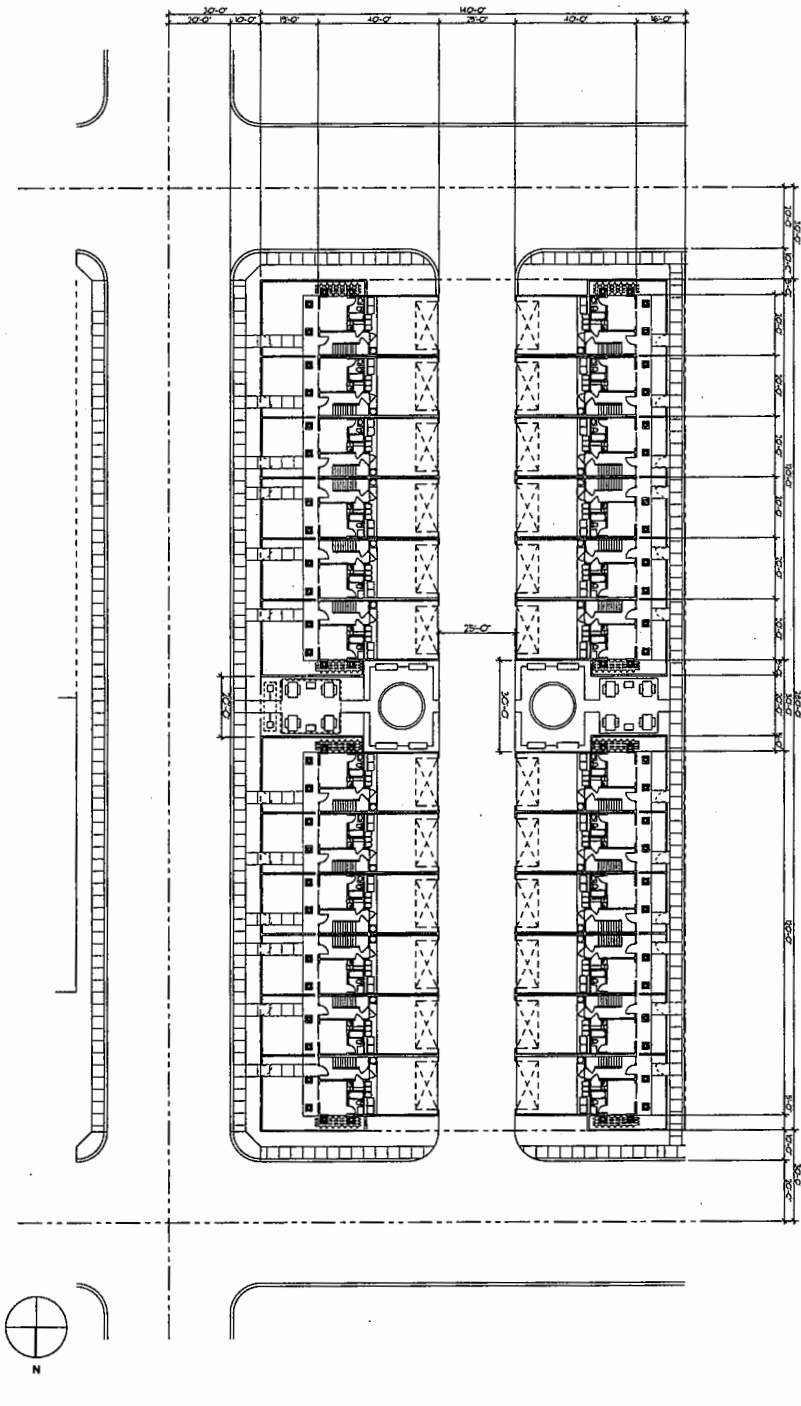
CIVIL ENGINEERS

1000 W. STATE A. VALLEJO, CA 94580

PHONE: (707) 441-4143 FAX: (707) 441-4143

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1ST FLOOR  
SCALE: 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 505 FRANCIS STREET  
 SAN FRANCISCO, CA 94118  
 P 415-775-0333  
 F 415-775-1788

ARCHITECT OF RECORD:  
 RAYMOND E. HEGEL, AIA  
 CONSULTANT

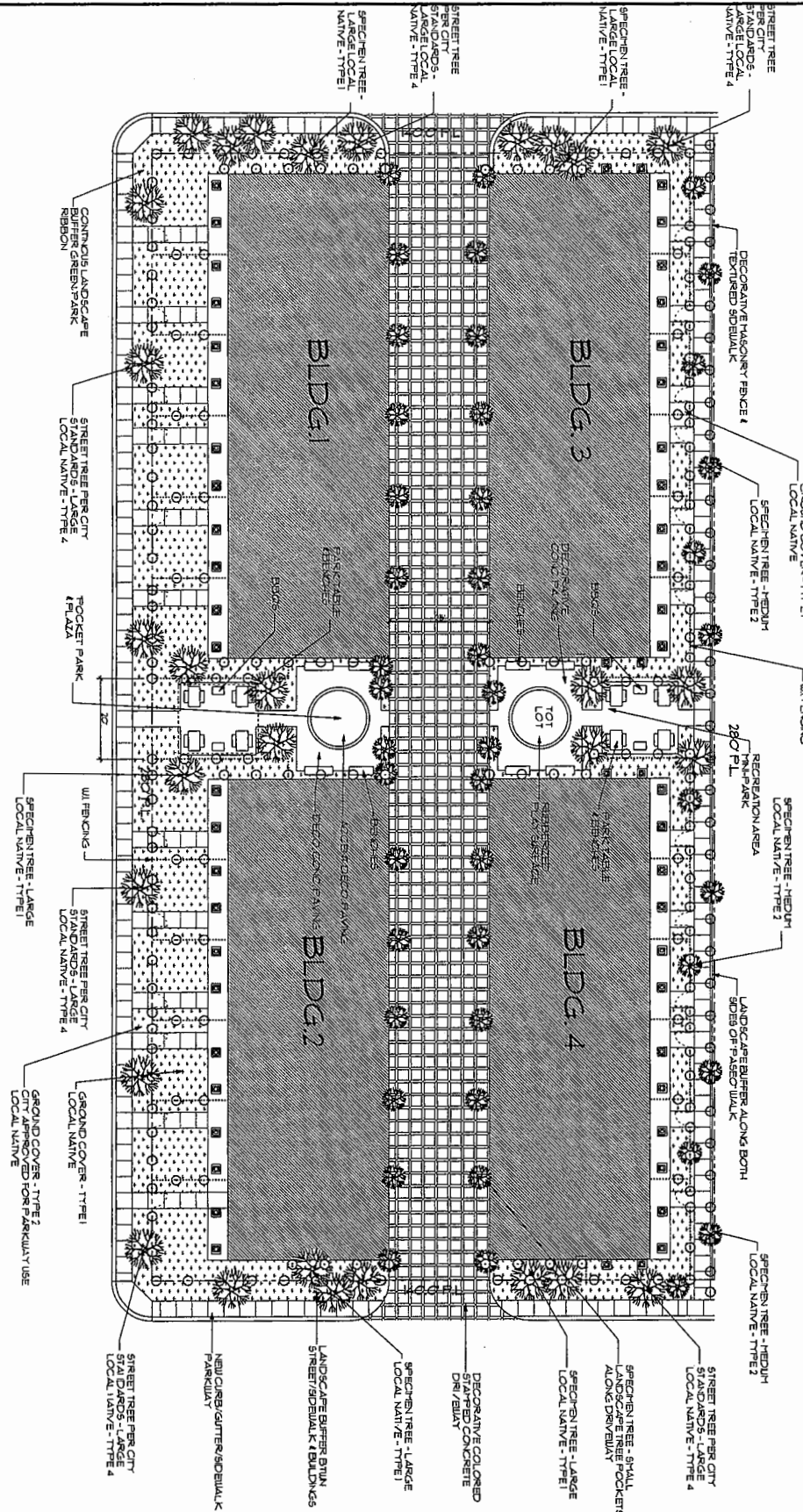
**PROJECT INFORMATION**  
**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 VALLEJO  
 CALIFORNIA, 94590

OWNER:  
 VAL PROP, LLC  
 617 AMADOR STREET  
 WALLEJO, CA 94590

NO.	DESCRIPTION	DATE
1	BLDG / FINANCING DEPT. SUBMITTION	11

SHEET TITLE  
**PLOT PLAN**

SHEET 2  
**A-1**  
 OF 11



- ### PLANTING MATERIAL LEGEND:
- STREET TREE - CITY APPROVED  
SPECIMEN TREE - TYPE 1 AS SHOWN  
SPECIMEN TREE - TYPE 2
  - SPECIMEN TREE - MEDIUM - TYPE 3  
SPECIMEN TREE - SMALL - TYPE 4  
SPECIMEN TREE - LARGE - TYPE 1
  - HEDGING BUSH - TYPE 1  
SPECIMEN TREE - MEDIUM - TYPE 2
  - GROUND COVER - CITY APPROVED  
SPECIMEN TREE - MEDIUM - TYPE 2  
SPECIMEN TREE - SMALL - TYPE 4  
SPECIMEN TREE - LARGE - TYPE 1
  - GROUND COVER - TYPE 1 - PRIVATE AREAS  
SPECIMEN TREE - MEDIUM - TYPE 2  
SPECIMEN TREE - SMALL - TYPE 4  
SPECIMEN TREE - LARGE - TYPE 1
  - GROUND COVER - CITY APPROVED PARTICULAR USES  
SPECIMEN TREE - MEDIUM - TYPE 2  
SPECIMEN TREE - SMALL - TYPE 4  
SPECIMEN TREE - LARGE - TYPE 1

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 505 FRANCISCA STREET  
 SAN FRANCISCO, CA 94110  
 T 415-870-0532  
 F 415-824-1788

