

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
1 OCTOBER 2007

7:00 P.M.

City Hall
555 Santa Clara Street
Vallejo, California 94590

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

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

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

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

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

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

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

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

- A. ORDER OF BUSINESS CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. APPROVAL OF THE MINUTES: September 17, 2007
- E. WRITTEN COMMUNICATIONS: None.
- F. REPORT OF THE SECRETARY
- G. CITY ATTORNEY REPORT
- H. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS
 - 1. Report of the Presiding Officer and members of the Planning Commission
 - 2. Council Liaison to Planning Commission
 - 3. Planning Commission Liaison to City Council

I. COMMUNITY FORUM

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

J. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

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

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

K. PUBLIC HEARINGS

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

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

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

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

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

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Adams, 648-5392.

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

L. OTHER ITEMS

None.

M. ADJOURNMENT

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A. The meeting was called to order at 7:00 p.m.

B. The pledge of allegiance to the flag was recited.

C. ROLL CALL:

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

Absent: None.

Deborah Marshall: Before we vote on the minutes, we will have to do voice votes tonight. The electronic board will not work until you choose your seats and we can assign names to a voting station.

Chairperson Legalos: I would like to add the seat assignments to the agenda tonight.

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

NOS: None.

ABSENT: None.

Motion carries.

D. APPROVAL OF THE MINUTES.

Commissioner Harrington-Cole reported that on page 16 her name was misspelled as Harrington-Code and that needed to be corrected.

Commissioner Peterman made a motion to approve the minutes of the meeting of August 20, 2007 with the aforementioned change.

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

NOS: None.

ABSENT: None.

Motion carries.

E. WRITTEN COMMUNICATIONS

None.

F. REPORT OF THE SECRETARY

1. There is no training budget for this year. We will try to acquire funds for next year. We will try to do alternative methods of training using staff etc. Flyers will be sent around showing available training if you would like to participate at your own expense.
2. The Commission had asked about consolidation of Code Enforcement. That is something that is already being looked at by upper management. They have recently taken over Zoning violations. I was given the impression that at the moment this is not a high priority item but they are aware of it and it is in the works.

Commissioner McConnell: What about working with CalTrans on the I-80 corridor?

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Don Hazen: We are setting up a special meeting to discuss that and will let you know information as it becomes available.

G. CITY ATTORNEY REPORT

None.

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

1. Report of the Presiding Officer and members of the Planning Commission – None.
2. Council Liaison to Planning Commission – None.
3. Planning Commission to City Council – None.

I. COMMUNITY FORUM

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

None.

J. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

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

Commissioner McConnell: I would like to have item K2 moved to K1.

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

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

NOS: None.

ABSENT: None.

Motion carries.

K. PUBLIC HEARINGS

1. **Use Permit 07-0009** is an application to allow alcohol service (beer and wine only) in conjunction with Gracie's, an existing barbeque restaurant located at 1801 Sonoma Blvd. The restaurant is currently open seven days per week, from 11 a.m. to 9:30 p.m. and may eventually stay open until midnight. Proposed CEQA Action: Exempt. Staff Planner: Katherine Donovan 648-4327.

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Katherine Donovan: This item is Use Permit 07-0009. It is an application for a Use Permit to serve beer and wine with an existing restaurant at 1801 Sonoma Boulevard, at the corner of Virginia and Sonoma. It is within the Downtown Plan area and the Downtown Specific Plan refers alcohol service back to the Zoning Ordinance so we have the same requirements we have on normal Use Permits outside the downtown which is that they have a Use Permit for alcohol service and unless it is a bonafide eating establishment, which this is, it would have a 1,000 foot distance between any other alcohol service. The restaurant is currently open between 11:00 a.m. and 9:30 p.m., but has plans to eventually expand their hours up until midnight if there is a demand for such. Normally when we have a Use Permit for alcohol, we ask what hours they may foresee in the future because the Use Permit is for a specific size, location, and the hours so that although they are not open until midnight right now, the Use Permit would allow them to serve alcohol until midnight although only in conjunction with the restaurant being open. The Downtown Plan encourages businesses that would bring customers from outside of the immediate area and from outside of the City and providing food service is one of the ways that we encourage people to come into the downtown area. This existing restaurant has done quite well in allowing beer and wine in conjunction with the existing restaurant. It does not appear to be something that would have a major impact on anything in the vicinity. The building is a stand-alone building, and although there are some residential uses in the vicinity, they are not connected with this immediate building. As we have discussed before, when someone chooses to live in the Downtown or in any commercial area, they understand that they are not having the same type of a neighborhood as if they moved to a strictly residential neighborhood and, so, we do not foresee the impacts from the beer and wine service here as being a major change from other uses that would be permitted without the Use Permit. This application has been reviewed by both the Vallejo Police Department and by the Vallejo Alcohol Policy Coalition, and neither of these entities has any objection to the proposal, then Staff recommends approval. If you have any questions, I would be happy to answer.

Commissioner Turley: Ms. Donovan: I had just two little questions. One is, was this advertised in the newspaper?

Katherine Donovan: Yes, it was.

Commissioner Turley: And, was there any negative comments?

Katherine Donovan: No, there were not.

Commissioner Harrington-Cole: I would just like to disclose that I have already heard a presentation by this applicant when I was a member of the Vallejo Alcohol and Policy Coalition.

Chairperson Legalos: Thank you. Ms. Donovan: I have a couple of questions. On page 3, the first paragraph mentions enclosing the patio. Does the patio include the part that is already enclosed plus the part where there is an open area on the other side of it?

Katherine Donovan: I believe the section that you are referring to is if there was a problem with noise. Yes, currently the part that is enclosed is not totally enclosed. They have a roll-down window that blocks the winds to keep it warmer in there but that is only on two sides of the building so there is one side that is open so if there was a problem with noise, we would require either they move inside after 10:00 o'clock, or they enclose that entire outside area.

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Chairperson Legalos: So, when you say the entire outside area on the floor plan, that would include the area . . . there are two areas labeled as outdoor seating.

Katherine Donovan: Actually it would really be up to the applicant but whatever area they plan to use after 10:00 o'clock would have to be enclosed.

Chairperson Legalos: And, if they intended to use both of those areas, would enclosure also include a roof?

Katherine Donovan: Yes. The intent is to keep the sound from traveling.

Chairperson Legalos: Fully enclosed?

Katherine Donovan: Yes.

Chairperson Legalos: What is acoustical music?

Katherine Donovan: It is anything that is not amplified. Not an electric guitar or an electric bass, but you can have an acoustic guitar or acoustic bass. No microphones.

Chairperson Legalos: No amplification at all. Then, my last question is, in the Conditions D2 under the Police Department, I am just curious as to why the Police Department is concerned about pots and pans. Page 3, paragraph D2.

Don Hazen: In prior discussions with the Police Department, there have been some facilities where it could be questioned whether they were really restaurants. And, so, in the past they have dealt with businesses that only had microwaves and bags of potato chips and so this is their standard condition just to be sure it stays as a bonafide restaurant.

Chairperson Legalos: So, if they have pots and pans, it is assumed that they are a restaurant and they are not a bar. Thank you. If there are no further questions, I will now open the Public Hearing. We have one speaker, Thom Morgan. Does the applicant wish to address the Commission? If there are no questions, then I will close the Public Hearing and bring the matter back into the hands of the Commission.

Commissioner Harrington-Cole: I just wanted to know why they are removing the existing wide driveway. I don't understand that.

Katherine Donovan: When there is an application coming through, Public Works takes that opportunity to clean up any, sort of, remainders, and there is a very wide driveway on Virginia Street that was utilized when this building was a gas station many years ago. The driveway is still there but it goes to nothing. The curb cut is still there and so they simply want it to become a regular sidewalk.

Chairperson Legalos: Is the applicant going to be responsible for doing that or is the City going to be doing that. What is the Deferred Improvement Agreement?

Katherine Donovan: The applicant would be responsible for doing that but generally with a Deferred Improvement Agreement it means that at some point in the future there is some plans to do further work and that it would be done at that time.

Chairperson Legalos: By the City?

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Katherine Donovan: It depends on the exact agreement. It depends on what Public Works has in mind in the future. The applicant may be able to answer that more fully because he has been working with Public Works on this.

Chairperson Legalos: Okay. Would the applicant care to respond to that?

John Howland with ARC, Inc.: We are the architects. Basically what's happening is: All of Virginia Street is going to be improved and the applicant will be partaking his portion of the funds that will improve that property when all the improvements are made down Virginia Street.

Chairperson Legalos: Are there any other questions or comments by the Commission?

Commissioner Manning: I just wanted to make a comment that this is a wonderful restaurant and they have been really good. Business owners in the Downtown are really making a difference, and I see this as the next step for them as a business and also for the Downtown.

Commissioner Turley: I also want to piggyback on that, Gail. I went down there the other day and met with Mr. Ingersol and had a long, informative visit with him. I think he is a wonderful man, probably one of the best business men in Vallejo, probably one of the best restaurateur's in Vallejo, and has a couple more restaurants in mind, so we are going to be seeing him again.

Commissioner Peterman: I move that we approve Use Permit # 07-0009 with the findings and conditions.

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

NOS: None.

ABSENT: None.

Motion carries.

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

- 2. Code Text Amendment 06-0004** would revise the City's Screening and Landscaping Regulations to update requirements for fencing and landscaping throughout the City and to clarify certain sections of the existing regulations. Issues reviewed will include fence heights and allowed materials, landscape setbacks, and restrictions within the front yard area of single-family residences. Proposed CEQA Action: Exempt. Staff Planner: Katherine Donovan 648-4327. *Continued from the meeting of August 20, 2007.*

Staff recommends a recommendation of **approval** to City Council based on the findings and conditions.

Katherine Donovan: There is a Memo before you with a couple of corrections that we wanted to make. One is to the title of the resolution. It should have said "Resolution of Intention". It went out as just "Resolution", so I corrected that. We have also revised a couple of sections. The Applicability section if you recall when we met last time about this ordinance, we discussed applicability. I had originally just added it to Section 16.70.010 with the title and purpose. At the advice of the

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City Attorney's Office, we have given it its own section, and I expanded just slightly on that. I also caught an error this evening right before the meeting. There is actually two places in the Code where we referred to chain link fences being allowed. One is in the Open Fencing and one is in the Closed Fencing and I didn't make the change in the Closed Fencing section so that second correction is to echo the same language in the Closed Fencing section. As you probably recall, this item was originally requested by Commissioner McConnell and a Resolution of Intention was approved on September 6, 2006. We brought the original Proposed Revisions to the Planning Commission on May 7, 2007, when the Planning Commission voted to set up a Sub-Committee to meet with staff to discuss some of the major issues. After the meeting with the Sub-Committee, we brought this back to the Commission on August 20 and it was continued to address some very specific issues including applicability, the description of the welded wire, the clarification of the location where chain link fencing would be allowed, and an increase in noticing radius for projects that could be approved through an Administrative Permit Process. Regarding the applicability, as noted in the Memo, we have added an entire new section that would deal with applicability. It would apply to new development and when new fencing and landscaping is installed as renovation and repair that is more than either 50 percent of a front or back yard, or 30 percent of the total property, and it would not apply if major renovation or repair to existing fencing and landscaping was not undertaken. Regarding the welded wire, we described what would be allowed as attractive welded wire, either with wood or appropriate framing or of the type that is designed to stand alone. We changed the description of where chain link fencing would be allowed to behind the front plane of the house and on corner lots, not beyond the side plane of the house. The noticing radius was expanded from 200 feet to 500 feet and we added that neighborhood groups within 1000 feet of the property would also receive notices. This is our standard noticing for 500 foot radius noticing. Staff also made one change at the request of the Police Department to prohibit electrified fences and this was because an issue came up where someone had put in a high voltage electrical fence in a residential district and the Police Department felt that it was a hazard, and we agreed, so we added that section. We continue to recommend approval, and if you have any questions, I would be happy to answer.

Commissioner Peterman: First, I would like to thank Commissioner McConnell for bringing up the issue, and I think that, along with many other things, this will certainly be one of your legacies on the Planning Commission. Secondly, I drive through many different neighborhoods in our City including one that is one of our least affluent areas. In that area there were several homes that had a larger percentage than 10 percent of non-living things but they also had shrubs and plants of different kinds and they were very attractive and very well maintained. In that same area there were lots and lots of lawns that were brown and looked bad. I would encourage us to change that percent back to 30 percent.

Chairperson Legalos: Ms. Donovan: I have a question about Section 16.07.010. If there is no ground cover or landscaping at all for an existing building, I am assuming it would be a Code Enforcement responsibility to require that the owner install some kind of landscaping. But, given that in case of an existing building, wouldn't an irrigation system also be required?

Katherine Donovan: Yes, if it is new landscaping then the irrigation system would be required.

Chairperson Legalos: And, if there is no ground cover in case of, for example, an owner who (I am thinking of one specific absentee landlord who sprays defoliant on his property), and he uses it to bare dirt. Now, would they be required to put in

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ground cover of some kind, and if so, would they also be required to put in an irrigation system?

Katherine Donovan: Their dirt is non-living material, so they could have (unless we change this), no more than 10 percent of the remaining unpaved 50 percent of the front yard in their dirt. So, basically, a minimum of 40 percent would need to be planted.

Chairperson Legalos: Okay, thank you. On part 16.70.060, Part E: Other than neighborhood associations, what is an "identified neighborhood group"?

Katherine Donovan: We have a list of neighborhood associations that includes . . . some of them are homeowners' associations; some of them are neighborhood associations. Deborah, can you think of others? They all have a geographical component to them and they are a neighborhood group. They registered with the City so they have a list of those people. We have a contact person. If you form your own neighborhood group and don't tell us about it; it doesn't count. It is not an identified neighborhood group.

Chairperson Legalos: So, they are identified and they are somehow registered with the City. And then, I have a question on 16.70.070, Part E, Subpart C: On the coverage for walkways and driveways, now I have seen some houses on Wilson Avenue where they have just poured concrete and completely covered everything. (This was done years ago, I might add) Would this allow someone to cover 50 percent with concrete, for example? And then, 10 percent of the remaining 50 percent gives you a total of 55 percent, and claim it to a walkway? Or is there some agreement as to what is a walkway?