ARCHITECT OF RECORD:  
 RAYMOND E. HEGE, AIA  
 CONSULTANT

**PROJECT INFORMATION**  
 EL DORADO TOWNHOMES  
 17 EL DORADO STREET  
 VALLEJO  
 CALIFORNIA, 94590

OWNER:  
 VAL PROP, LLC  
 617 AMADOR STREET  
 VALLEJO, CA 94588

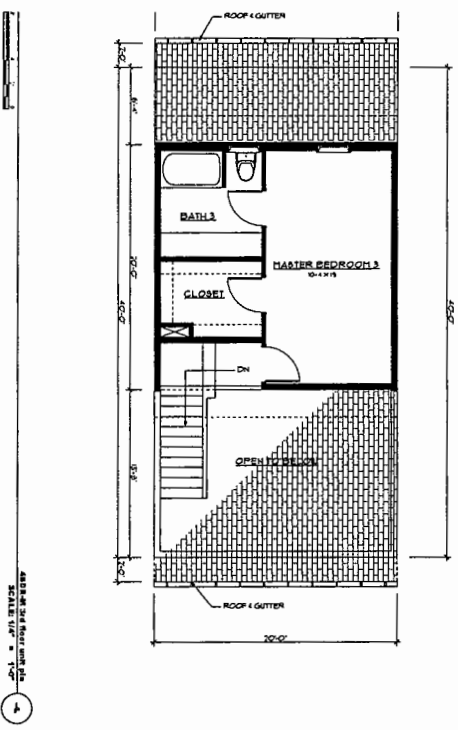
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2	07/20/07	PROJECTING
3	07/20/07	REVISIONS
4	07/20/07	REVISIONS
5	07/20/07	REVISIONS
6	07/20/07	REVISIONS
7	07/20/07	REVISIONS
8	07/20/07	REVISIONS
9	07/20/07	REVISIONS
10	07/20/07	REVISIONS

**SHEET TITLE**  
 LANDSPACE PLAN

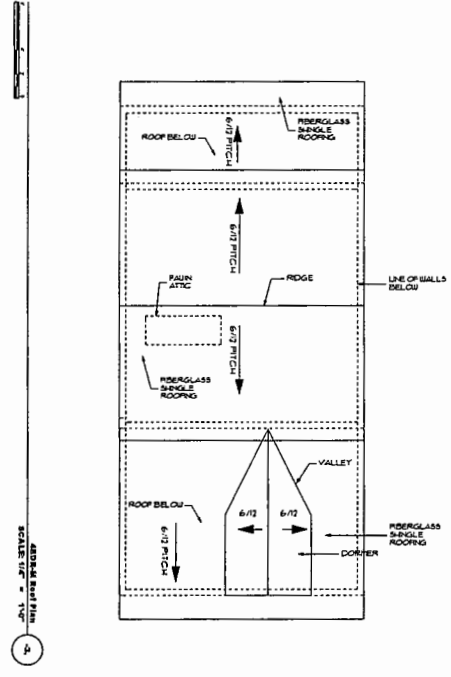
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 SHEET 3 OF 11



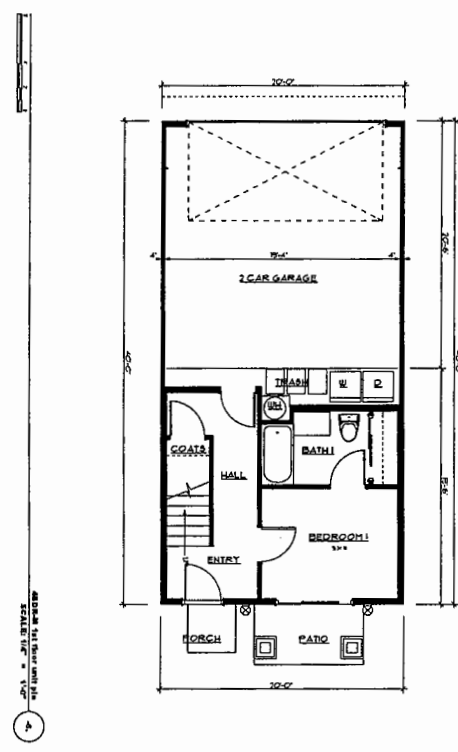




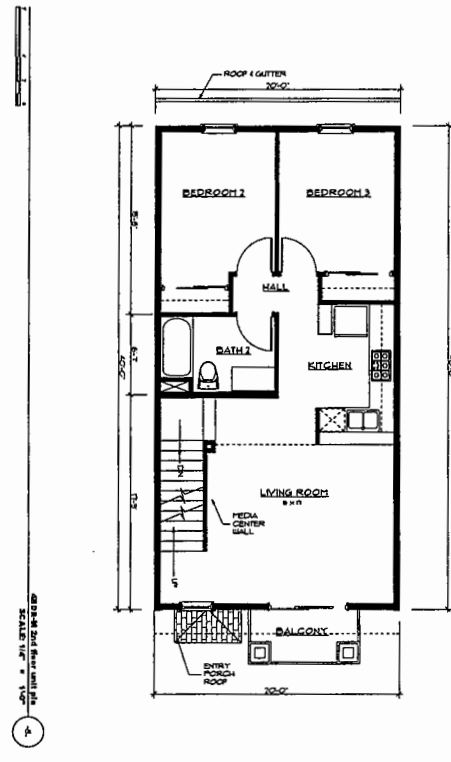
ARCHITECTURAL FLOOR PLAN  
SCALE: 1/8" = 1'-0"  
4



ARCHITECTURAL ROOF PLAN  
SCALE: 1/8" = 1'-0"  
4

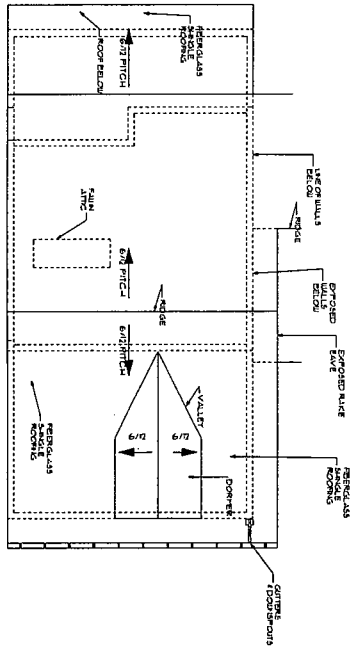


ARCHITECTURAL FLOOR PLAN  
SCALE: 1/8" = 1'-0"  
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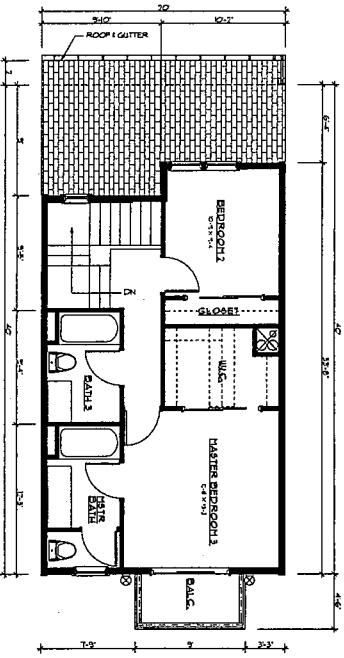


ARCHITECTURAL FLOOR PLAN  
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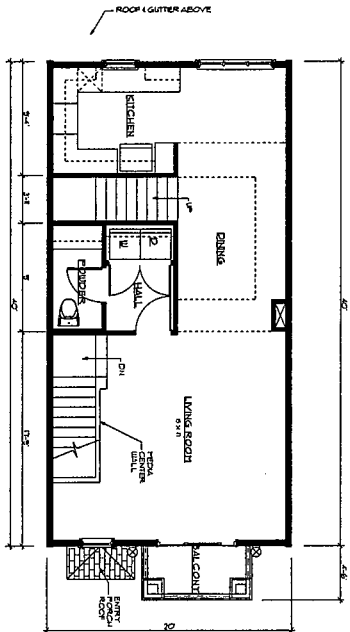
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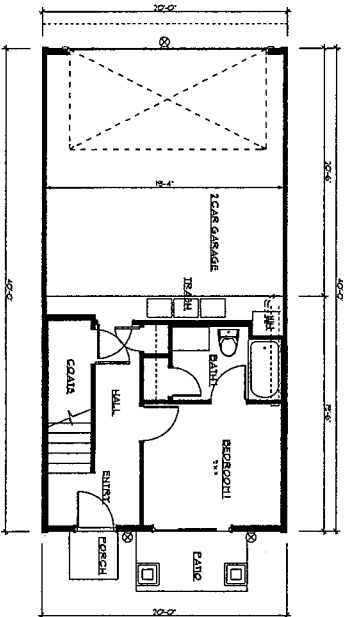
3RD FLOOR PLAN  
SCALE 1/8" = 1'-0"



3RD FLOOR PLAN  
SCALE 1/8" = 1'-0"



3RD FLOOR PLAN  
SCALE 1/8" = 1'-0"



3RD FLOOR PLAN  
SCALE 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 503 FRANCIS STREET  
 SAN FRANCISCO, CA 94110  
 T 415-779-0333  
 F 415-824-1780

ARCHITECT OF RECORD:  
 RAYMOND E. HEGELMAN  
 CONSULTANT

**PROJECT INFORMATION**

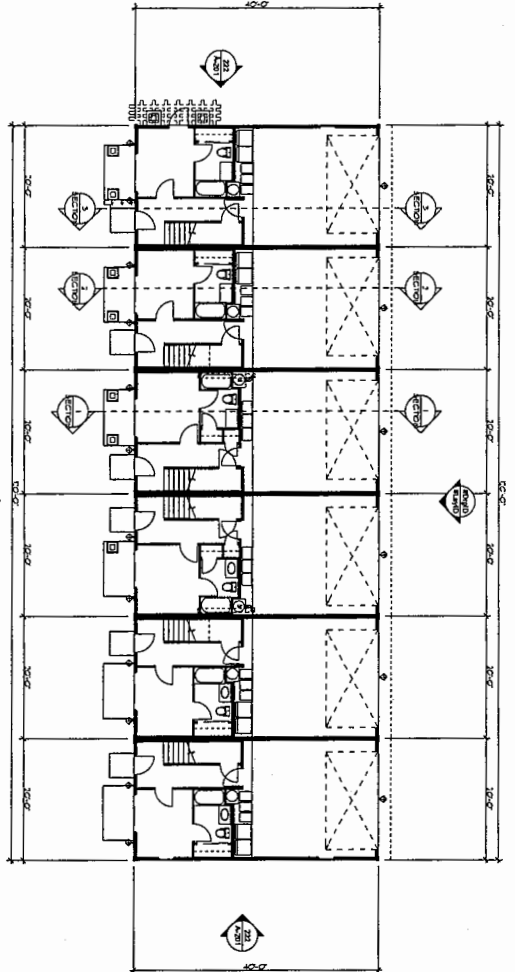
**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 VALLEJO  
 CALIFORNIA, 94090