Katherine Donovan: You are allowed to have 50 percent paved and the language includes driveways, walkways, etc. but the way it has been applied previously is that 50 percent of your front yard can be paved. Then, an additional of the remaining 50 percent could be in non-living material, so, as you said, 55 percent could be non-living but 45 percent would have to be living.

Chairperson Legalos: So, it doesn't have to be a walkway, in fact.

Katherine Donovan: No. It could be a patio.

Commissioner Gourley: A couple of quick questions, both of which will probably show my ignorance. Who is the Planning Manager that is referred to?

Katherine Donovan: Currently, it is Don Hazen.

Commissioner Gourley: So, Don would be responsible for making decisions when people come to you with a question. The other one that I had was, in the parking areas and other areas, if the total amount of trees wouldn't fit for some reason, and they waived that requirement, and the requirement is to give the City the like number of trees, does the City have some place to put them or some place to store them, or is it like they owe us a tree?

Don Hazen: This is where we might be looking to offer some flexibility on the parking lot landscaping. It would probably be those cases where they are able to mitigate that by planting them somewhere else on the site. Very rarely would they be supportive of parking lots without meeting the minimum amount of parking lot landscape requirements.

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Commissioner Gourley: The requirement and the statute indicated that if you had waived the total number and they were in like kind, then it supplied another tree to the City.

Don Hazen: That's correct.

Commissioner Gourley: So, do we have a place to put those trees, and if not, do we have some place to store them?

Don Hazen: Well, we would be looking for other places on the site to plant those trees, so if it is not in the parking lot, we would be looking in the setbacks. (I think Katherine wants to respond).

Katherine Donovan: I think that you are referring to page 12, Section C. That happens more often not in a parking lot but, though you have a street frontage and there is a mailbox and there is a bus stop or the sidewalk is not wide enough and you can't put a street tree in there. My feeling is we probably, rather than taking a tree itself, more likely our landscape division of our corp yard would take a deposit into a tree fund. They have a landscape fund that does things like that. You know, the Curtola Parkway Median and things like that, and then it would be used in that manner to apply street trees. It seems to make more sense than to actually make them give us a tree. I think our landscape guys would prefer to pick their own trees.

Chairperson Legalos: If there are no further questions, I will open the Public Hearing, and we have one card: Mr. Thom Morgan.

Thom Morgan: I live here in Vallejo, and it looks like we are getting close on this. I did have a couple of questions on it, and it was in the "View from Solid Fencing", which would be 16.70.030, Section 3. It says "Chain link fencing shall not be allowed on the exterior side of the property line behind the side of the plane of the house." Directly below it says: "Chain link fencing shall not be allowed in residential zoning districts or is visible from a public right-of-way." We brought this up at the last meeting as far as side hills and everything else that is seen over the fence. The other one is the landscaping area and, again, in commercial areas where you are saying that there ought to be 5 feet of landscaping, just this last week, along Tennessee Street, there was a new iron fence put up for a car lot, and it is right behind the sidewalk. No landscaping. How is the City going to control existing businesses that come in and do that? The fence still has to be painted but it just went up last week. Everything else is great other than that visual from the street.

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: If I may refer to Commissioner Peterman's observation about a change he would like to see made. Could you restate that please?

Commissioner Peterman: I would be glad to. One of the things I am thinking of is that as our population ages, it is oftentimes more difficult for people to go out and garden, etc. I would like to see it change back from 10 to 30 percent of non-living things and the living remaining 50 percent.

Commissioner McConnell: Mr. Chairman: I would like to move the adoption of the Resolution of Intention to amend the Zoning Ordinance as set forth in Attachment 3 with the findings and the conclusions therein stated.

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Chairperson Legalos: That does not include Commissioner Peterman's amendment.

Commissioner McConnell: No, it does not.

Commissioner Peterman: I would like to add a friendly amendment that we change the net percentage from 10 to 30.

Chairperson Legalos: Commissioner McConnell: Do you accept the friendly amendment?

Commissioner McConnell: No, but I would accept, say, 20 percent.

Commissioner Peterman: Deal. You drive a hard bargain, Commissioner.

Chairperson Legalos: Thank you. Please vote.

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

NOS: Gourley.

ABSENT: None.

6 to 1. Motion carries.

Don Hazen: Mr. Chairman: May I ask just for the benefit of the record so when this goes on to City Council that maybe Commissioner Gourley could help us for the purpose of the Minutes of expressing his thoughts on the "no". Just because I will probably be asked that by council.

Chairperson Legalos: Certainly. Commissioner Gourley?

Commissioner Gourley: I have several problems with it. No. 1: I think it is a little intrusive. No. 2: After just looking around my neighborhood and other neighborhoods since this came up, I have had nightmares about chain link fences for the last two weeks, which I never thought I would have. I find that of the fences in my neighborhood, 75 percent of them are in the front yards in particular, are chain link fences. Some of them look pretty tacky; I will be honest with you. Some of them look pretty good. I think we are sending the wrong message, personally. I have some problems with some of the terminology such as complement and enhance. Very broad terms. What complements my view may not complement yours. "Attractive material." Well, what's attractive to me may not be attractive to you, and vice versa. I have got some serious problems with some of the language, and the terminology describing what is attractive and what is not, and I think it is an intrusive requirement that City is placing on its citizens. I will be honest with you. If you were to poll 100,000 plus citizens in this town as to whether or not they like chain link fences – the way we have described it here, my guess is the vast majority would say "leave us alone." I think we are trying to basically shove something down their throat that most of them don't want. That is just my opinion.

Don Hazen: Thank you for helping to clarify that for the Council.

L. OTHER ITEMS

1. Changing of seat assignments.

The new seating assignments will be as follows:

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Deborah Marshall
Don Hazen
Claudia Quintana
Norm Turley
Robert McConnell
Kent Peterman
Charles Legalos
Gail Manning
Bruce Gourley
Suzanne Harrington-Cole

M. ADJOURNMENT

There being no further business to discuss, this session of the Vallejo Planning Commission is now adjourned at 7:41 p.m.

Respectfully submitted,



(for) DON HAZEN, Secretary



COUNCIL COMMUNICATION

Date: September 25, 2007

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager / Community Development *CW*
Brian Dolan, Development Services Director *BD*

SUBJECT: Update on Continuing Efforts to Improve City Development-related Permit Processes

BACKGROUND & DISCUSSION

The purpose of this informational memorandum is to provide an update on the various initiatives accomplished and anticipated to improve customer service in the development permitting process. The City Council was provided a thorough briefing on February 13, 2007, focusing on the creation of the Development Team and the commitment to identify realistic City review times. And again on June 12, 2007 during a study session regarding recommended increases to the permitting fees, improvements to the city's processes were also highlighted. This report addresses changes implemented over the summer and goals for the remainder of the fiscal year.

I. Summer 2007 Efforts

- Changed to a Single Point of Entry system for Building Permits as of June 4, 2007 in cooperation with Fire Department, Water Division and Vallejo Sanitation & Flood Control District. Applicants now submit all building permit plans to one office (Building Division) which is, followed by simultaneous review by all affected work units and a unified response to applicant. The Public Works Engineering Division has implemented a similar procedure for permits issued by that office (e.g. grading and encroachment permits).
- Created new "portal" on the main page of the City's website in July 2007 with information on permits from Planning, Building and Engineering. Posted consistent business information for all City permitting offices, including hours of operation, standard City permit processing times, fees, plus all existing handouts (approximately 110), staff phone numbers and e-mail addresses.
- Published a more comprehensive Master Fee Schedule. Implemented new fees, effective on September 1, 2007 and posted on City's website portal.
- Developed written checklists and list of definitions for Building Permit applicants to identify what information needs to be included with the application package

and how many sets of plans need to be provided. This information is available at the office counter and was posted on-line in July 2007.

- As of August 1, new standards for City permit processing times went into effect. Building and Planning Divisions both analyzed all aspects of the permit process and created standard operating procedures for processing new applications. For example, in Planning, customers are now scheduled for an intake appointment with City staff from Planning and Engineering to review the application materials for completeness. In the past, this completeness review could take several weeks.

Based on the value of the feedback received in outreach meetings with the building community last spring prior to the City Council's consideration of a new fee schedule, quarterly outreach meetings are being initiated. The first meeting is scheduled for Thursday, October 4, from 4 – 6 p.m. in the Mare Island Conference Center (375 "G" Street). Invitations will be distributed to chambers of commerces, notices will be posted at the permit counters and customers that attended the spring outreach meetings, and permit applicants during the last four months will be invited. In addition, staff is starting to explore customer satisfaction survey tools, such as questionnaires, on-line feedback options, etc.

II. Objectives to Achieve by January 1, 2008

During the balance of the calendar year staff has established additional performance improvements designed to improve services to our customers. These supplement the implementation of performance standards and other enhancements delivered during recent months. New initiatives include the following:

Building Division

- Hire budgeted Building Inspector II position
- Implement and Track Performance Standards
- Analyze feasibility of establishing Building Technician and Plan Check Engineers as permanent positions

Planning

- Ensure maximum staff capacity within current budget. Retain one or more contract planners in addition to project specific (e.g. Lowe's, Mare Island) planners
- Prepare Standard Operating Procedures (SOP) for administrative support functions performed by secretarial staff
- Install wireless intercom system at front counter

Engineering

- Integrate permitting procedures in CRW (permit tracking software).

Multi-Division

- Continue website improvements (e.g., on-line fee calculator)
- Implement CRW for all divisions involved in development review
- Plan payment kiosk on 2nd floor
- Memorialize vision statement in office
- Technology enhancements with revenues from new tech fee (e.g., GIS maintenance, improvements for archiving plans, maintain citywide survey benchmarks)
- Develop Performance Tracking Reports

III. Objectives to Achieve by July 1, 2008

During the last six months of FY 2007-08 we intend to establish additional performance improvements designed to improve services to our customers. These supplement the implementation of performance standards and other enhancements delivered during recent months. New initiatives will include the following:

Building

- Initiate program to proactively address illegal construction
- Initiate digital archiving of approved plans

Planning

- Prepare Division Standard Operating Procedures for major tasks such as file prep/distribution, AHLC agendas, etc.
- Enhance final inspection process to ensure tracking of ongoing compliance with conditions of approval

Multi-Division

- Meet with Stakeholders to get feedback on process improvements
- Install payment kiosk on 2nd Floor
- Complete additional Development Services customer service training
- Provide 1st 6-month progress report in February 2008 on the success of meeting the new standard City permit processing times (90% of the time).

Present Special Revenue Fund for Development Services activity to the City Council for consideration as a component of mid-year budget review. Fund would isolate the fees paid for these services and directly link them with the budgets and costs associated with providing the services. In years when revenues exceed costs, this new fund would accumulate a fund balance to be used in future years.

FISCAL IMPACT

None. Information item.

RECOMMENDATION

None. Information item.

ALTERNATIVES CONSIDERED

Not applicable.

ENVIRONMENTAL REVIEW

Not applicable for this update on city procedures.

PROPOSED ACTION

None. Information item.

DOCUMENTS ATTACHED

None

CONTACT: Craig Whittom, Assistant City Manager / Community Development
cwhittom@ci.vallejo.ca.us
707.648-4579

Brian Dolan, Development Services Director
bdolan@ci.vallejo.ca.us
707.649-5458

September 25, 2007

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

DATE OF MEETING: October 1, 2007

PREPARED BY: Marcus Adams *M.A.*

PROJECT NUMBER: UP #06-0004

**PROJECT
DESCRIPTION:**

The House of Acts has submitted a conditional use permit application to add to their existing inpatient residential alcohol and substance abuse treatment program an outpatient alcohol and substance abuse treatment program. The 12 week outpatient program would hold two sessions per day, Mon.-Wed. at 6:30-7:30 p.m. and 7:45-8:45 p.m. with a maximum of two clients per session.

RECOMMENDATION: Approve with Conditions

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

PROJECT DATA SUMMARY

Name of Applicant: Hattie M. Miles

Date of Completion: August 27, 2007

General Plan Designation: Highway Commercial

Zoning Designation: Low Density Residential

Site/Surrounding Land Use:

Site: 627 Grant Street

North: Residential

South: Residential

East: Residential

West: Residential

Lot Area: 5,000
square feet

Total Floor Area/Ratio: 0.45

Landscape Area/Coverage: 45% lot coverage

Parking Required/Provided: **Five** spaces for each staff health practitioner/
three uncovered tandem spaces

BACKGROUND SUMMARY

In 1996, The House of Acts was granted a minor use permit to operate an inpatient residential alcohol and substance abuse treatment program for eight clients. On June 22, 2007, the Planning Division approved a minor use permit allowing expansion of the in-patient treatment program from eight to ten clients. Based on the community need for social outpatient programs, and the success of their Sober Living outpatient program at 1244 El Dorado Street, the House of Acts have applied to the State for certification and the City of Vallejo for a conditional use permit to operate an outpatient program at their Grant Street location. No exterior or interior improvements are proposed.

ANALYSIS

The proposed outpatient program use is allowed in Low Density Residential Districts (LDR) with use permit approval, per Section 16.14.040(B)(1) of the Vallejo Zoning Ordinance. When analyzing such uses within residential neighborhoods, staff considers potential impacts to the neighborhood such as parking and loitering; complaint history of the facility; and Police Department concerns/comments.

Staff has not received any complaints related to the operation of the facility during their existence, nor have any comments in opposition to the facility been received by staff during the use permit public comment period. There are also no records of complaint on file with the Development Services Division related to the House of Acts outpatient program at El Dorado Street. The Police Department does not have a history of complaints related to the subject Grant Street facility and did not express concern over the proposed outpatient program however, concern was expressed regarding parking availability.

Staff also had concerns regarding the limited amount of off-street parking (3 spaces) and after discussing this concern with the applicant, the applicant proposed to limit the amount of outpatients and counselors at each session to three, which would equal the amount of available off-street parking spaces.