OWNER:  
 VAL PROP, LLC  
 617 AMADOR STREET  
 VALLEJO, CA 94588

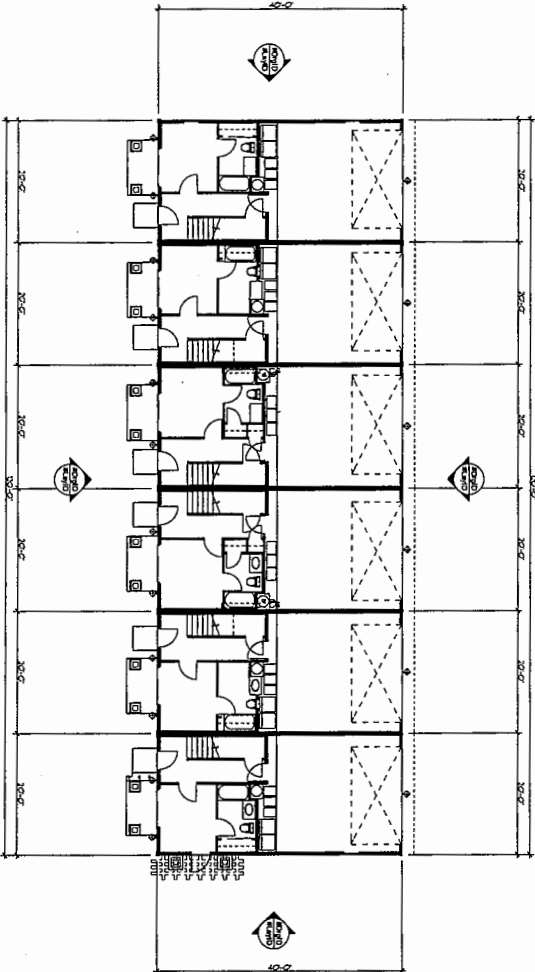
PROJECT NO.	07-001
WORK TITLE	2A-CAL-17-11
DATE	03/10/07
DESIGNER	RAYMOND E. HEGELMAN
COMPONENT	

SHEET TITLE  
**MODEL 3M**  
 1741 SQ.FT.  
 3BDR / 3.5 BATHS

**A-104**  
 OF 17  
 SHEETS



BUILDING TYPE 2-22



BUILDING TYPE 1-41

1ST FLOOR BLDG PLAN  
SCALE: 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 545 FRANCIS STREET  
 SAN FRANCISCO, CA 94110  
 T 415-870-0333  
 F 415-834-1780

ARCHITECT OF RECORD:  
 RAYMOND E. HEGE, AIA  
 CONSULTANT

**PROJECT INFORMATION**  
**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 VALLEJO  
 CALIFORNIA, 94590

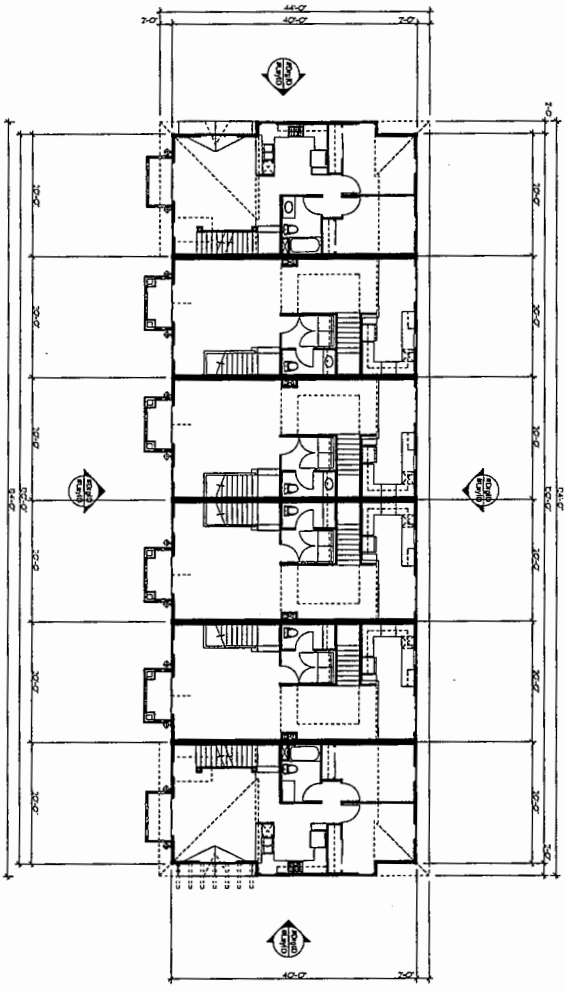
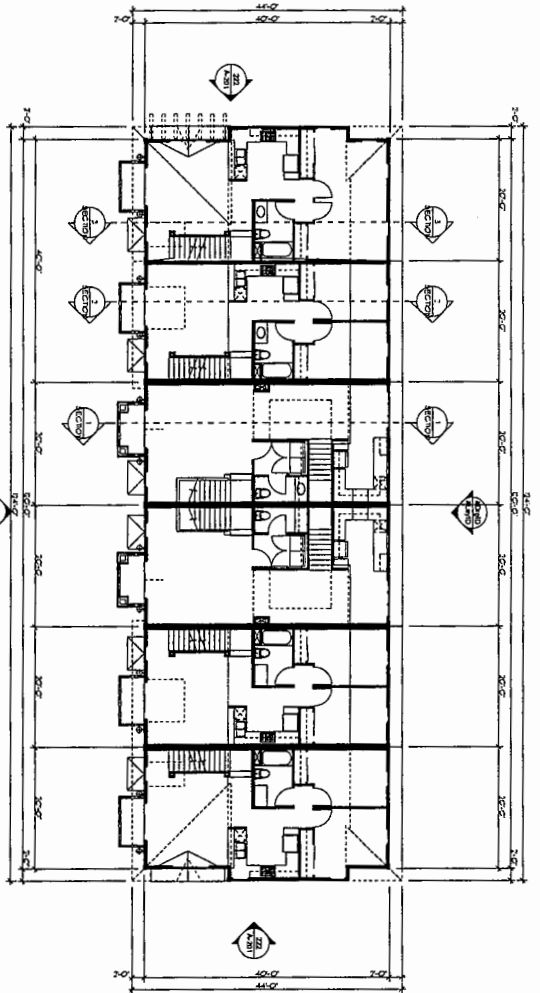
OWNER:  
 VAL PROP, LLC  
 417 AMADOR STREET  
 WALLEJO, CA 94590

NO.	REVISION	DATE
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PROJECT NO: 07-001  
 MODEL FILE: 1  
 DRAWN BY: RAYMOND E. HEGE, AIA  
 CHECKED BY: RAYMOND E. HEGE, AIA  
 DATE: 11/11/07

SHEET TITLE  
**1ST FLR BLDG PLAN**

**A-105**  
 SHEET 9 OF 17



2ND FLOOR BLDG. PLAN  
SCALE: 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 509 FRANCISIA STREET  
 SAN FRANCISCO, CA 94110  
 T 415-970-0332  
 F 415-824-1760

ARCHITECT OF RECORD:  
 RAYMOND E HEGE, AIA  
 CONSULTANT

**PROJECT INFORMATION**  
**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 VALLEJO  
 CALIFORNIA, 94588

OWNER:  
**VAL PROP, LLC**  
 617 AMADOR STREET  
 VALLEJO, CA 94588

NO.	DESCRIPTION	DATE
1	PLANNING DEPT. SUBMITTION	7/7

PROJECT NO: 02401  
 WORK FILE # 2  
 DRAWING BY: RAYMOND E HEGE, AIA  
 CHECK BY: [blank]  
 DATE: [blank]

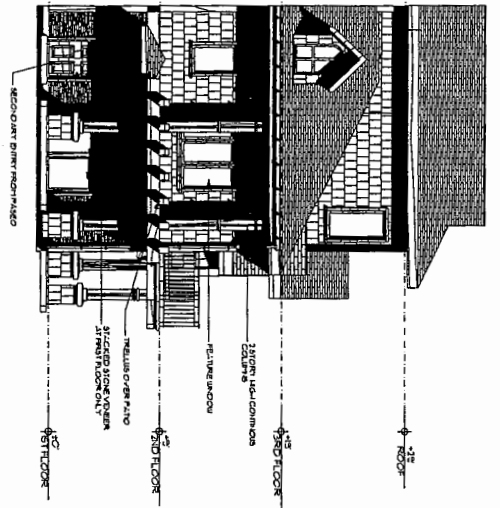
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**2ND FLR BLDG PLAN**

**A-106**  
 SHEET 6  
 OF 17

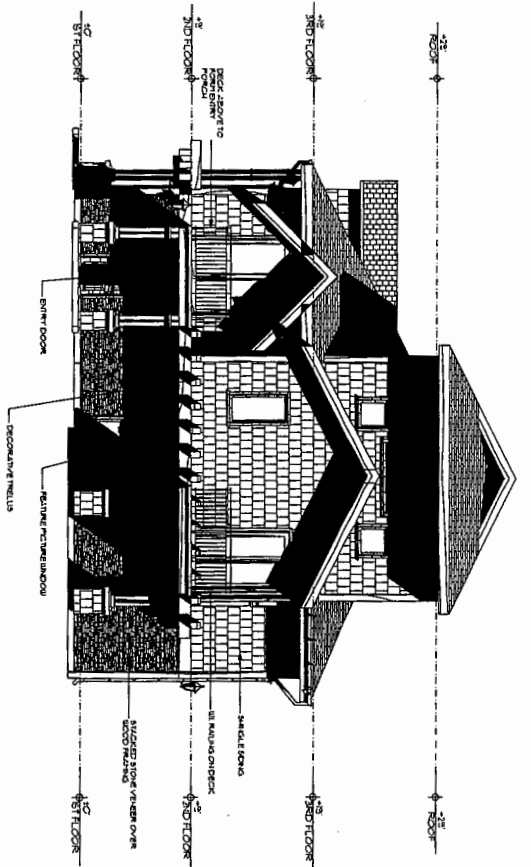




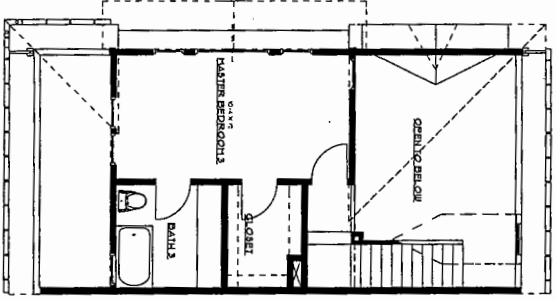




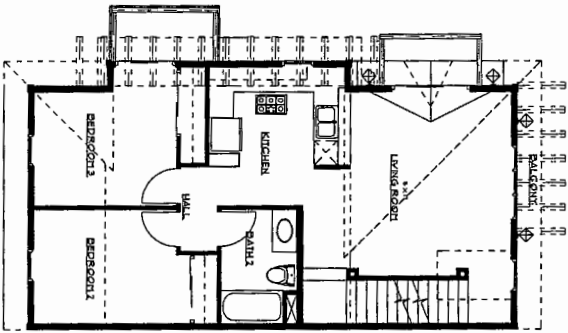
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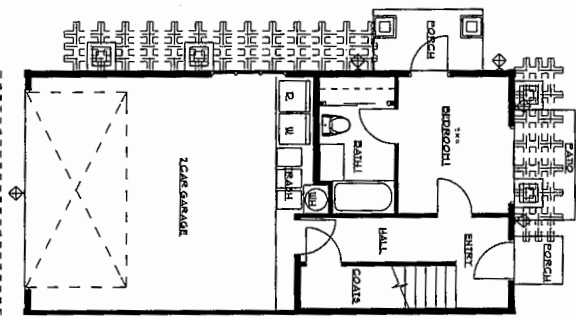
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SCALE 1/8" = 1'-0"