Regarding the possibility of outpatient/inpatient loitering becoming a problem, staff realizes that ultimately, loitering monitoring will be the responsibility of the facility management; however, staff will require the following conditions to address this concern: a "No Loitering" sign to be posted at the outpatient exterior and interior entrance; and that outpatient class breaks (if any) limit loitering to the side and rear of the home.

ENVIRONMENTAL DETERMINATION

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

CONCLUSION/RECOMMENDATION

Staff has determined that the proposed use, as conditioned, is consistent with the City's General Plan and Municipal Code, and all applicable ordinances, standards, guidelines, and policies. Therefore, staff recommends that the Planning Commission approve the Conditional Use Permit, number UP 06-0004, based on the findings and subject to the attached Conditions of Approval.

FINDINGS

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

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

EXPIRATION

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

APPEAL

The applicant or any party adversely affected by a decision of the Planning Commission may within ten days after the rendition of the decision of the Planning Commission appeal in writing to the City Council by filing a written appeal with the City Clerk and Planning Division. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee

no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or city holiday, then the deadline shall be extended until the regular business day.

ATTACHMENTS

1. Resolution
2. Floor plan, pictures of site, narrative overview
3. Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING SITE DEVELOPMENT PERMIT APPLICATION
#06-0004**

House of Acts -outpatient program

The subject property is located at 627 Grant Street.

APN# 0061-072-050

I. GENERAL FINDINGS

WHEREAS an application was filed by Hattie M. Miles seeking approval for a conditional use permit to operate an outpatient intervention program; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the conditional use permit on October 1, 2007 at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission; and

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

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

Section 1. The Planning Commission finds that on the basis of the whole record before it there is no substantial evidence that the project will have a significant effect on the environment per Section 15301, Class 1 Categorical Exemption, "Existing Facilities" of the California Environmental Quality Act.

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

Section 2. The Planning Commission finds that applicant submitted a conditional use permit application for an outpatient intervention program pursuant to the City of Vallejo Municipal Code Section 16.14.040(B)(1).

Section 3. The Planning Commission finds, based on the facts contained in the staff report attached herein and incorporated herein by this reference, and given and the

evidence presented at the public hearing, and subject to the conditions attached to this resolution that:

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

IV. RESOLUTION APPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR AN OUTPATIENT INTERVENTION PROGRAM AT 627 GRANT STREET

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the conditional use permit application (UP# 06-0004) an approximate 757 square foot addition and legal establishment of an additional unit, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

V. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 1st day of October, 2007, by the following vote to-wit:

AYES:

NOES:

ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
USE PERMIT #06-0004
(APN# 0061-072-050)

CONDITIONS OF APPROVAL:

Planning Division

1. A “No Loitering” sign shall be posted at the outpatient exterior and interior entrance, to be confirmed by the Planning Division.
2. Outpatient class breaks (if any) limit loitering to the side and rear of the home.
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.

Building Division

1. It appears that work may have been done without permits or inspections. Prior to outpatient operation, schedule an inspection with the Building Division to confirm building code and permit compliance with all structures on the property.

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied. (F1)
2. Prior to building permit submittal, building construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid. (F4)
3. Prior to final inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (1998 CFC Standard 10-1; NFPA 10) [F8]
4. Prior to final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night. For this facility, minimum 6” numbers. (1998 CFC Section 901.4.4; added VMC Section 12.28.170)[F9]

5. Prior to final building inspection, install “No Parking Fire Lane” signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway. (CVC Section 22500.1; Cal Trans Traffic Manual, sign#R26F) [F10]
6. Prior to final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request. (F11)
7. Development sites shall be maintained weed free during construction. (1998 CFC Section 1103.2.4) [F12]
8. The project shall conform to all applicable requirements of Title 19-Public Safety, 1998 CFC and all VMC amendments. (F2)
9. Additional fire hydrant(s) may be required. Submit a complete set of plans for review and approval. All fire hydrants are to have “blue dot” highway reflectors installed on the adjacent street of the driveway to clearly identify the fire hydrant locations. (1998 CFC Section 903, Appendix III-B) Hydrant needed to within 250 feet.
10. 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 each 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. (1998 CBC Section 310.9.1.1)
11. 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. (1998 CBC Section 310.4)

City Engineer

1. Broken existing driveway approach fronting the property is not lined up with the driveway. Prior to outpatient program operation, remove broken driveway approach, replace with City standard and shorten the width of driveway approach so that it lines up with the driveway. Obtain sidewalk permit from Public Works prior to performing this work.

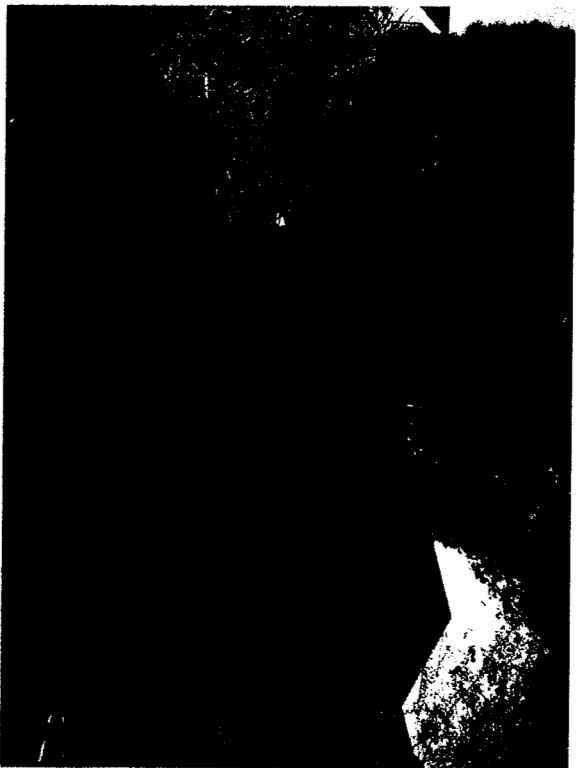
Traffic Engineer

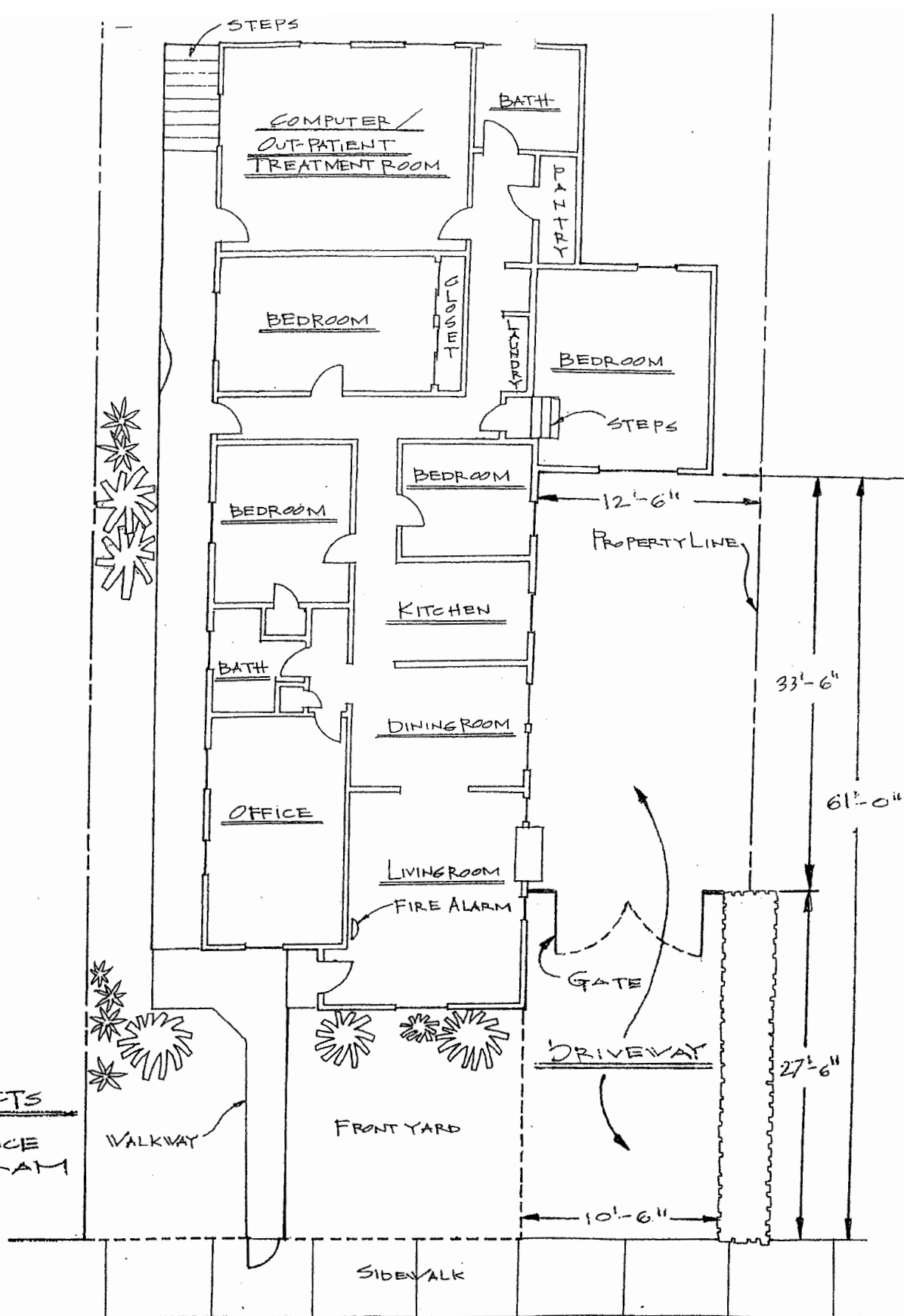
1. Limit to five (5) patients if all drive vehicles.

GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.

Attachment 2: site pictures





HOUSE OF ACTS
ALCOHOL & SUBSTANCE
ABUSE TX PROGRAM

PLOT PLAN • SCALE: NONE

DRIVEWAY ALLOWANCE: (3) VEHICLES
LOCATION: 627 GRANT ST
VALLEJO, CA 94590



The House of Acts

Alcohol and Substance Abuse Treatment Program

627 Grant Street

Vallejo, CA 94590

www.houseofacts.com

Telephone: (707) 553-1042 Fax: (707) 553-8146

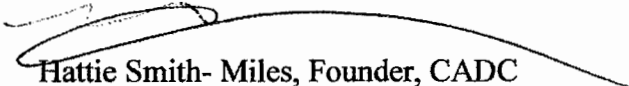
August 27, 2007

Mr. Marcus Adams
Planning Division
555 Santa Clara St.
Vallejo, Ca. 94590

Re: Outpatient Request

We are a Residential Alcohol and Substance Abuse Treatment Program with 10 residential beds located at 627 Grant St. Vallejo Ca 94590. We are seeking outpatient certification for a 12 week group outpatient program. This program would be provided for up to 12 people total. The outpatients will attend 1 group per week, for one hour. Group meeting times will be held Monday's, Tuesday's, and Wednesday's. There will be two sessions each day, one from 6:30-7:30 pm and another from 7:45- 8:45pm. We are currently licensed by the State of California. In addition, we have already applied for licensing and are awaiting the zoning process. Enclosed you will find a narrative overview of what you can expect from the outpatient program. Thank you in advance for your consideration in this matter. If there are any further questions or concerns please feel free to contact us at (707) 553-1042.

Sincerely,


Hattie Smith- Miles, Founder, CADC
House of Acts



The House of Acts
Alcohol and Substance Abuse Treatment Program

627 Grant Street

Vallejo, CA 94590

www.houseofacts.com

Telephone: (707) 553-1042 Fax: (707) 553-8146

Narrative Overview

The House of Acts Alcohol and Substance Abuse Treatment Program are a licensed Drug and Alcohol and Substance Abuse Treatment Program. (Residential) The House of Acts is non-profit organization, Licensed & Certified by the State of California Alcohol and Drug Program. The House of Acts has been in operation since 1989 in South Vallejo by Hattie Smith-Miles.

The House of Acts submitted an application to planning for a use permit. The House of Acts is submitting the information that you requested for outpatient.