UNIT 23 2ND FLOOR UNIT 2  
SCALE 1/8" = 1'-0"



UNIT 24 2ND FLOOR UNIT 2  
SCALE 1/8" = 1'-0"



UNIT 24 1ST FLOOR UNIT 2  
SCALE 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 528 FARGUESIA STREET  
 SAN FRANCISCO, CA 94119  
 T 415-978-0333  
 F 415-824-1760

ARCHITECT OF RECORD:  
 RAYMOND E. HERR, AIA  
 CONSULTANT

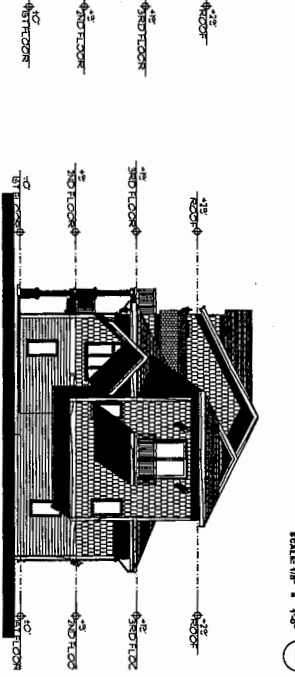
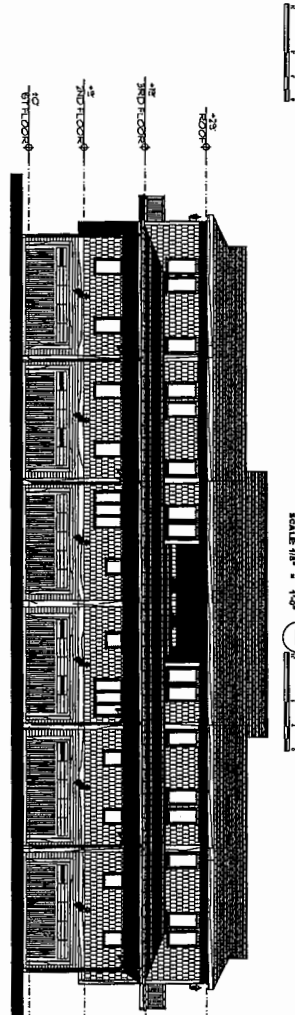
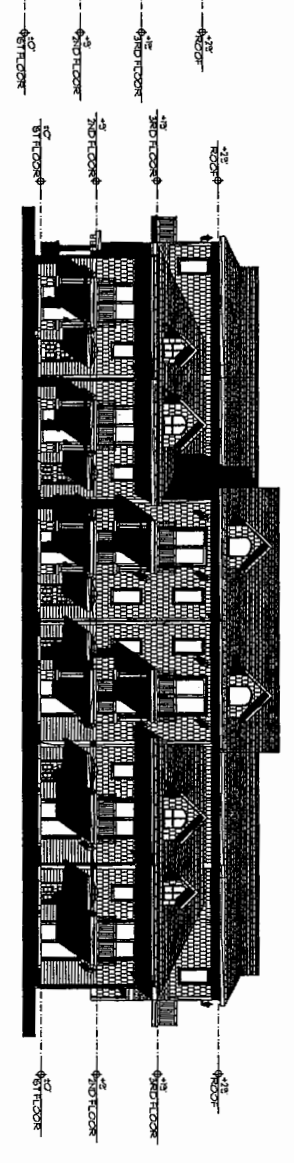
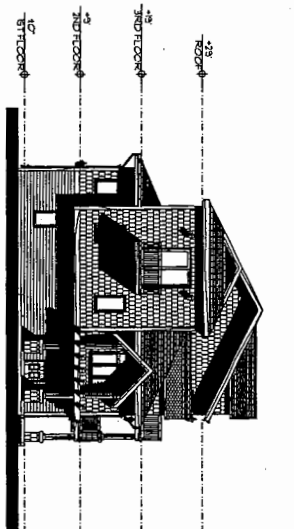
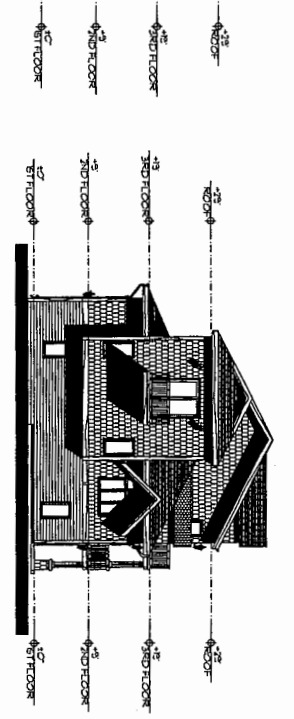
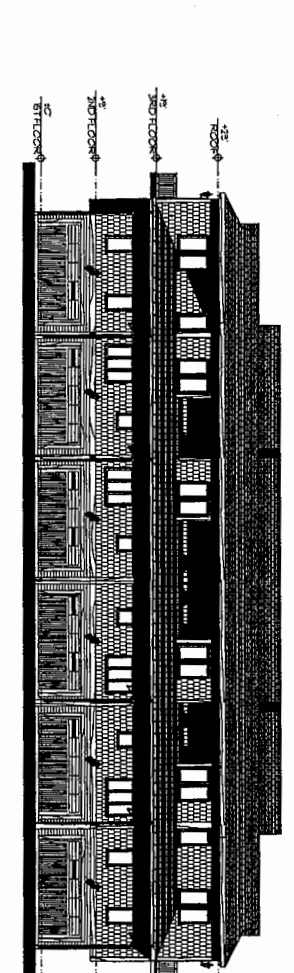
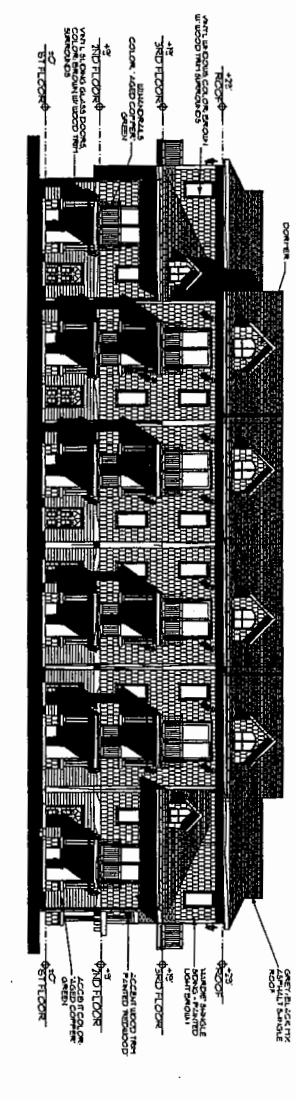
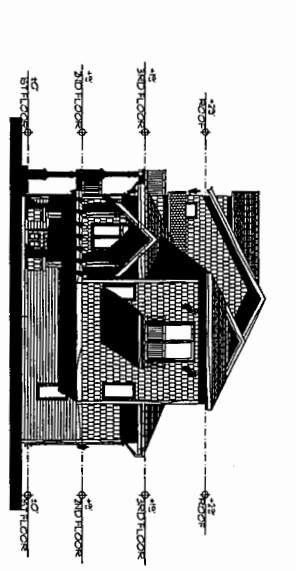
**PROJECT INFORMATION**

**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 WALLEJO, CALIFORNIA, 94590  
 OWNER:  
 VAL PROP, LLC  
 817 ARADOR STREET  
 WALLEJO, CA 94590

NO.	DESCRIPTION	DATE
1	1800 PLANNING DEPT. SUBMISSION	7/7

SHEET TITLE  
**UNIT 24**

**A-109**  
 SHEET 13 OF 17



**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 542 FRANCISCA STREET  
 SAN FRANCISCO, CA 94110  
 P 415-824-1768

ARCHITECT OF RECORD:  
 RAYMOND E HEBELMAN  
 CONSULTANT

**PROJECT INFORMATION**  
**EL DORADO TOWNHOMES**  
 17 EL DORADO STREET  
 VALLEJO, CALIFORNIA, 94588

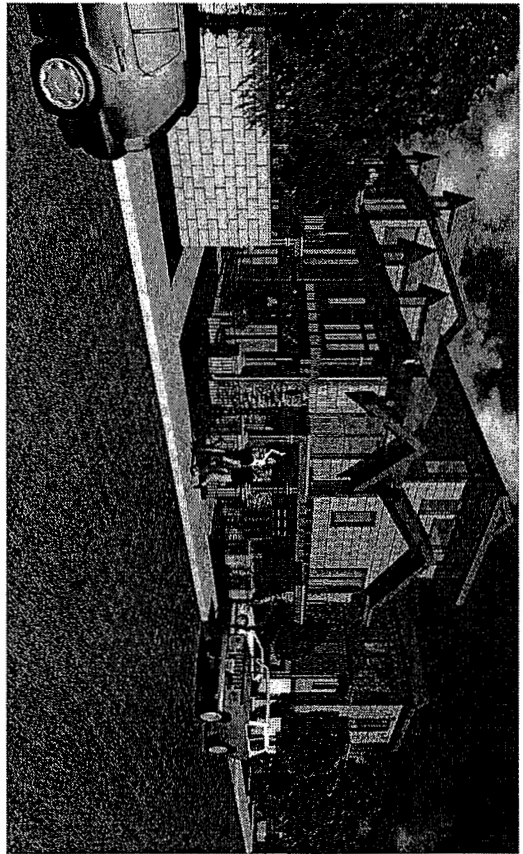
**OWNER:**  
 VAL PROP, LLC  
 517 AMADOR STREET  
 VALLEJO, CA 94580