- 1) The outpatients will attend 1 group per week, for one hour. Group meeting times will be held Monday's, Tuesday's, and Wednesday's. There will be two sessions one from 6:30-7:30 pm and another from 7:45- 8:45pm. The length of the outpatient program will be 12 weeks.**
- 2) There will be one counselor on duty to conduct outpatient groups. The outpatient groups will be held in the large computer room in the rear of the house. There is a separate door entry that leads to the class room.**
- 3) There will be no more than two outpatients and one counselor to attend at a time.**
- 4) There will be parking spaces provided for these groups. Up to (6) spaces. Three in driveway and three in front of house.**
- 5) At this time we are seeking certification for our outpatient program. We are currently licensed by the State of California.(ADP)**



AUGUST 27, 2007

The House of Acts

Alcohol and Substance Abuse Treatment Program

627 Grant Street

Vallejo, CA 94590

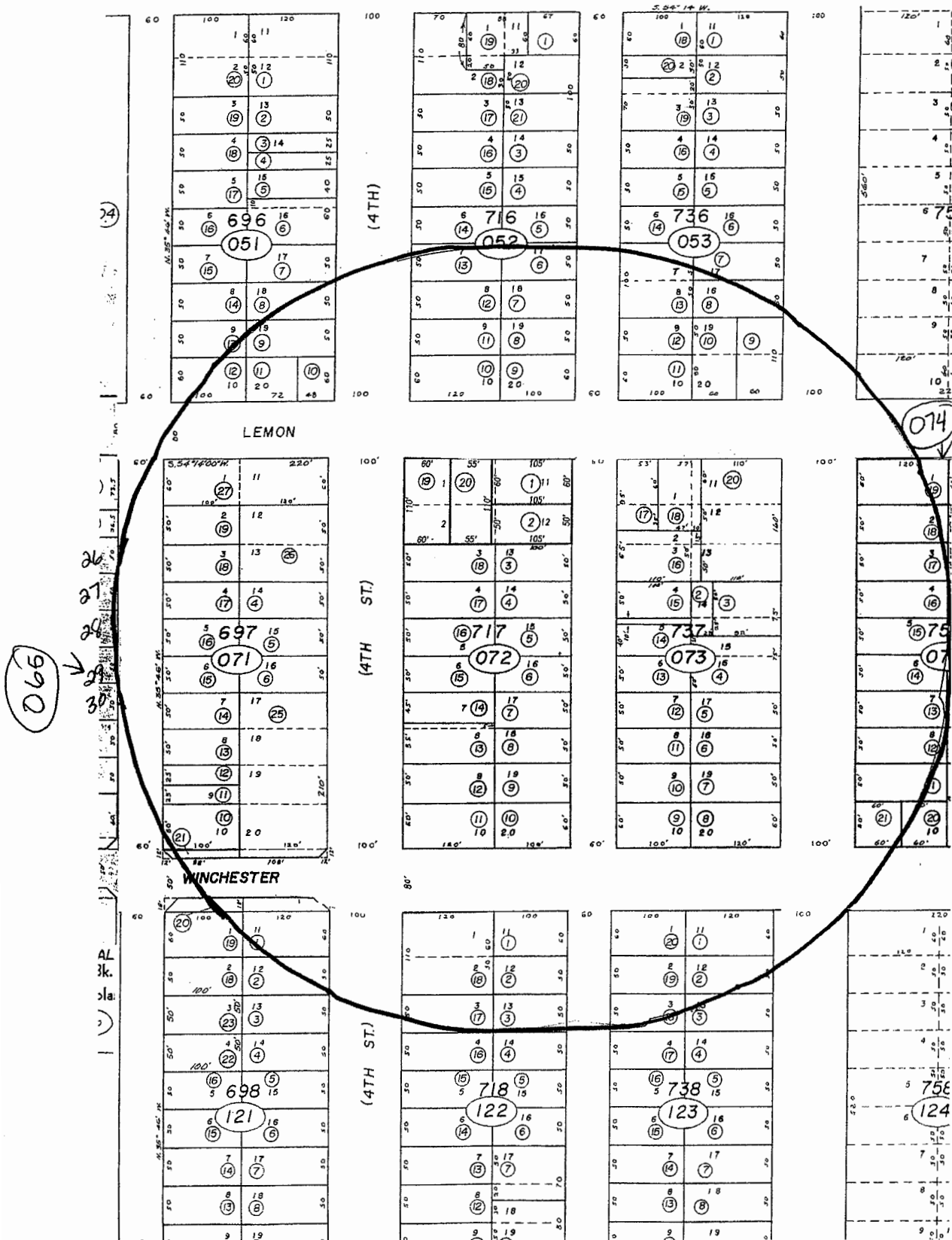
www.houseofacts.com

Telephone: (707) 553-1042 Fax: (707) 553-8146

Rules and Guidelines

- A) Outpatients will not be allowed to have visitors.
- B) Outpatients will not be able to use the telephone. (except in case of emergencies)
- C) Outpatients will have to sign an agreement for services.
- D) Outpatients will not be a part of the residential program.
- E) Outpatients will attend groups for 1 night a week from either 6:30pm- 7:30pm or 7:45pm- 8:45pm Monday, Tuesday, or Wednesday.
- F) Outpatients will not be allowed to linger around the facility at the close of group.
- G) Outpatients will be off premises by 9:00pm.
- H) Outpatients must be on time!!!!
- I) There will be between 1 to 12 clients in our outpatient program depending on referrals from other agencies.
- I) It is mandatory that all groups be held in the evening.
- K) There are 3 parking spaces in the driveway and 3 in front of the house. Although most outpatients are dropped off for groups and picked up, there are more parking spaces available in the surrounding area.

500' CONFLICT of INTEREST



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

DATE OF MEETING: October 1, 2007

PREPARED BY: Marcus Adams *MA*

PROJECT NUMBER: UP #05-0002

**PROJECT
DESCRIPTION:**

People of Excellence have submitted a conditional use permit application to operate an outdoor manual carwash at their existing transient habitation lodging facility. Hours of operation for the proposed carwash would be from 8:00 a.m. to 7:00 p.m., Monday thru Saturday.

RECOMMENDATION: Approve with Conditions

CEQA: Categorically Exempt (Section 15303) (Class 3)

PROJECT DATA SUMMARY

Name of Applicant: People of Excellence

Date of Completion: August 22, 2007

General Plan Designation: Highway Commercial

Zoning Designation: Freeway Commercial

Site/Surrounding Land Use:

Site: 500 Lincoln Road East

North: Residential

South: Bays Inn Motel

East: Residential

West: Interstate 80

Lot Area:
square feet 5,227

Total Floor Area/Ratio: N/A

Landscape Area/Coverage: 58%

Parking Required/Provided: One space for each 400 square feet of gross floor area 648 gross floor area=**Two** required spaces/ **Four** provided uncovered spaces

BACKGROUND SUMMARY

In 2004, The People of Excellence, a men's rehabilitative facility, approached the Planning Division regarding permanent operation of their weekend outdoor parking lot car washes. In 2005, People of Excellence submitted their application for a conditional use permit to operate their car wash. After determining that the permit and site improvement costs would be prohibitive for the facility at that time, People of Excellence decided to limit their car washes in 2006 from June 24th to July 1st (Administrative Permit #06-0016) while raising funds to complete their permit process.

ANALYSIS

The proposed manual car wash use is allowed in Freeway Commercial Districts (CF) with use permit approval, per Section 16.28.040(B)(1) of the Vallejo Zoning Ordinance. When analyzing such uses adjacent to residential neighborhoods, staff considers potential impacts such as parking; loitering; noise; car wash drainage and in this instance, complaint history of the facility.

In 2004, staff received complaints regarding outdoor activities at the subject property; however, the sources of the activities were outdoor church services being conducted under a temporary tent. Specifically, neighbors were complaining about the church music and the unsightliness of the tent. Upon receiving a courtesy warning notice from the Planning Division, the outdoor services ceased and the tent was removed. Staff has not received any complaints related to such services since that time, nor did staff receive any complaints related to the 2006 summer car wash operation. Staff will recommend as a condition of approval that no music be allowed to be played either by staff or by customers, including customer car stereos, during operating hours. A sign prohibiting such music playing shall be posted in the designated customer waiting bench area.

Though the site plan illustrates enough parking spaces to meet the city's requirement for the proposed use, staff does have concerns that the nine parking spaces located on the subject property may not be sufficient for the eight employee/residents and car wash customers. Staff has been informed by the applicant that they have a shared parking agreement with Bays Inn for the adjacent nine parking spaces. Staff will recommend as a condition of approval, signed documentation verifying the agreement.

Staff will also recommend as a condition of approval that the People of Excellence designate a community representative for the purpose of responding to any neighborhood complaints or concerns. The name and contact phone number for the representative along with car wash hours of operation shall be

posted in a conspicuous location and be made available to the public upon request. An updated copy of this information shall be kept on file with the Planning Division.

Based on past complaints regarding temporary tents at the facility, and the durability of the proposed tarp car wash canopy, staff will require that the canopy material be constructed of metal/style, with a permanent foundation subject to Planning and Building Division approval (see Attachment 3).

Staff believes that based on past history of the outdoor car wash 2006 operation, and with implementation of the recommended conditions of approval, the proposed permanent operation of an outdoor carwash at the subject site will serve the dual purpose of establishing a new local small business in the City and providing employment development skills for the men's rehabilitative facility residents.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt due to the fact that the proposed use would only involve construction of an accessory structure (CEQA Section 15303, Class 3(e), New Construction or Conversion of Small Structures).

CONCLUSION/RECOMMENDATION

Staff has determined that the proposed use, as conditioned, is consistent with the City's General Plan and Municipal Code, and all applicable ordinances, standards, guidelines, and policies. Therefore, staff recommends that the Planning Commission approve the Conditional Use Permit, number UP 05-0002, based on the findings and subject to the attached Conditions of Approval.

FINDINGS

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

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

EXPIRATION

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

APPEAL

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

ATTACHMENTS

1. Resolution
2. Submitted plans, pictures of site
3. Bench, canopy cut sheets
4. Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING SITE DEVELOPMENT PERMIT APPLICATION
#05-0002**

People of Excellence –outdoor carwash

The subject property is located at 500 Lincoln Road East.

APN# 0071-182-320

I. GENERAL FINDINGS

WHEREAS an application was filed by People of Excellence seeking approval for a conditional use permit to operate a manual outdoor carwash; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the conditional use permit on October 1, 2007 at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission; and

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

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

Section 1. The Planning Commission finds that on the basis of the whole record before it there is no substantial evidence that the project will have a significant effect on the environment per Section 15303, Class 3 Categorical Exemption, “Conversion or New Construction of Small Structures” of the California Environmental Quality Act.

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

Section 2. The Planning Commission finds that applicant submitted a conditional use permit application for an outpatient intervention program pursuant to the City of Vallejo Municipal Code Section 16.28.040(B)(1).

Section 3. The Planning Commission finds, based on the facts contained in the staff report attached herein and incorporated herein by this reference, and given and the

evidence presented at the public hearing, and subject to the conditions attached to this resolution that:

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

IV. RESOLUTION APPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR A MANUAL OUTDOOR CARWASH AT 500 LINCOLN ROAD EAST

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the conditional use permit application (UP# 05-0002) for a manual outdoor carwash, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

V. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 1st day of October, 2007, by the following vote to-wit:

AYES:

NOES:

ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
USE PERMIT #05-0002
(APN# 0071-182-320)

CONDITIONS OF APPROVAL:

Planning Division

1. Prior to carwash operation, a sign shall be posted at the designated customer waiting area which prohibits playing of music outdoors, including customer car stereos during operating hours, to be confirmed by the Planning Division.
2. Prior to carwash operation, the applicant shall submit a signed shared parking agreement with the property owner of Bay's Inn Motel .
3. Prior to carwash operation, the applicant shall submit the name and contact phone number of a designated community representative. It will be the responsibility of the applicant to ensure the Planning Division has an updated contact at all times.
4. Prior to carwash operation, the applicant shall submit revised plans subject to Planning and Building Division approval, illustrating a metal carwash canopy.

Building Division

1. Provide engineering calculations and details for structural connections.
2. Show where and how sand/oil separator is going to tie in to sewer line.
3. Show distances to property line.
4. Provide elevation/cross sectional details for concrete slab. Indicate drainage and fall in both directions.

Vallejo Sanitation and Flood Control District

1. Prior to building permit issuance, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. The project, as submitted, was incomplete. All proposed and existing District facilities to serve the project. Provide site utility plan showing existing and proposed sanitary sewer and storm drain facilities, mains, laterals, connections, etc.
3. Pretreatment of storm drainage water runoff is required; storm drainage runoff shall be conveyed over landscaped areas or otherwise treated, as feasible, before discharging into the public system. This is to improve the stormwater quality

leaving the site. The project architect or civil engineer should contact VSFCDD for possible design solutions and their impact on the design of the project.

4. You will need to come to the District to fill out a Pre-treatment questionnaire. You will be required to deposit the wash water flow from the operation into the sanitary sewer. The District will not allow the wash water to flow directly into the storm drain system without some sort of pre-treatment. See section 10-6 attached.

City Engineer

Specific conditions are as following:

1. Review of documents and plans indicate that the subject carwash is proposed on City right of way (60 feet wide existing Annette Ave). Approval of this use permit must be subject to abandonment of a portion of Annette Ave right of way by the City Council of the City of Vallejo. The applicant may petition to the City for abandon of right of way. (Contact Public Works-Engineering to get information about petition for abandonment of right of way). If the right of way abandonment gets approved by the City then the following conditions shall apply to this use permit application.
2. Overlay parking lot as proposed.
3. Install proposed berm at the south end of the proposed parking stalls.
4. Submit construction plan for review and approval. Construction plan shall show existing and proposed improvements. Secure approval of construction plan prior to building permit.
5. Additional condition for street improvement may be imposed on street abandonment application.

Standard Comments/Requirements:

1. Signing and striping shall be per City standard. (VMC, Section 16.62.140)

Additional standard comments that may apply are:

- PW1. **HOW PROJECT CONDITIONS SATISFIED.** Prior to building permit issuance, submit a numbered list to the **Planning Division** stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
- PW2. **PUBLIC IMPROVEMENT STANDARDS.** All public improvements shall be designed to City of Vallejo standards and to accepted engineering

design standards. The **City Engineer** has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (COV, Regulations & Standard Specifications, 1992).

- PW3. **IMPROVEMENT PLANS.** Prior to building permit submittals, submit three sets of plans to the **Department of Public Works** for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations and pertinent reports. (COV, Regulations & Standard Specifications, 1992 Section 1.1.7-A).
- PW11. **ENCROACHMENT PERMIT.** Prior to building permit issuance, obtain an encroachment permit from the **Department of Public Works** for all work proposed within the public right-of-way. (VMC, Section 10.16).
- PW13. **COORDINATION OF CONSTRUCTION INSPECTION.** Construction inspection shall be coordinated with the **Department of Public Works** and no construction shall deviate from the approved plans. (COV, Regulation & Standard Specification Sections 1.1.4 & 1.1.5).
- PW15. **BONDS AND FEES.** Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance. (VMC, Section 15.12.090, Resolution Nos. 84-554 N. C. and 02-55 N. C.)
- PW16. **INSTALL IMPROVEMENTS.** Prior to occupancy/final building inspection, install the improvements required by the **Department of Public Works** including but not limited to streets and utilities. (VMC, Section 12.04.060).

Water Superintendent

1. A reduced pressure backflow preventer is required to be installed behind the existing water meter. The application for this installation shall be made at 202 Fleming Hill Road, Vallejo, CA 94589 prior to issuance of building permit.