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3	REVISION	
4	REVISION	
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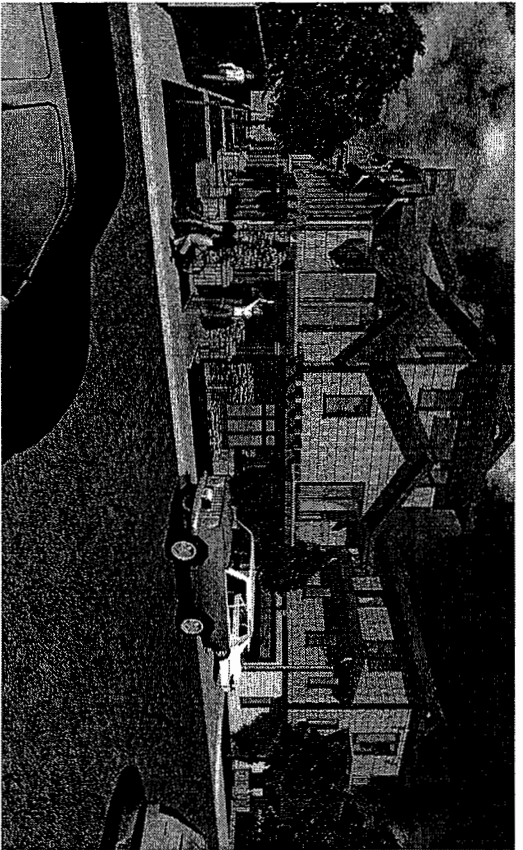
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**ELEVATIONS**

**A-201**  
 OF 17

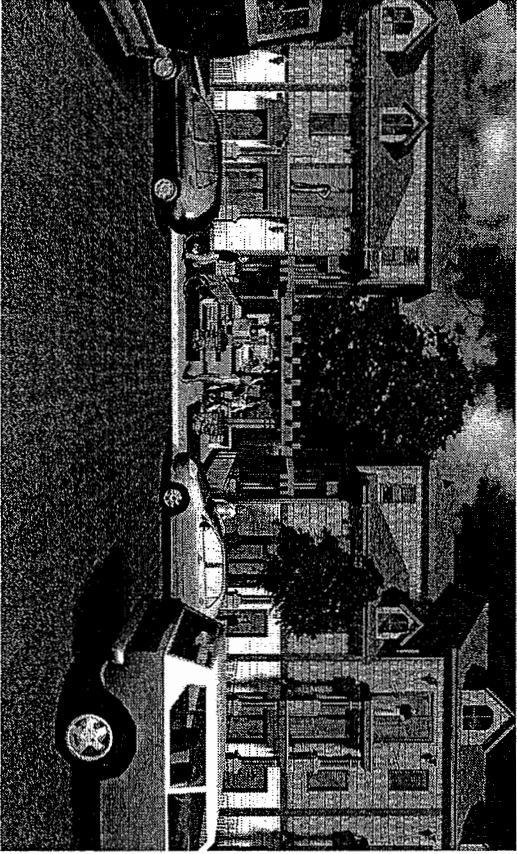
SHEET 14



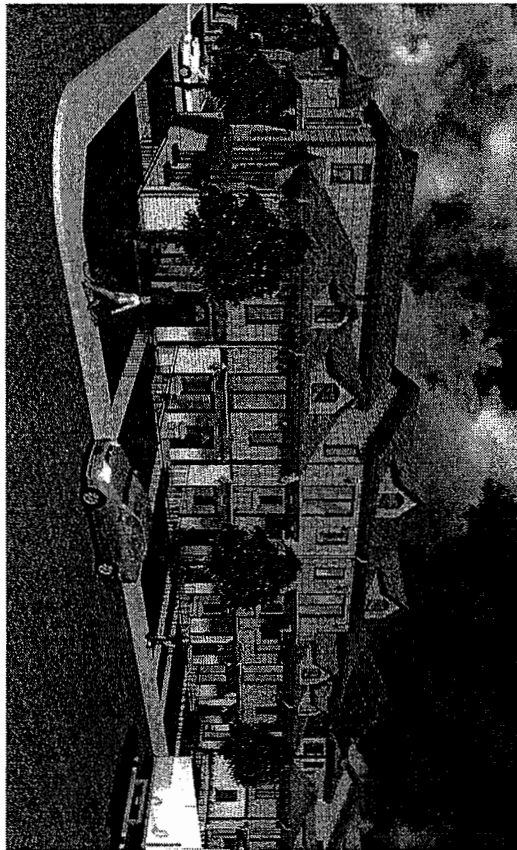
VIEW FROM STREET PLACE  
SCALE: 1" = 1'-0"



TURNING ELEVATION  
SCALE: 1" = 1'-0"



EL DORADO PROJECT PLAN  
SCALE: 1" = 1'-0"



CONCRETE TILINGS EL DORADO  
SCALE: 1" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
SAN FRANCISCO OFFICE  
505 FRANCISCO STREET  
SAN FRANCISCO, CA 94110  
F 415-370-0233  
F 415-824-1788

ARCHITECT OF RECORD:  
RICHARD ERIKSSON  
CONSULTANT

**PROJECT INFORMATION**

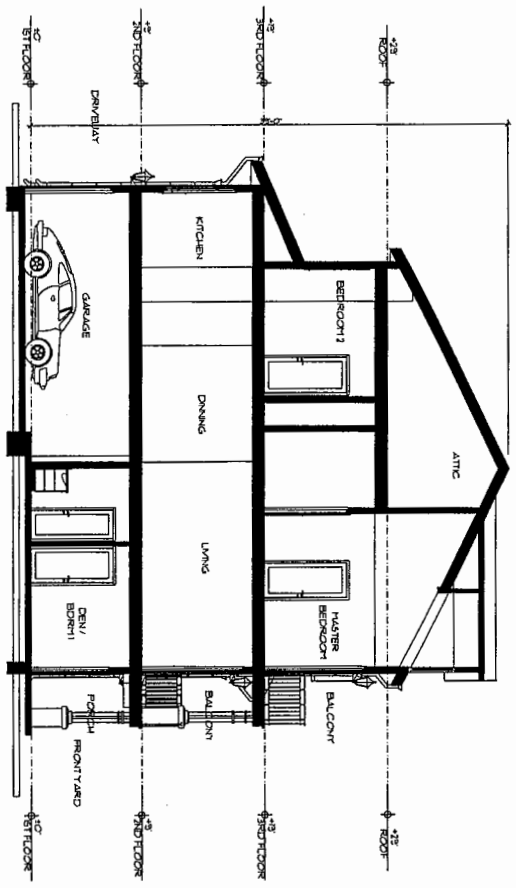
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17 EL DORADO STREET  
VALLEJO  
CALIFORNIA, 94090

OWNER:  
**WALPROP LLC**  
617 AMADOR STREET  
VALLEJO, CA 94590

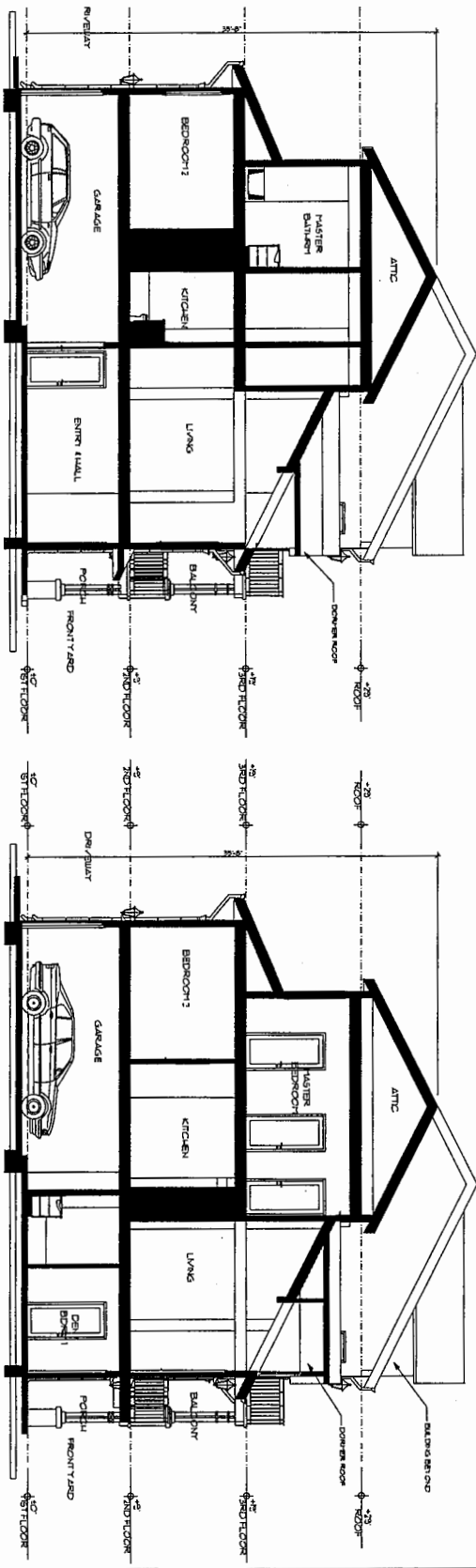
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19	1	
20	1	

SHEET TITLE  
**3D VIEWS**

**A-202**  
09/17



SECTION 100  
SCALE 1/8" = 1'-0"



SECTION 101  
SCALE 1/8" = 1'-0"

SECTION 102  
SCALE 1/8" = 1'-0"

**TRANSPACIFIC ARCHITECTS**  
 SAN FRANCISCO OFFICE  
 535 FRANCIS STREET  
 SAN FRANCISCO, CA 94119  
 T 415-292-0333  
 F 415-224-1780