STANDARD REQUIREMENTS

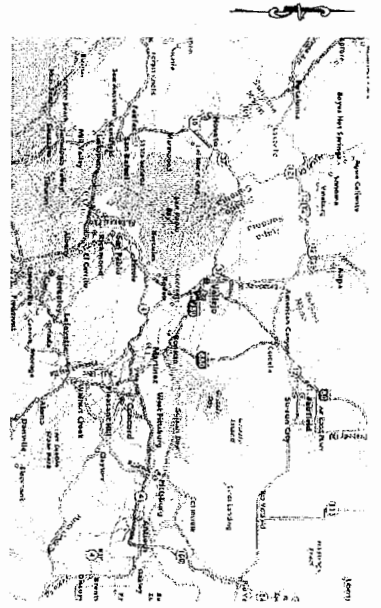
Planning Division

1. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which violates the conditions of this use permit or other applicable City regulations, and Planning staff

is unable to obtain compliance or abatement, staff will refer the use permit to the Planning Commission for possible suspension or revocation per Section 16.82.110, Vallejo Municipal Code.

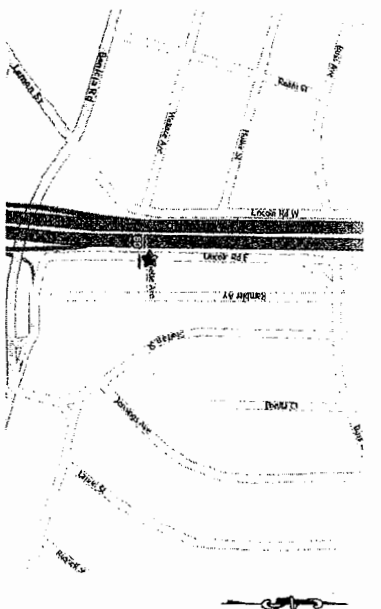
GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.



LOCATION MAP
SCALE N.T.S.

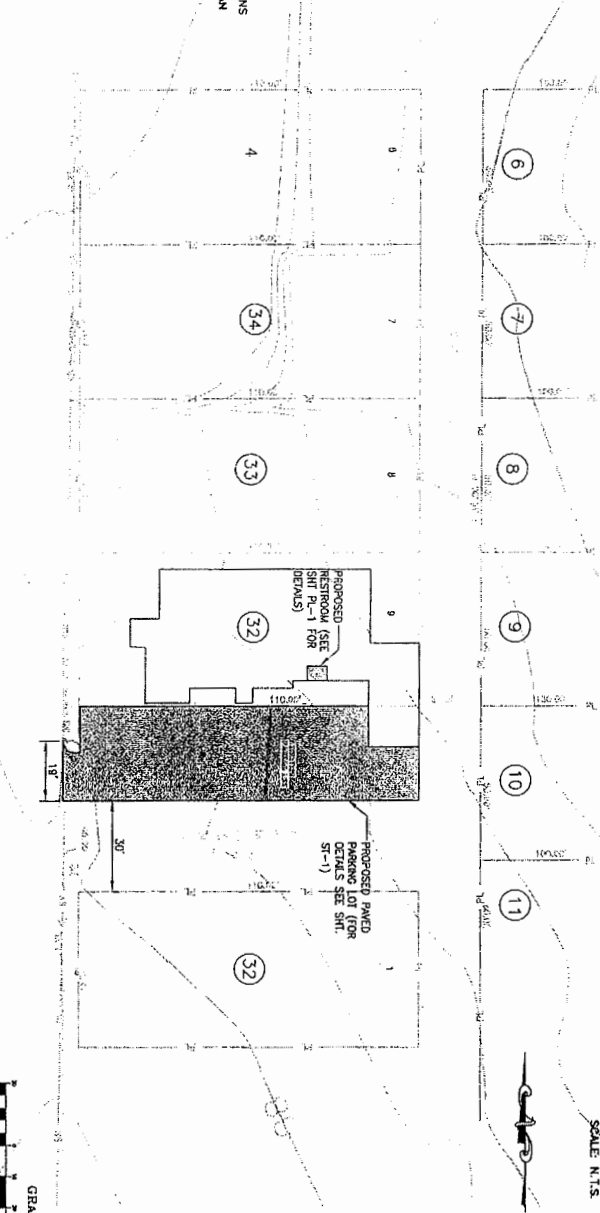
PEOPLE OF EXCELLENCE
CENTER
PARKING LOT PLANS
500 LINCOLN RD. EAST CITY OF VALLEJO,
CA. 94590



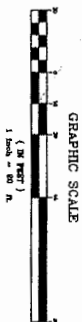
VICINITY MAP
SCALE N.T.S.

DRAWING INDEX

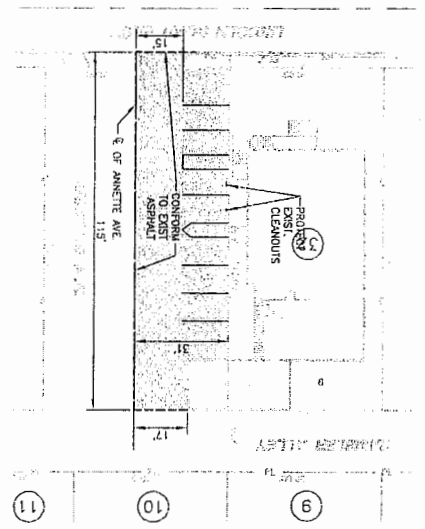
SHT. NO.	DWG. NO.	DESCRIPTION
1.	T-1	TITLE SHEET
2.	PL-1	RESTROOM PLAN AND SECTIONS
3.	SL-1	PAYMENT AND STRIPING PLAN
4.	DET-1	DETAILS



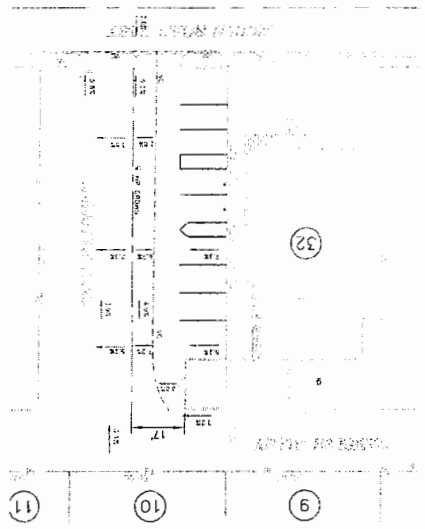
SITE PLAN
SCALE: 1"=20'



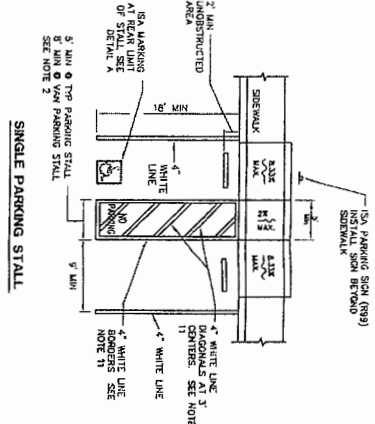
<p>THIS DRAWING IS THE PROPERTY OF ARMSTRONG & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ARMSTRONG & ASSOCIATES, INC.</p>	<p>DATE: 08/17/07</p>	<p>PROJECT NO. 7-20-07</p>	<p>PROJECT NAME: PEOPLE OF EXCELLENCE CENTER 500 Lincoln Rd. East Vallejo, Ca. (707) 648-9858</p>	<p>SHEET 1 OF 1</p>
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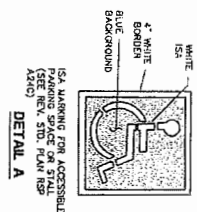
PROPOSED PAVEMENT PLAN
SCALE: 1" = 20'



EXISTING STRIPING PLAN
SCALE: 1" = 20'



SINGLE PARKING STALL

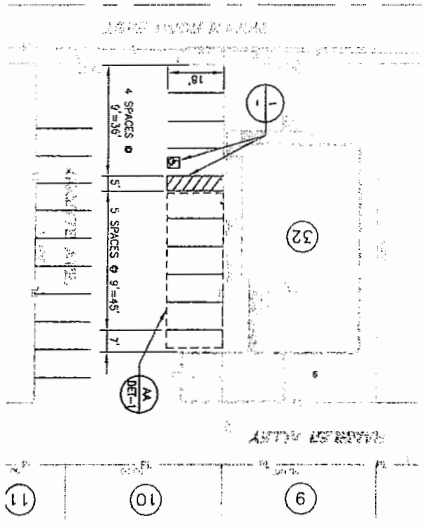


1 HANDICAP ACCESSIBLE PARKING SPACES
SCALE: NOT TO SCALE

TABLE A

TOTAL NUMBER OF PARKING SPACES OR STALLS	MINIMUM NUMBER OF DISABLED ACCESSIBLE PARKING SPACES OR STALLS
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-250	7
251-300	8
301-400	10
401-500	12
501-1000	2 PERCENT OF TOTAL
GREATER THAN 1000	5% PLUS 1 FOR EACH 100 OR FRACTION THEREOF OVER 1000

OFF-STREET PARKING
(PARKING LOT OR GARAGE)



PROPOSED STRIPING PLAN
SCALE: 1" = 20'

NOT TO SCALE
THIS DRAWING IS FOR INFORMATION ONLY. THE PROPOSED STRIPING PLAN IS SUBJECT TO THE APPROVAL OF THE CITY OF LINCOLN. THE CITY ENGINEER'S OFFICE SHALL BE CONTACTED FOR THE STRIPING PLAN TO BE USED FOR CONSTRUCTION.

DATE: 7-20-07
DRAWN BY: A.A.
CHECKED BY: J.M.
DESIGNED BY: J.M.

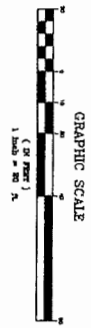
PROJECT: 500 LINCOLN RD. EAST
VALLEY, CO. (707) 648-9665

Alvin Armstrong's Drafting
500 Lincoln Rd. East
Valley, Co. (707) 648-9665

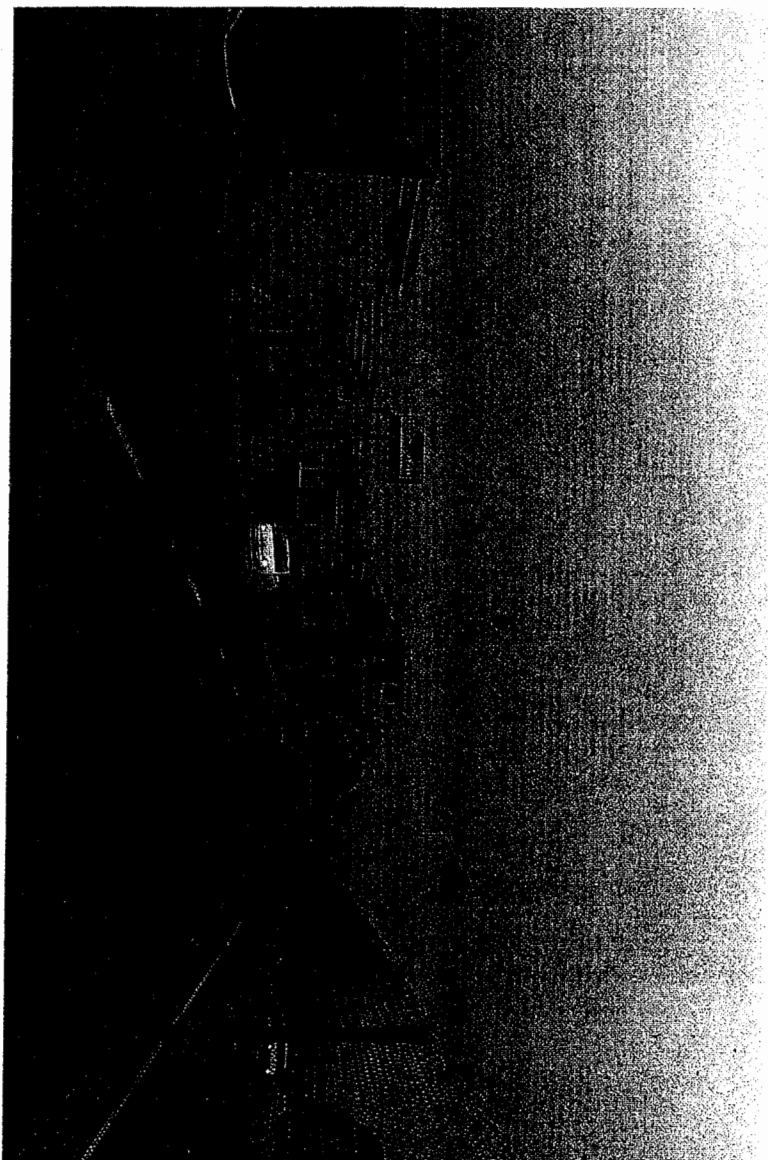
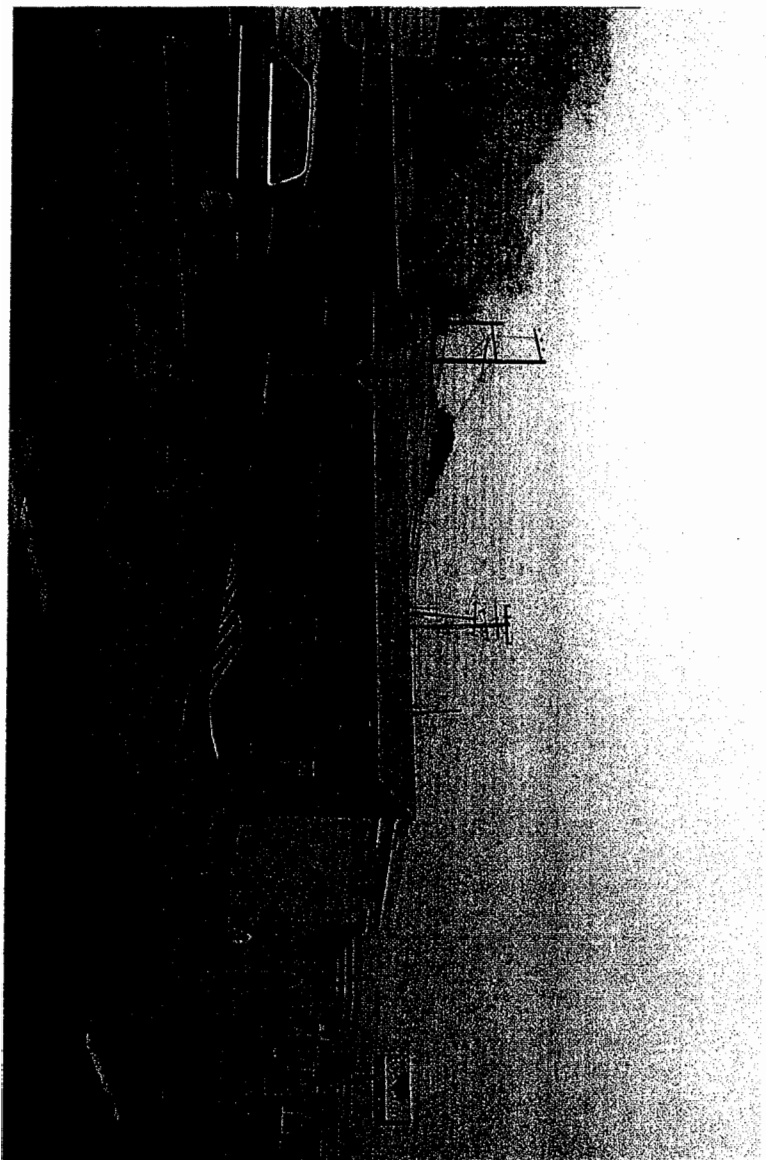
PEOPLE OF EXCELLENCE CENTER
500 Lincoln Rd. East
Valley, Co. (707) 648-9665