ACQUIRED THE RECORD:  
 ARCHITECT OF RECORD:  
 CONSULTANT

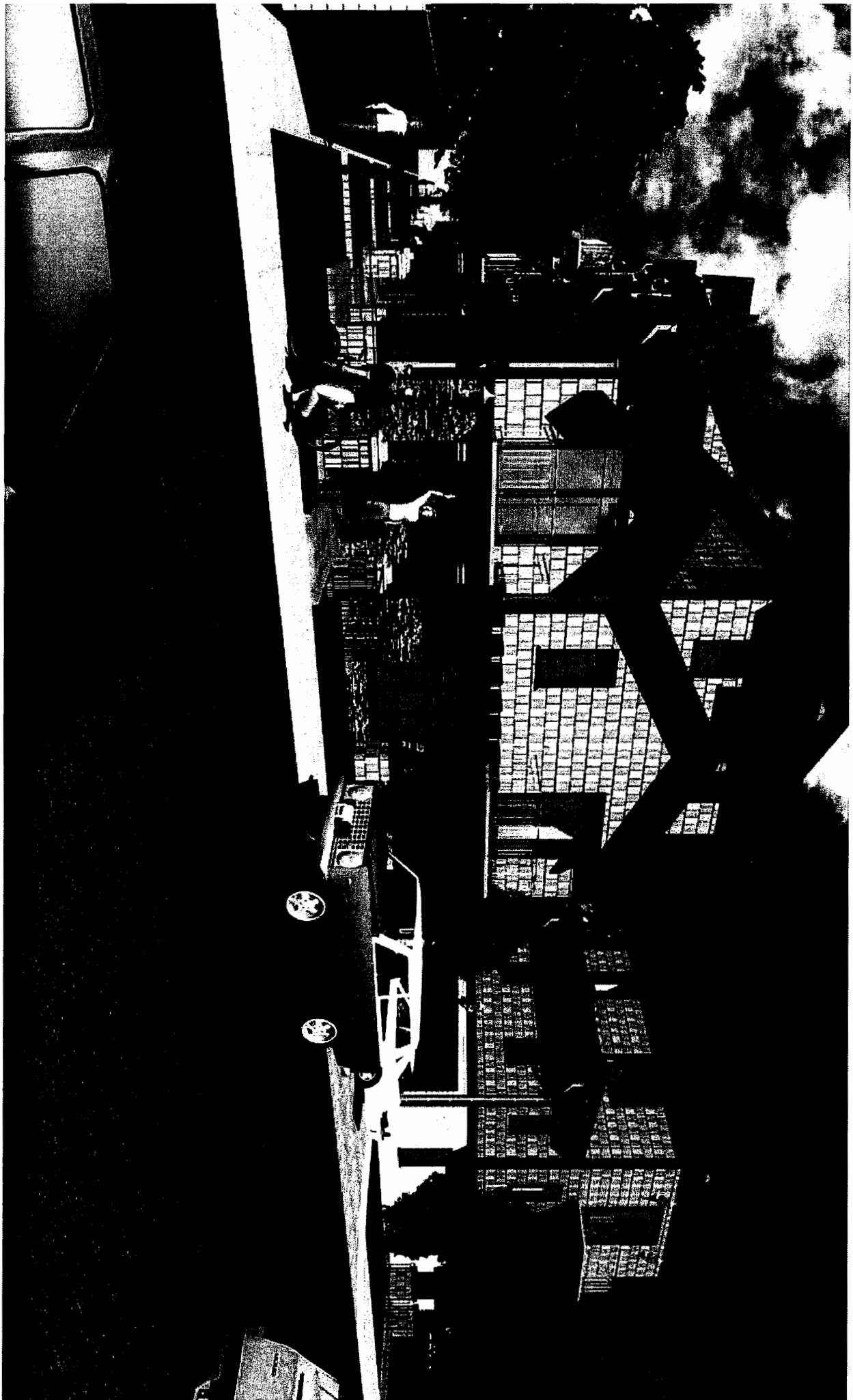
**PROJECT INFORMATION**

**EL DORADO TOWNHOMES**  
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 VALLEJO CALIFORNIA, 94000  
 OWNER:  
 VAL PROP, LLC  
 57 AMADOR STREET  
 VALLEJO, CA 94590

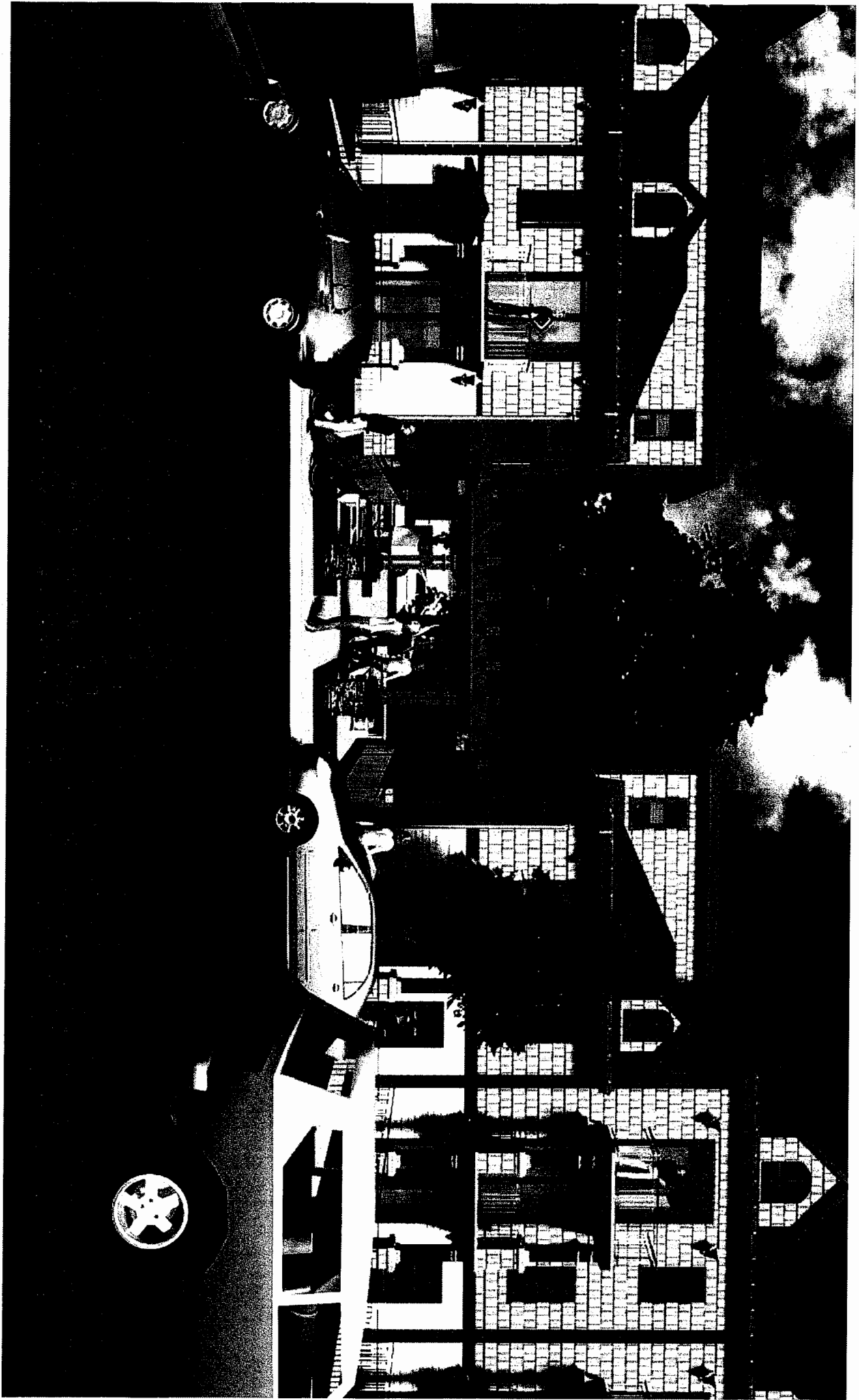
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**BLDG CROSS SECTION**

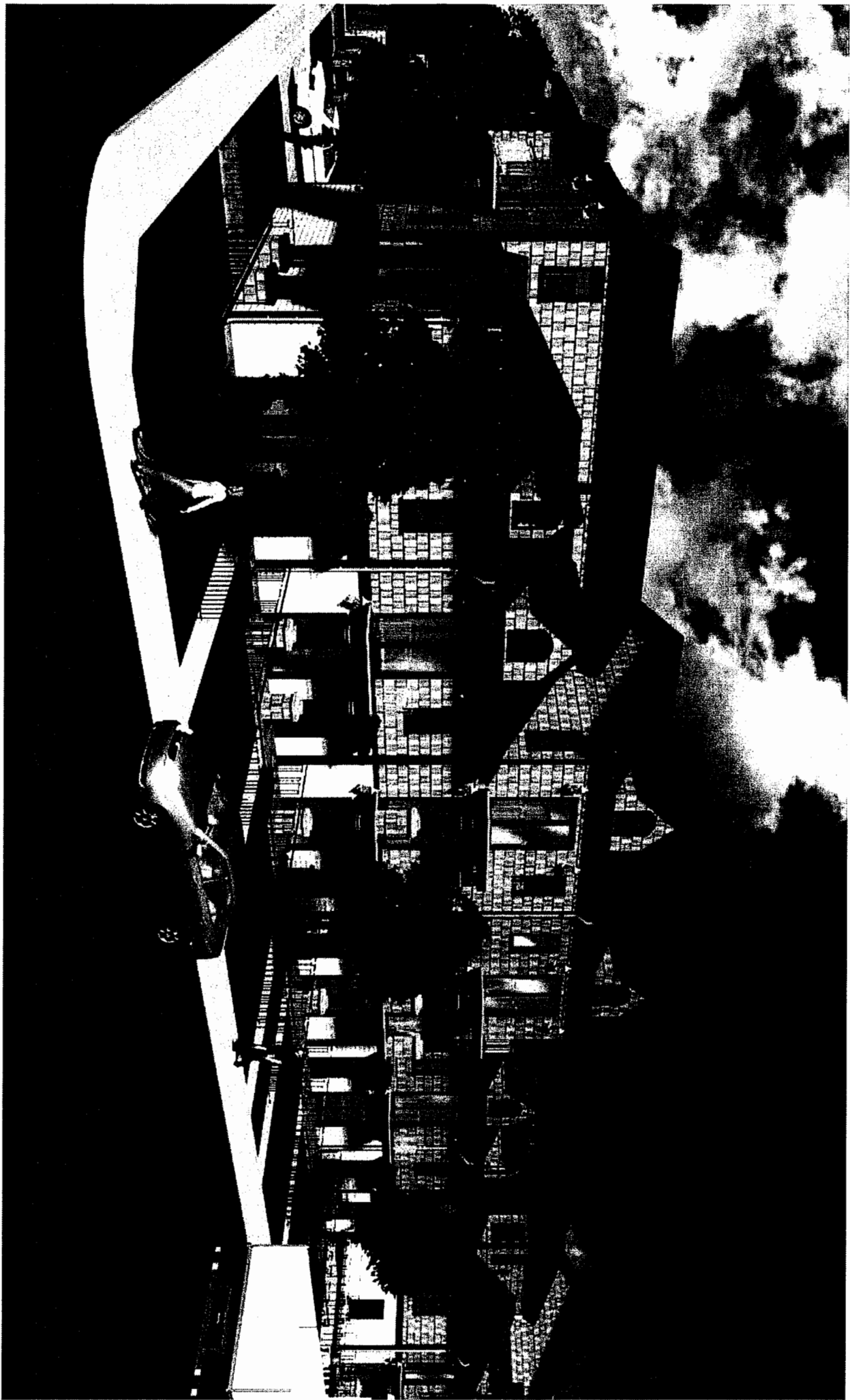
**A-301**  
 SHEET 16 OF 17











# El Dorado Village Master Plan

## SITE PLAN:

### *Scope & Phasing*

- A single phase of 24 townhouse condominiums arranged in 4 three story buildings, each containing 6 units.

### *Topography, Natural Features, View Corridors*

- The existing site is a flat, and is a partially paved open truck parking lot. Because it is an urban in-fill site at the bottom of a small valley like area there are no view corridors.

### *Buildings & Structures*

- There is 1 existing single story commercial building to be demolished. The proposed development is for 24 townhouse condominiums units arranged in 4 three story buildings, each containing 6 units.

### *Public & Private Rights-Of-Ways*

- The site is a corner lots with street on three sides. The proposed development has a centrally located 25 foot wide private driveway, constructed of decorative concrete paving connecting the two side streets. The East or front street is El Dorado Street with a 60 foot right-of-way, which includes a 12 foot wide landscaped parkway. The North side street is Arkansas Street with a 60 foot right-of-way which includes a 7 foot wide landscaped parkway. The West side street is Illinois Street with a 80 foot wide right-of-way which includes a 12 foot wide landscaped parkway.

### *Utilities, Existing & Proposed Easements*

- The proposed site is an urban in-fill lot with all the normal existing public utilities including, gas, water, electric, sanitary sewer and storm drainage. New easements are proposed to provide all utilities services required for a new multifamily residential project.

### *Parking*

- The proposed development includes 2 covered parking spaces in an attached garage for each unit for a total of 48 spaces. No on-site guest parking is begin provided as there is ample street parking and the spaces that would have been used for open parking has instead been designed as “pocket parks” for use by the residents.

### *Pedestrian areas & Public & Private Open Spaces*

Pedestrian orientation is the design basis for the site plan concept. Each unit opens onto either a street or an internal “Paseo” or pedestrian walkway that runs between to the two side streets. The front and rear portions of the site are connected by 2 pocket parks, 1 for adults and 1 for kids and tots, that provide pedestrian access from the front street to the rear paseo walkway. Every unit has a front entry porch and front door that is visible from either the street or the paseo. In addition each unit’s private open space is also oriented towards either the streets or the paseo providing a village-like arrangement of defensible private space that encourages community interaction.

### *Planting Areas*

- All areas within the site that are not covered by buildings or driveways will be attractively landscaped with local plants, trees and ground covers. The 3 parkways

abutting the streets will also be landscaped in keeping with the rest of the project and will include city-approved street-trees.

#### ***Public Facilities***

- While no “truly” public facilities are proposed, the pocket-parks will function as an inviting interface or link with the surrounding community.

### **DEVELOPMENT STANDARDS:**

#### ***Design Theme***

- Bay Area *Craftsman* styled architecture arranged to create a “village” feeling of clustered buildings connected by interior courtyards and a “*paseo*” or interior walkway.

#### ***Architecture, Lighting & Signage***

- A *Craftsman* styled architecture that includes exterior siding of painted “*shake*” shingles, wood trim with door and window surrounds and steeply pitched shingled roofs with dormers. Details included heavy timbered balcony columns with shingled sided bases and all exterior metal painted to simulate aged copper, including gutters and downspouts and decorative wrought iron hand railings and site fencing. All the lighting will be building mounted and will be of traditional fixture designs in keeping with the craftsman style. Because of its small size and residential nature, there will be a minimum of signage, mostly to provide building and unit location for public safety personnel.

#### ***Landscaping***

- The landscape design will make use of local plants, trees and ground covers that are “draught resistant” to limit water usage and required maintenance. All areas within the site that are not covered by buildings or driveways will be attractively landscaped. A landscape buffer has been used to separate the residential units from the streets and the abutting properties. The landscape design includes the use of decorative concrete walkways, drives and wrought iron site fencing with hedges to discourage graffiti.

#### ***Grading***

- There will be a minimum of grading required because the site’s flat topography, no underground garages because of on grade attached garages and building construction.

#### ***Rights-Of-Ways***

- Private Driveway: new 25 feet wide.
- El Dorado Street: existing 60 feet wide.
- Illinois Street: existing 80 feet wide.
- Arkansas Street: existing 60 feet wide.

#### ***Setbacks,***

- Front / El Dorado St. provided = 19 ft. / required = 15 ft.
- Side / Illinois & Arkansas St. provided = 5 ft. / required = 10 ft.
- Rear / Interior, provided = 16 ft. / required = 11 ft.

#### ***Height Limits,***

- Maximum Building Height / provided = 40 ft. / allowed = 75 ft.

#### ***Maximum Lot Coverage***

- Building Coverage (roof) provided = 56% / allowed = 60%

***Accessories Structures***

- None

***Land Use***

- High Density Residential District, Planned Development, Condominiums/Tract Map

***Floor Area Ratio***

- Lot Area = 39,200 sf. / Building Footprint = 19,200 sf. = .49 FAR or 49% lot coverage

***Density***

- Lot Area = 39,200 sf. / 24 units = 1,633 sf./unit

***Number and Type of Units***

- 8 - Model 4E / 4 Bedrm + 3 Baths = 1,596 sf.
- 6 - Model 4M / 4 Bedrm + 3 Baths = 1,462 sf.
- 10 - Model 3M / 3 Bedrm + 3.5 Baths = 1,741 sf.
- 24 - Total Units

## **Project Descriptions:**

### *El Dorado Town-homes: 24 units*

The proposed development is a town-home project of two and three story attached 3 and 4 bedrooms with 3 bathroom units arranged into 4 groups of 6 units per building. Designed with first time and work-force buyers in mind, the homes range in size from 1462 square feet to 1730 square feet. Each has an attached 2 car private enclosed garage leading into a ground level entry with a bedroom or optional den/office along with its own bathroom and a large storage area. The homes are designed to connect with the neighboring community with front entry porches and front yards with patios facing directly onto the front street's sidewalk or an internal "paseo" of interconnecting walkways. Each home has a private yard surrounded by a low gated fence that provides for a safe play area for children and pets, an area that is openly visible to its neighbors to create a sense of community and safety.

All homes have the main living space located on the second floor with a powder room conveniently located on that level. Each house has a laundry area for side by side washer and dryer and space for three refuse bins located in the garage. Central forced air heating and air conditioning are use throughout along with kitchens that have the full range of appliances including dishwasher, stove, range and hood, double sink with garage disposals and pantries.

The third floor contains either a large master bedroom suite with wall-in closet, master bathroom and room for a seating area or crib, or a more compact master bedroom and bathroom with a conveniently located additional bedroom. Some master suites include an exterior balcony.

To be a good neighbor and to mitigate any impacts from building heights each building has been designed with "vertical set-backs" or lower corners to lessen the visual height of the buildings. Two story building elements have been incorporated at the ends of each building to create a "layer-cake" edge thus reducing the overall building mass.

The site amenities were designed with families in mind. Therefore there is always a play area for tots and younger children as well as an area for older kids and adults to gather. These areas are open, well lighted and designed to provide places for community gathers and for people to meet and get to know their neighbors. Landscaping has been used to create green-area buffers between public and private spaces.

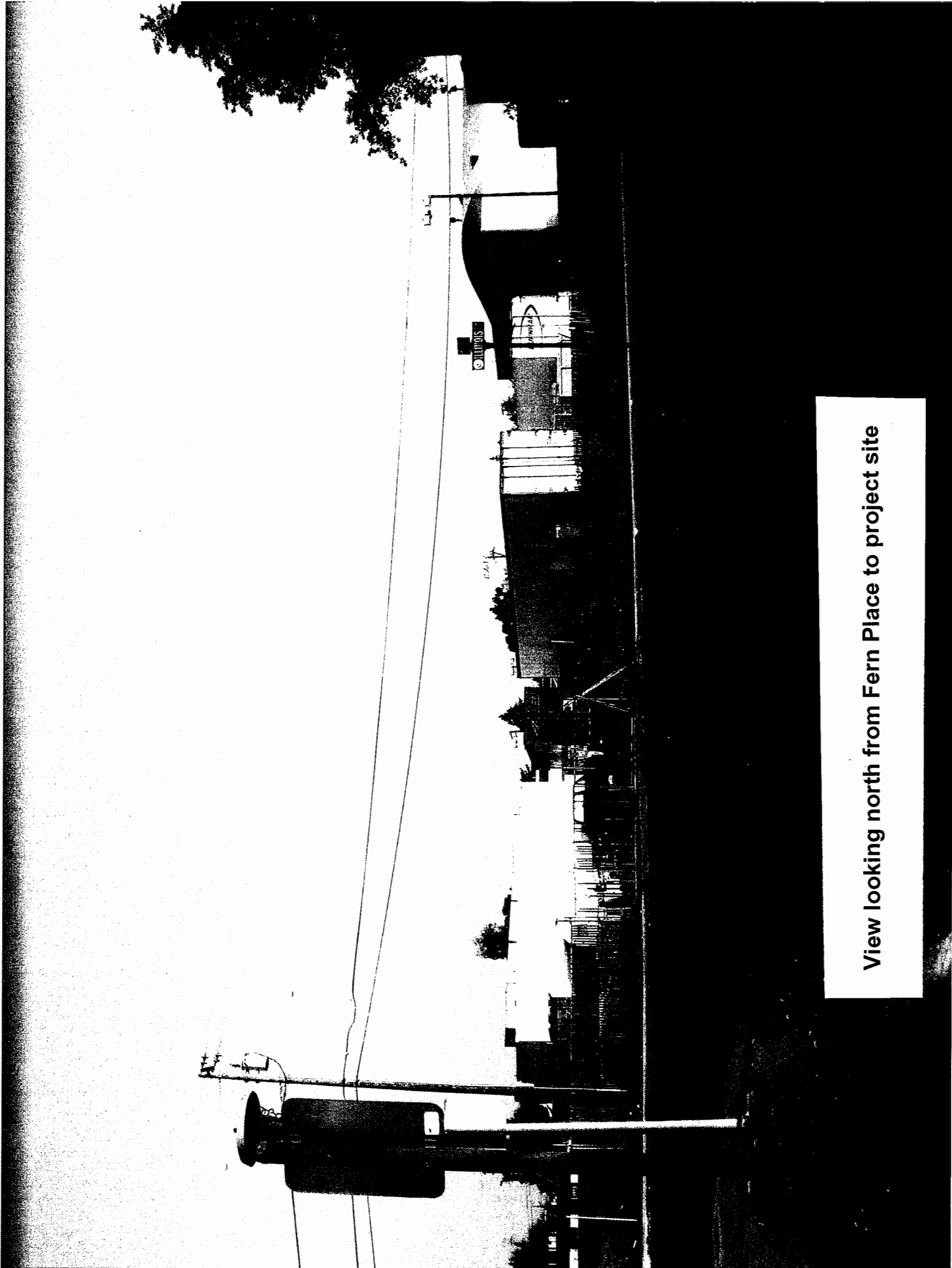
In keeping with the needs of work-force housing and first time buyers we have not provided any costly or dangerous water features. To help in maintaining low HOA costs and dues we are designing landscaping with low water consumption and natural plant species and we are using experienced consultants in the use of green-building methods, alternative and low energy footprints for the project and durable yet affordable building materials where ever possible.