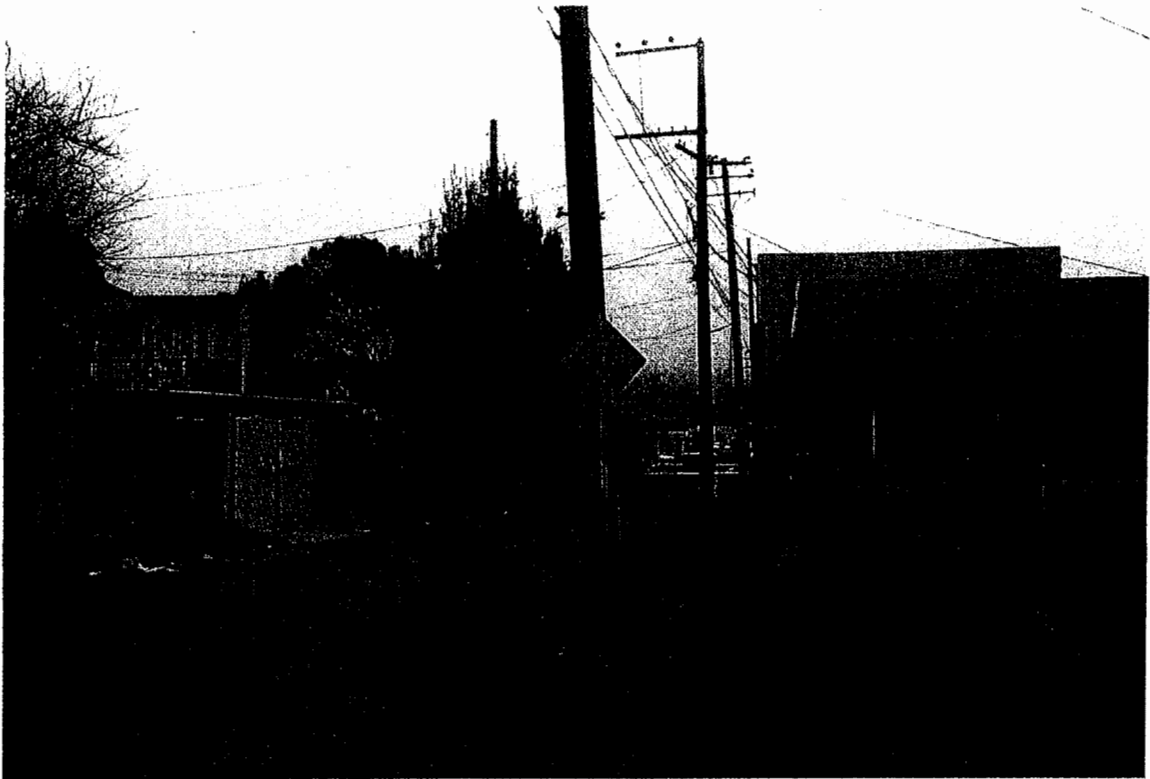
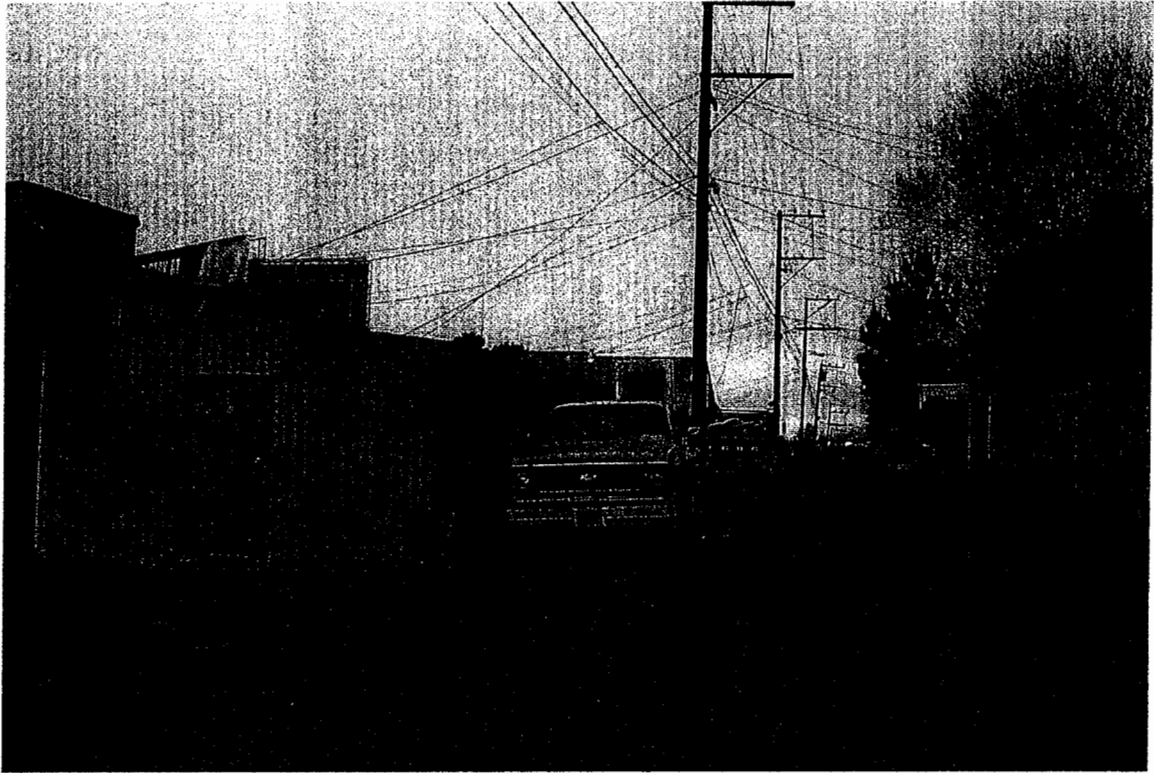
PLAN
PARKING LOT
PAVEMENT AND STRIPING PLAN
SHEET 3 OF 3

- LEGEND:**
- CONFORM LINE TO EXISTING
 - NEW STRIPING
 - EXISTING STRIPING
 - NEW ASPHALT PAVEMENT









Attachment 3



1-800-338-2697

Home >> Benches >> Recycled Plastic Benches

Recycled Plastic Benches

BarcoBoard Steel Frame Benches



- Ideal for resorts, campgrounds, parks, picnic groves, break areas & more
- Gray recycled plastic boards will not rot, splinter or break
- Woodgrain finish never needs painting
- Lightweight & engineered to resist sagging
- 1-1/2" OD steel black frames
- Assembly required, hardware included
- A maintenance-free future, a perfect low-cost solution
- 50-Year guarantee against breakage

Available Colors



Usually Ships in 4 Weeks



Model #	Description	Dimensions	Weight	1 - 5	6 +
02GW1122P	4' Bench, portable	48" l x 22" w x 31" h 48" l x 9.5" w x 17" h	43 lbs	\$198.00 ea	\$188.00 ea
02GW1122G	4' Bench, inground	48" l x 22" w x 31" h 48" l x 9.5" w x 17" h seat	43 lbs	\$198.00 ea	\$188.00 ea
02GW1123P	6' Bench, portable	72" l x 22" w x 31" h 72" l x 9.5" w x 17" h seat	54 lbs	\$238.00 ea	\$228.00 ea
02GW1123G	6' Bench, inground	72" l x 22" w x 31" h 72" l x 9.5" w x 17" h seat	54 lbs	\$238.00 ea	\$228.00 ea
					+ shipping

Related Products



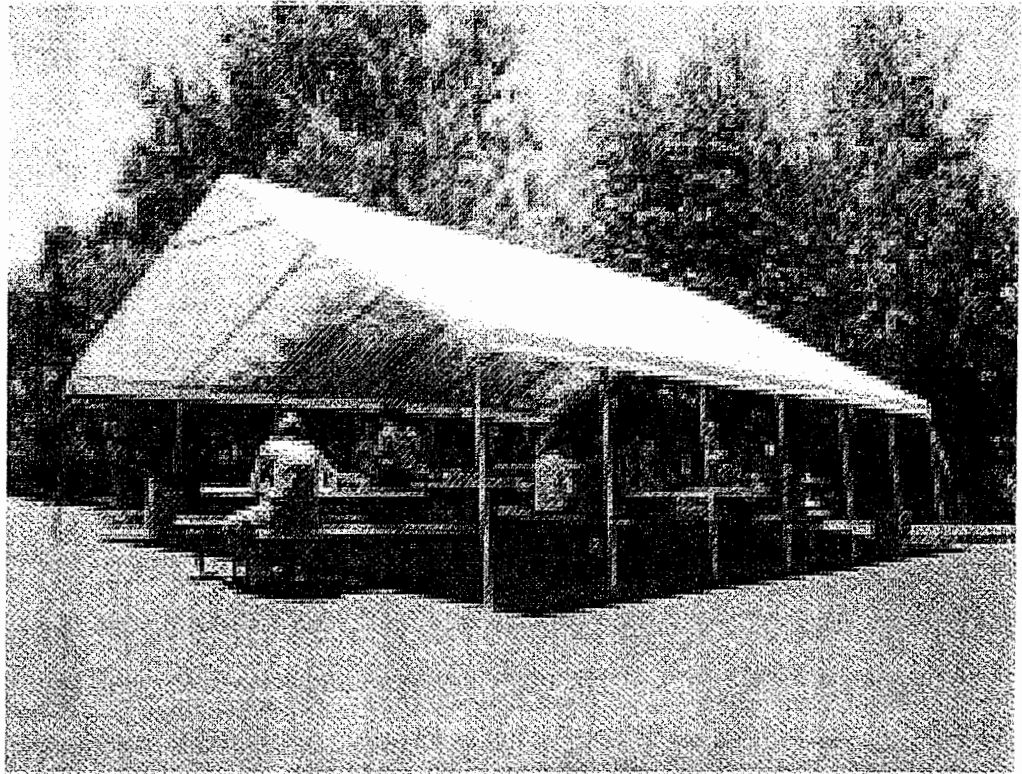
BarcoBoard
Square
Industrial
Picnic Table



BarcoBoard
Steel Frame
Picnic Table



Barco Products 11 N. Batavia Ave. Batavia, IL 60510 Tel 1-800-338-2697 Fax 1-630-879-8687 www.barcoproducts.com



Part No: 1010CCW10

Price: \$319.00

Qty: 1

Size Options: 10ftW X 10ftL

 Add to Cart

1010CCW10 10'W X 10'L

Specifications for model #101CCW10:

Weight 237.000

Availability Custom Manufactured Product

width 10'

length 10'

cover material weight 12.5 ounce

frame material Allied Gatorshield Steel

pipe gauge 14

pipe diameter 1.66"


cover material warranty 15 year

1020CCW10 is an additional \$149 10'W X 20'L
Specifications for model #1020CCW10:
Weight 425.000
Availability Custom Manufactured Product
width 10'
length 20'
cover material weight 12.5 ounce
frame material Allied Gatorshield Steel
pipe gauge 14
pipe diameter 1.66"
cover material warranty 15 year

1820CCW10 is an additional \$253 18'W X 20'L
Specifications for model #1820CCW10:
Weight 503.000
Availability Custom Manufactured Product
width 18'
length 20'
cover material weight 12.5 ounce
frame material Allied Gatorshield Steel
pipe gauge 14
pipe diameter 1.66"
cover material warranty 15 year

1830CCW10 is an additional \$391 18'W X 30'L
Specifications for model #1830CCW10:
Weight 777.000
Availability Custom Manufactured Product
width 18'
length 30'
cover material weight 12.5 ounce
frame material Allied Gatorshield Steel
pipe gauge 14
pipe diameter 1.66"
cover material warranty 15 year

1840CCW10 is an additional \$4949 18'W X 40'L
Specifications for model #1840CCW10:
Weight 862.000
Availability Custom Manufactured Product
width 18'
length 40'
cover material weight 12.5 ounce
frame material Allied Gatorshield Steel
pipe gauge 14
pipe diameter 1.66"
cover material warranty 15 year



1850CCW10 is an additional \$667 18'W X 50'L
Specifications for model #1850CCW10:
Weight 1055.000
Availability Custom Manufactured Product
width 18'
length 50'
cover material weight 12.5 ounce
frame material Allied Gatorshield Steel

pipe gauge 14
pipe diameter 1.66"
cover material warranty 15 year

1860CCW10 is an additional \$816 18'W X 60'L

Specifications for model #1860CCW10:

Weight 1345.000

Availability Custom Manufactured Product

width 18'

length 60'

cover material weight 12.5 ounce

frame material Allied Gatorshield Steel

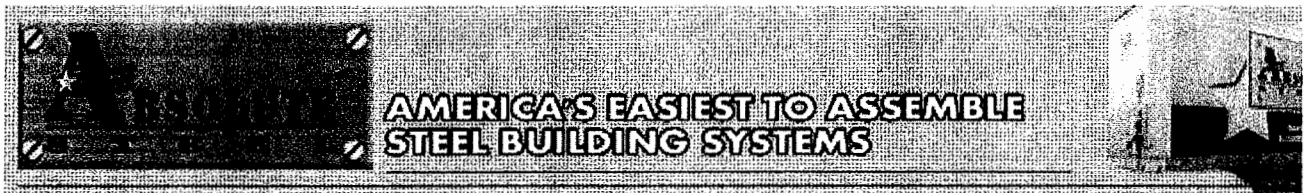
pipe gauge 14

pipe diameter 1.66"

cover material warranty 15 year

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Website Developed by **McMurtrey/Whitaker & Associates, Inc.** and powered by **Cart32**
Shopping Cart



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[Home](#) > [Carport Gallery Main](#) > [Shelters](#)



[Recreation Area / Park Shelters](#)

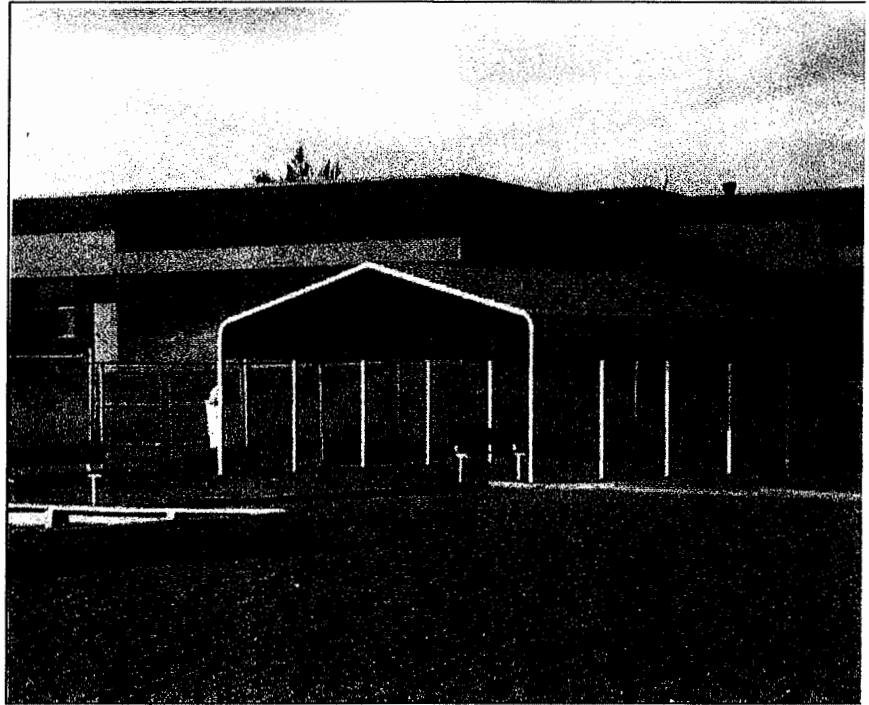
[Previous](#) | [Next](#)

Absolute Steel

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Steel Garage Kits

- [Garage Kits Main](#)
- [Available Building Styles](#)
- [Steel Frame System](#)
- [Garage FAQs](#)
- [Available Colors](#)
- [Options & Accessories](#)
- [Pro Installation](#)
- [DIY Installation](#)
- [Concrete Requirements](#)
- [Peak Height](#)
- [Engineered Plans](#)
- [Technical Information](#)
- [Garage Gallery](#)
- [GET AN INSTANT QUOTE](#)



Carport Kits

- [Carport Kit Main](#)
- [Available Carport Styles](#)
- [Commercial / Industrial](#)
- [Carport FAQs](#)
- [Available Colors](#)
- [Options & Accessories](#)
- [Pro Installation](#)
- [Peak Height](#)
- [Engineered Plans](#)
- [Technical Information](#)
- [Carport Gallery](#)
- [GET AN INSTANT QUOTE](#)

Galleries & Testimonials

- [Garage Gallery](#)
- [Carport Gallery](#)
- [DIY Gallery](#)
- [Interior Components](#)
- [Customer Testimonials](#)
- [Commercial Customer List](#)

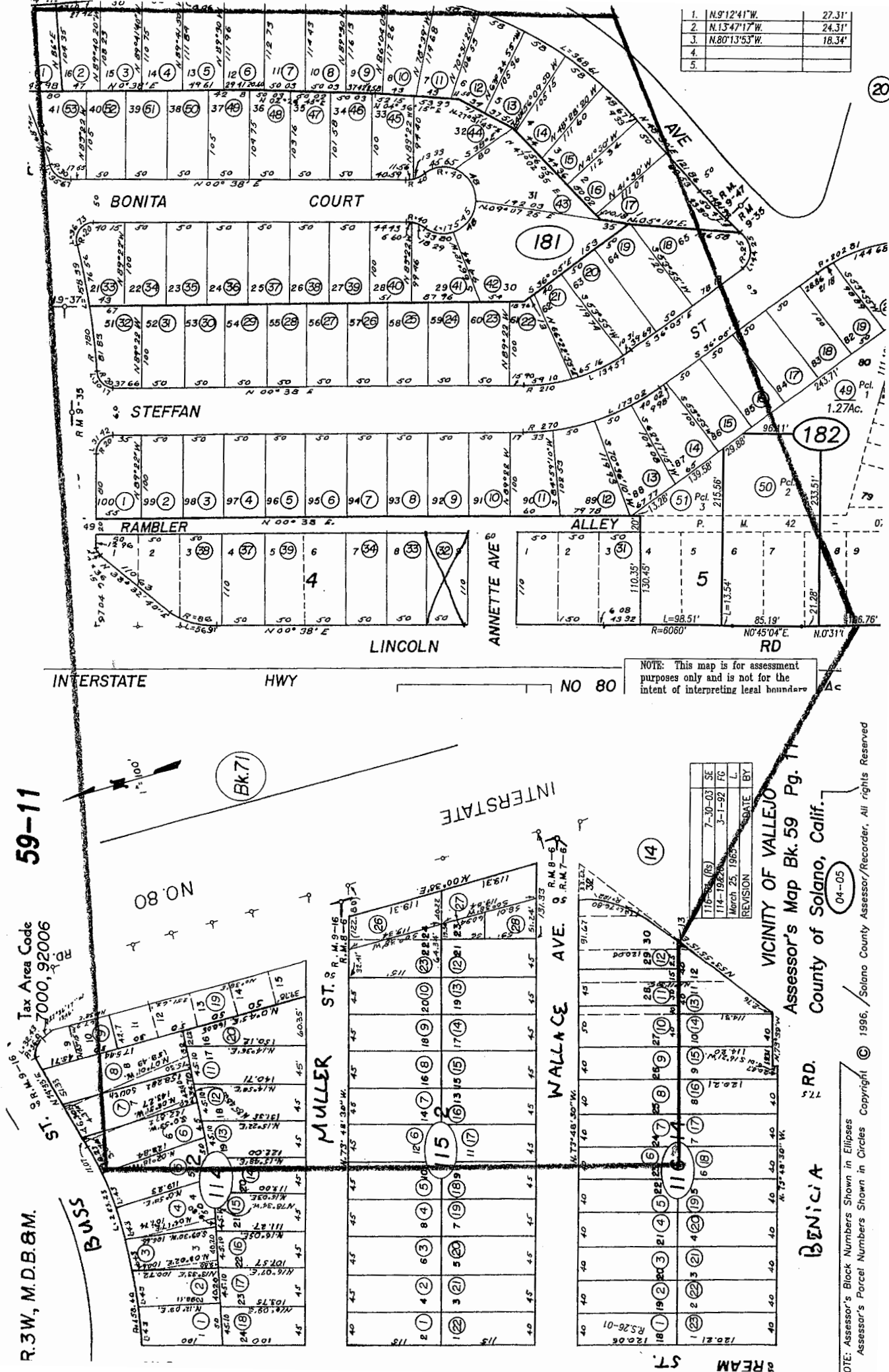
Company

500' CONFLICT OF INTEREST

59-11

Tax Area Code
7000, 92006

R.3.W., M.D.B.&M.



1.	N.9°12'41"W.	27.31'
2.	N.13°47'17"W.	24.31'
3.	N.80°13'53"W.	18.34'
4.		
5.		

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundaries.

REVISION	DATE	BY
116-1985	7-30-03	SE
114-1982	3-1-92	FG
March 25, 1985		L

VICINITY OF VALLEJO
Assessor's Map Bk. 59 Pg. 11
County of Solano, Calif.

BENICIA RD.

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

DATE OF MEETING: October 1, 2007

PREPARED BY: Marcus Adams *MA*

PROJECT NUMBER: SD #06-0033

**PROJECT
DESCRIPTION:**

The proposed project is a site development application to construct an approximate 757 square foot addition to an existing 1,510 square foot one story home. The proposed addition would include a 524 square foot second story addition with one bedroom, bath and front balcony, and a 232 square foot addition to the front of the home, extending the existing living room and bedroom at the front of the home.

The proposed scope of work would also include legally establishing the non-conforming one story attached rear unit as a recognized separate unit by the City of Vallejo.

RECOMMENDATION: Approve with Conditions

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

PROJECT DATA SUMMARY

Name of Applicant: Duane Nicholson

Date of Completion: July 16, 2007

General Plan Designation: Residential, Low Density

Zoning Designation: LDR-Low Density Residential, Residential View District

Site/Surrounding Land Use:

Site: 35 Burnham Street

North: Sunrise Memorial Cemetery

South: Single family residential

East: Single family residential

West: City of Vallejo water tank

Lot Area: 5,000 square feet
Total Floor Area/Ratio: 2,460 square feet (1,510 existing)
Landscape Area/Coverage: 49% lot coverage
Parking Required/Provided: Two spaces/Three

BACKGROUND SUMMARY

The subject property is located within the Residential View District. When it is determined by staff that adjacent property owners' views will be adversely impacted by proposed construction, or when an adjacent property owner believes so, the site development application is referred to the Planning Commission for determination, per Section 16.36.030(A)(2) VMC. Staff was contacted by an adjacent property owner who expressed concern that his view would be adversely impacted. Staff also determined after conducting a site visit that an adjacent rear neighbor's bedroom view would be obstructed.

The Planning Division originally received the subject application on August 18, 2006, but due to the very preliminary nature of the drawings, the application was deemed incomplete. Upon receiving revised plans, staff determined that the height of the home with the proposed second story exceeded twenty-four feet and required an increased side setback, per Section 16.14.060 of the Vallejo Municipal Code (V.M.C.), and that the floor plan indicated the possibility of an additional unit on the property.

The applicant informed staff that when he purchased the property in 1999 there were two units on the property and that since his ownership, the rear unit has been rented out to tenants and family members up until very recently. After conducting a unit investigation and speaking with neighbors, staff believes that the rear unit was constructed without obtaining required Building Division inspections which explains why the Solano County Assessors Office recognizes two units at the property while the City does not. Approval of the site development permit will include a condition to bring the rear unit up to building code within twelve months through the building permit process.

ANALYSIS

The proposed second story addition and first floor extension comply with the required setbacks of the LDR District (5' & 10') and would not increase total lot coverage beyond the allowable 50%. The applicant has worked with staff to address design issues and the privacy concerns of the neighbors by increasing the east side setback by 11'7" and limiting second story bedroom windows on the west side.

The proposed siding, horizontal 8" lap siding, and gabled roofs are consistent with the existing home and staff believes that the mass and scale of the addition will not be excessive in context with the surrounding neighborhood. Staff will require as a condition of approval that the paint color, windows, window trim, and door trim for both units match.

As referred to earlier in this report, staff did receive comments from an adjacent property owner related to potential loss of views and privacy issues. After plan revisions were submitted based on Division and neighbor concerns, staff reviewed the plans with the neighbor in opposition to the project. Though it was agreed that the revisions resulted in greater privacy for the neighbor, he still expressed concern regarding a potential loss of western sunset views and the ability of the applicant to obstruct other neighbor views even with their consent.

Staff acknowledges that the rear neighbor located at 135 Harrier Street will have their bedroom views of the Napa River and hills partially obstructed, however, the property owner has stated to staff (and submitted a signed statement) that she does not object to the proposed addition, even after taking into account view obstructions. These views could be considered secondary when taking into account the significant panoramic views afforded from the rest of the home.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt due to the fact that the existing use would involve an addition to an existing structure not resulting in an increase of more than 50% of the floor area of the structures before the addition, per Section 15301, Class 1e.

CONCLUSION/RECOMMENDATION

Staff has determined that the proposed project, a 757 square foot first and second story addition, as conditioned, is consistent with the City's General Plan and Municipal Code, and all applicable ordinances, standards, guidelines, and policies. Therefore, staff recommends that the Planning Commission approve the Site Development permit, number SD 06-0032, based on the findings and subject to the attached Conditions of Approval.

FINDINGS

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

Section 16.36.030(C) VMC

1. The proposed project will maximize open space preservation;

2. The proposed project protects view corridors, natural vegetation, land forms and other features;
3. The proposed project minimizes the appearance of visually intrusive structures;
4. The proposed project prevents the obstruction of property owners' views by requiring appropriate construction of new structures or additions to existing buildings or adjacent parcels;
5. The proposed project Minimizes potential view loss from public areas;
6. The proposed project incorporates reasonably available design options that eliminate or lessen view obstructions.