**View looking south along El Dorado Street from Arkansas Street  
– project site to right**



View looking north along El Dorado Street from Illinois Street --  
project site to left



View looking north from Fern Place to project site



**CLW PARTNERSHIP**

2743 Mankas Corner Road  
Fairfield, California 94534



October 26, 2007

City of Vallejo, Planning Department  
Attention: Katherine Donovan, Associate Planner  
555 Santa Clara Street  
Vallejo, California 94590

VIA HAND DELIVERY  
& U.S. MAIL

Re: Zoning Map Amendment 07-0001;  
Master Plan/Unit PD 07-001; and  
Tentative Map 07-0002

Hearing: November 5, 2007

Dear Ms. Donovan:

As requested and prior to the public hearing on November 5, 2007, I am writing on behalf of CLW Partnership ("the Partnership"), an entity which holds title to two parcels adjacent to the referenced development located at the west side of El Dorado Street, between Illinois and Arkansas streets ("Proposed Development").

As you may be aware, the Partnership has been working with City staff for years on a project to be developed on land adjacent to the Proposed Development. Last winter, the Planning Commission unanimously supported the Partnership's proposed development of six, single-family residences. This project was subsequently approved last spring by the City Council. My attempts to meet and discuss concerns with the developer and property owner of the Proposed Development have been unsuccessful. Therefore, and on behalf of the Partnership, I am submitting the following objections:

- 1) The Proposed Development (which consists of 3-story town homes) will interfere with the use and enjoyment by the ultimate homeowners of the six residences under development by the Partnership (Partnership Development). Specifically, the back yards of three of the residences in the Partnership Development face applicant's minimum side setbacks. The primary living space of the residences in the Partnership Development will be at the first level. However, because the primary living space for all units in the Proposed Development will be at the second level, the occupants of six of the 24 units in the Proposed Development will be looking directly down on the occupants of the Partnership Development. And, the balconies of each of these six units of the Proposed Development will overlook the backyards (and possibly the interior living space) of all three residences in the Partnership Development.

While the applicant has proposed to remedy the lack of privacy by planting trees at the property line between the two developments, this proposed remedy is inadequate because the set backs are minimum, and the landscaping will not provide an immediate privacy barrier (i.e., will take years to grow due to the heavy clay and hard-pan soils).

- 2) The elevations of the Proposed Development do not conform to the aesthetic characteristics of the neighborhood, i.e. single-story and two-story homes of the 1930's and 1940's era architecture of Fern Place. During the approval process, the Partnership was required and did adhere to the architectural characteristics of Fern Place. The Proposed Development is actually closer in proximity to Fern Place, yet the applicant is not required to conform to the same architectural standards.
- 3) The Proposed Development is overly dense. The density of units and their various elevations may create flooding at certain times of the year due to the inability to discharge water. That is, because the Proposed Development places numerous units on one parcel, the water cannot percolate into the ground and may over tax the storm drain system and cause flooding.
- 4) The City's ordinance requires one covered and one uncovered parking space for each unit under development. The Proposed Development consists of 24 town homes. By ordinance the applicant is required to provide a minimum of two parking spaces per unit. However, the applicant is providing only a single-car garage for each proposed home and limited on-site uncovered parking. Although the on-site, uncovered parking for these homes is inadequate, the City is allowing the applicant to use off-street parking to satisfy the uncovered parking requirement on Illinois, Arkansas and El Dorado streets. The applicant should be required to provide the proper amount of uncovered parking, as failure to adhere to the ordinance will unduly burden the surrounding neighborhood, including the Partnership Development.
- 5) For many years, the Proposed Development was used as a vehicle repair and maintenance yard. The applicant has not addressed potential contamination issues that may exist on the property to be developed.
- 6) There are no elevators or fire sprinklers in the Proposed Development, which may be in violation of laws pertaining to the disabled and/or elderly.

We believe a two-story townhouse project would be more appealing to the neighborhood than the Proposed Development. The existing neighborhood is primarily single-story and two-story residences. There are no three-story buildings in the area spanning to Broadway Street. Given the mix of single-story and two-story buildings, a three-story building of the size of the Proposed Development will be unsightly and have a negative impact on the surrounding neighborhood.

Our goal is to provide quality homes in a friendly neighborhood. We believe that if the Proposed Development is limited to a maximum of two-stories and the concerns outlined in nos. 2-6 are also addressed, we can support the Proposed Development. However, if the Planning Commission approves the Proposed Development in its present form, we would request the Planning Department and the Planning Commission permit modification of the Partnership Development to allow 15, three-story townhouses of approximately 1,100 – 1,200 square feet with a variance for uncovered parking (i.e.,

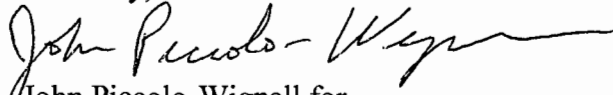
Ms. Katherine Donovan, Assistant Planner

October 26, 2007

Page 3 of 3

allow the uncovered parking requirement be satisfied by use of off-street parking on Illinois Street).

Sincerely,

A handwritten signature in black ink, appearing to read "John Piccolo-Wignall". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Piccolo-Wignall for  
CLW Partnership

Cc: Mr. Lawrence G. Papale, Esq.  
Mr. John Moore



**CONFLICT OF INTEREST MAP**  
(500-foot radius)

ZMA 07-0001, PD 07-0001, TM 07-0002, and ME 07-0001  
1700 Block of El Dorado Street (west side);  
APNs: 0056-024-020, -030, -040, -050, -060, and -070



**Start:** 555 Santa Clara St  
Vallejo, CA 94590-5922, US

**End:** 1725 El Dorado  
Vallejo, CA 94590-3865, US

**Notes:**

Only text visible within note field will print.

**Directions**

**Distance**

**Total Est. Time: 5 minutes**      **Total Est. Distance: 1.23 miles**



**1:** Start out going NORTH on SANTA CLARA ST toward CAPITOL ST. 0.1 miles



**2:** Turn RIGHT onto CAROLINA ST. 0.2 miles



**3:** Turn LEFT onto SONOMA BLVD / CA-29. 0.5 miles



**4:** Turn RIGHT onto ILLINOIS ST. 0.2 miles



**5:** Turn LEFT onto ELDORADO ST. <0.1 miles



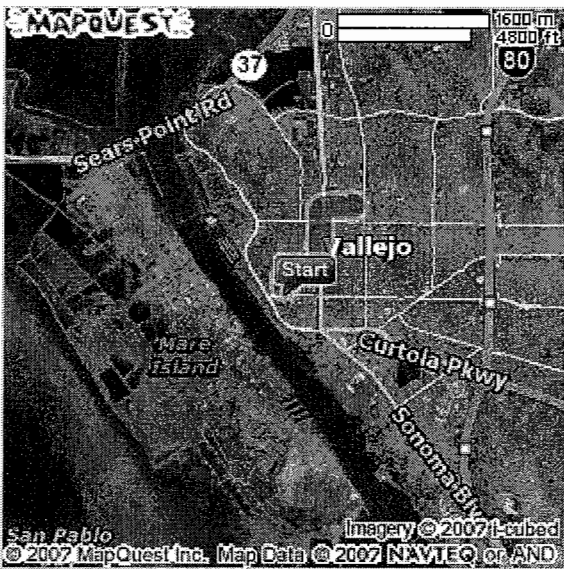
**6:** End at 1725 El Dorado  
Vallejo, CA 94590-3865, US

**Total Est. Time: 5 minutes**      **Total Est. Distance: 1.23 miles**



**Start:**  
**555 Santa Clara St**  
Vallejo, CA 94590-5922, US

**End:**  
**1725 El Dorado**  
Vallejo, CA 94590-3865, US



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These directions are informational only. No representation is made or warranty given as to their content, road conditions or route usability or expeditiousness. User assumes all risk of use. MapQuest and its suppliers assume no responsibility for any loss or delay resulting from such use.



## REVISED DATE

### CITY OF VALLEJO

## NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Vallejo Planning Commission will hold a hearing on the project described below, including the associated **MITIGATED NEGATIVE DECLARATION**, pursuant to Resolution No. 96-447 N.C. adopted by the Vallejo City Council on December 10, 1996 and the California Resources Code, Title 14, Section 15070.

PROJECT ACTIONS: Zoning Map Amendment 07-0001; Master Plan/Unit Plan PD 07-0001; and Tentative Map 07-0002

LOCATION: The west side of El Dorado Street between Illinois and Arkansas Streets;  
APNs 0056-024-020, 0056-024-030, 0056-024-040, 0056-024-050, 0056-024-060, and 0056-024-070.

PROJECT DESCRIPTION: The proposed project would include rezoning the property from Intensive Use Light to Planned Development Residential a Master Plan/Unit Plan, and, a Tentative Map to develop 24 townhome units on individual lots on the 39,200-square-foot property. The units would be contained in four three-story buildings, each with six units. Ten of the units would have three bedrooms and fourteen of the units would have four bedrooms. Twelve of the units would front on El Dorado Street; the other twelve units would front on a paseo between this property and the adjacent property to the west. All units would access their garages from a driveway running through the project from Illinois to Arkansas Street. A private tot lot and a park area would separate the buildings.

PROPONENT: Glenn Gorden

PUBLIC REVIEW PERIOD: Additional information concerning this project, including the Initial Study and Mitigated Negative Declaration, are available at the Planning Division, City Hall, 555 Santa Clara Street, Vallejo, for a 20-day review period from October 15, 2007 to November 3, 2007. Any comments on the Mitigated Negative Declaration must be submitted within the 20-day review period to City of Vallejo Planning Division, Katherine Donovan, P.O. Box 3068, Vallejo, CA 94590.

*NEIGHBORING PROPERTY OWNERS, RESIDENTS, AND/OR TENANTS SHOULD CONTACT CITY STAFF BY TELEPHONE OR COME TO CITY HALL TO REVIEW THE PROJECT PLANS AND POTENTIAL CONDITIONS TO DETERMINE HOW THE PROPOSED PROJECT MAY AFFECT THEM INDIVIDUALLY.*

PUBLIC HEARINGS: A public hearing on this project will be held by the Planning Commission on **November 5, 2007** at 7:00 p.m. in the Council Chambers, City Hall, 555 Santa Clara Street, Vallejo. A public hearing on this item, including the adoption of the Negative Declaration, has also been tentatively scheduled before the Vallejo City Council for November 27, 2007, at 7:00 p.m. in the Council Chambers, City Hall, 555 Santa Clara Street, Vallejo.

DATE OF NOTICE: October 11, 2007

DON HAZEN  
Planning Manager