Section 16.90.050 VMC

1. The proposed development meets the intent and specific standards and criteria prescribed in pertinent section of title 16.90.010 VMC;
2. The proposed development is consistent with the Vallejo General Plan;
3. The proposed development shall serve to achieve groupings of structures which will be well related one to another and which, taken together, will result in a well-composed urban design, with consideration given to 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; only elements of design which have some significant relationship to outside appearance shall be considered;
4. The proposed development shall be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

EXPIRATION

Approval of site development plans shall expire automatically eighteen months after the date of issue, unless authorized construction has commenced prior to expiration date; except that upon written request prior to expiration, the development services director may extend the approval for an additional twelve months. If he or she denies the application for extension, the applicant may appeal to the planning commission within ten days after the extension has been denied.

APPEAL

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

the decision of the Planning Commission. If such date falls on a weekend or city holiday, then the deadline shall be extended until the regular business day.

ATTACHMENTS

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

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

A RESOLUTION OF THE PLANNING COMMISSION
APPROVING SITE DEVELOPMENT PERMIT APPLICATION
#06-0032

35 Burnham Street 1st and 2nd Story Addition

The subject property is located at 35 Burnham Street @ Harrier Avenue.

APN# 0051-171-020

I. GENERAL FINDINGS

WHEREAS an application was filed by Duane Nicholson seeking approval for a site development permit for an approximate 757 square foot addition, and legal establishment of an existing rear unit; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the site development permit on October 1, 2007 at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission; and

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

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

Section 1. The Planning Commission finds that on the basis of the whole record before it there is no substantial evidence that the project will have a significant effect on the environment per Section 15301, Class 1 Categorical Exemption, "Existing Facilities" of the California Environmental Quality Act.

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

Section 2. The Planning Commission finds that applicant submitted a site development application for a 757 square foot addition pursuant to the City of Vallejo Municipal Code Chapter 16.36.

Section 3. The Planning Commission finds, based on the facts contained in the staff report attached herein and incorporated herein by this reference, and given and the

evidence presented at the public hearing, and subject to the conditions attached to this resolution that:

Section 16.36.030(C) VMC

1. The proposed project will maximize open space preservation;
2. The proposed project protects view corridors, natural vegetation, land forms and other features;
3. The proposed project minimizes the appearance of visually intrusive structures;
4. The proposed project prevents the obstruction of property owners' views by requiring appropriate construction of new structures or additions to existing buildings or adjacent parcels;
5. The proposed project Minimizes potential view loss from public areas;
6. The proposed project incorporates reasonably available design options that eliminate or lessen view obstructions.

Section 16.90.050 VMC

1. The proposed development meets the intent and specific standards and criteria prescribed in pertinent section of title 16.90.010 VMC;
2. The proposed development is consistent with the Vallejo General Plan;
3. The proposed development shall serve to achieve groupings of structures which will be well related one to another and which, taken together, will result in a well-composed urban design, with consideration given to 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; only elements of design which have some significant relationship to outside appearance shall be considered;
4. The proposed development shall be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

IV. RESOLUTION APPROVING THE SITE DEVELOPMENT PERMIT APPLICATION FOR AN APPROXIMATE 757 SQUARE FOOT ADDITION FOR PROPERTY LOCATED AT 35 BURNHAM STREET

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the site development application (SD# 06-0032) an approximate 757 square foot addition and legal establishment of an additional unit, based on the findings contained in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

V. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 1st day of October, 2007, by the following vote to-wit:

AYES:
NOES:
ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT #06-0032
(APN# 0051-171-020)

CONDITIONS OF APPROVAL:

Planning Division

1. Provide documentation of building code compliance for the rear unit within twelve months of site development approval.
2. Submit a copy of the tenant agreement for the rear unit within twelve months of site development approval. Failure to provide evidence to the Planning Division that the rear unit has been occupied within the twelve month timeframe will result in the unit being considered abandoned, as per Section 16.78.040(D) VMC.
3. Construction plans shall indicate that paint color, trim, windows, window trim and door trim shall match.
4. Prior to building permit issuance, the Planning Division shall confirm that the building permit drawings and subsequent construction substantially conform with the approved Planning application drawings.
5. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
6. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping is completed and finalized in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.
7. 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.

Building Division

1. Based on the drawing, it appears to be a second unit in the back half of the building. Please schedule an inspection so that the Building Division can

determine what improvements need to be done to legalize the structure as a separate unit.

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied. (F1)
2. Prior to building permit submittal, building construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid. (F4)
3. Prior to final inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (1998 CFC Standard 10-1; NFPA 10) [F8]
4. Prior to final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night. For this facility, minimum 6" numbers. (1998 CFC Section 901.4.4; added VMC Section 12.28.170)[F9]
5. Prior to final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request. (F11)
6. Development sites shall be maintained weed free during construction. (1998 CFC Section 1103.2.4) [F12]
7. The project shall conform to all applicable requirements of Title 19-Public Safety, 1998 CFC and all VMC amendments. (F2)

Water Superintendent

1. Submit plumbing calculations showing that the existing water service and water meter meets the current Plumbing Code requirements using the existing and proposed water supply fixture units. If it does not, upsize the water service and water meter to the recommended size. Application for the water service changes shall be directed to the Water Superintendent.

City Engineer

1. Install standard curb, gutter and driveway approach fronting the property along Burnham Street. Submit frontage improvement plan prepared by registered civil

engineer for review and approval. Prior to building permit secure approval of frontage improvement plan.

Additional standard comments that may apply are:

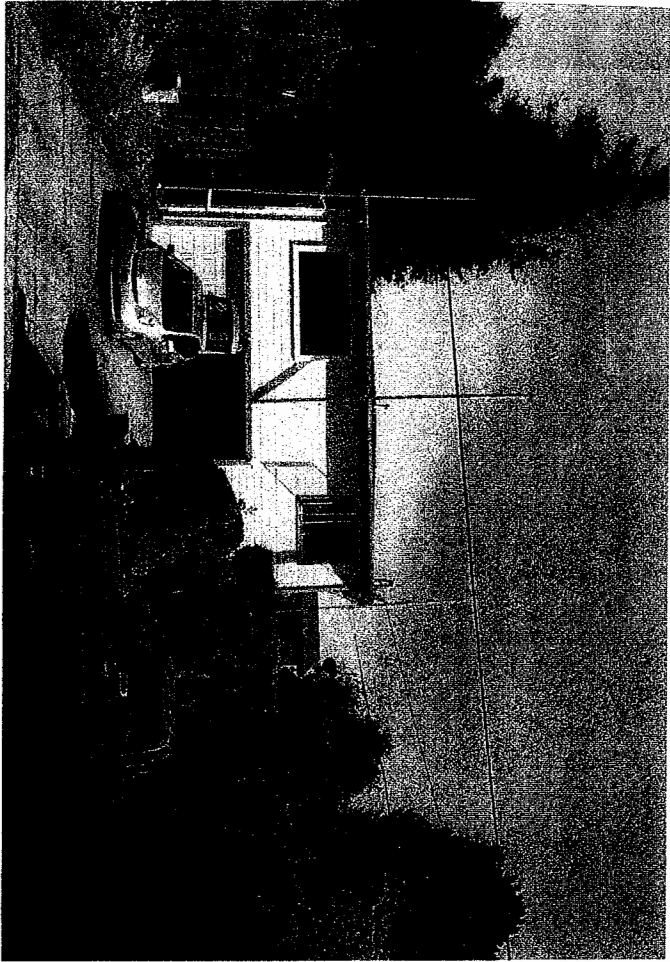
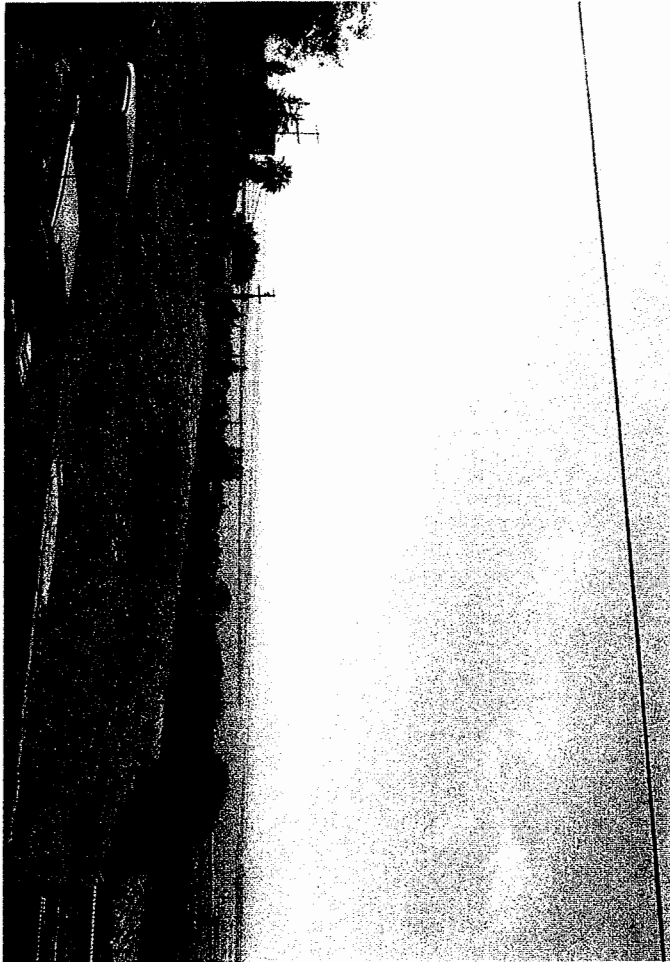
1. Prior to building permit issuance, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer.
3. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinances.
4. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities.

Vallejo Sanitation and Flood Control District

1. Prior to building permit issuance, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. Prior to 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. The use of the existing private sanitary sewer main and/or lateral is conditioned upon passing a standard VSFCD air test.
4. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
5. How do you intend to connect the new plumbing for the bathroom to the existing plumbing?

GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.

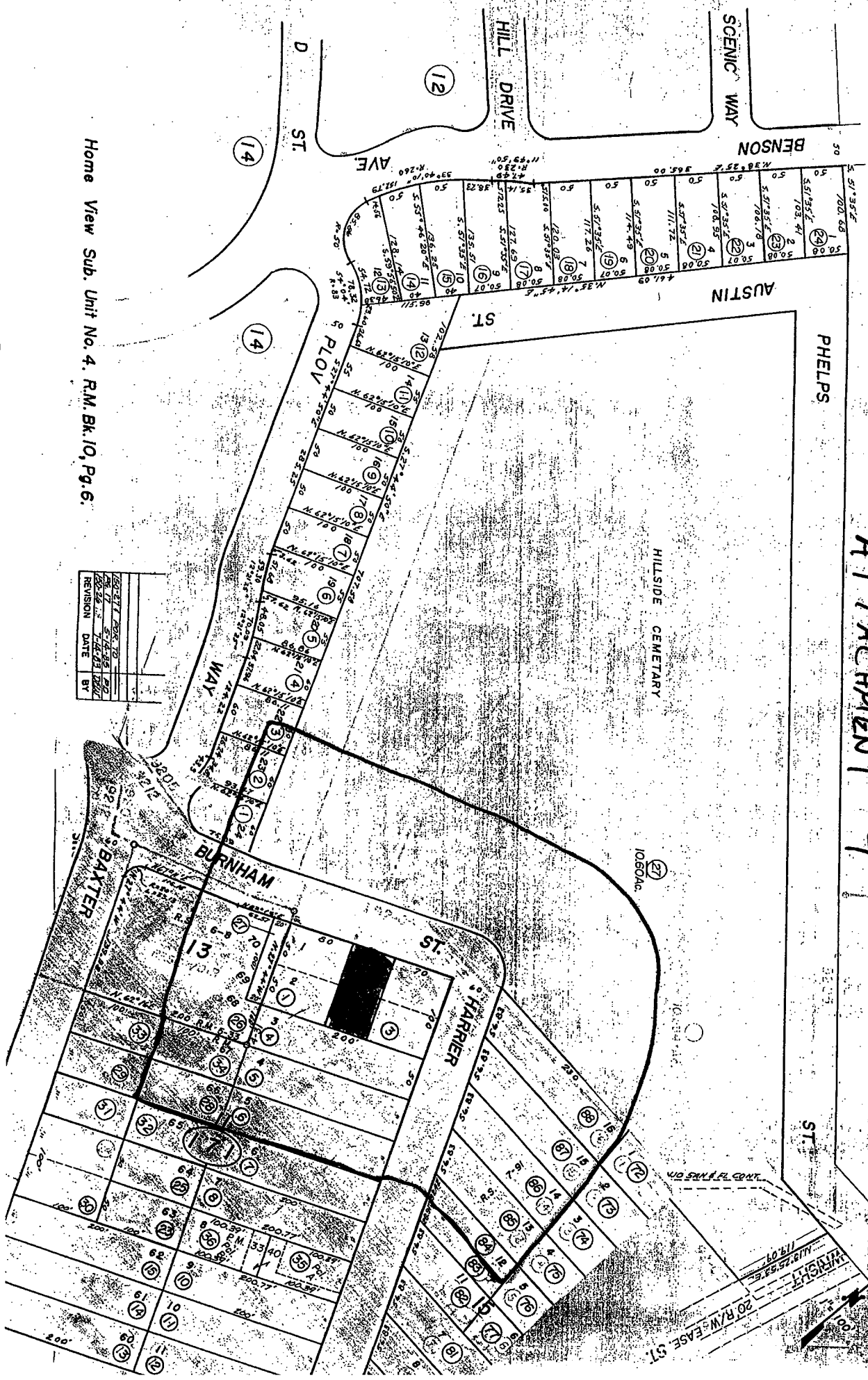


Bk.94

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ATTACHMENT 4



Home View Sub. Unit No. 4. R.M. Bk. 10, Pg. 6.

REVISION	DATE	BY
1	10/27/2006	TD
2	11/14/2006	TD
3	11/23/2006	TD
4	11/23/2006	TD

200' CONFLICT of INTEREST MAP

35 BURNHAM ST.