

REVISED
CITY OF VALLEJO PLANNING COMMISSION

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

MONDAY
16 APRIL 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: February 21, 2007 and March 3, 2007.
- E. 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.

F. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

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

- 1. Use Permit 07-0004 for a new mausoleum at Skyview Memorial located at 200 Rollingwood. Staff recommends **approval** based on the findings and conditions.
- 2. Tentative Map 05-0004 to create six residential parcels at Illinois and Fern Streets. Staff recommends **approval** based on the findings and conditions.
- 3. Proposed Process Timeline, draft Inclusionary Housing Ordinance. Staff recommends that the schedule be **approved**.

G. REPORT OF THE SECRETARY

- 1. Upcoming Meeting of Monday, May 7, 2007
 - a. Specific Plan Amendment 98-01C and Code Text Amendment 06-0006 for the Mare Island Specific Plan II and CTA to Architectural Heritage & Historic Preservation Ordinance.
 - b. Use Permit 05-0026 to restore abandoned commercial use in residential area and substitute another use. (*Consent*)
 - c. Revision of Chapter 16.70 Screening and landscaping Regulations. *Continued from the meeting of 4/16/07*
 - d. Site Development 07-0002 appeal of a telecommunication facility located in the Catalina Circle Neighborhood.

H. CITY ATTORNEY REPORT

I. COMMUNITY FORUM

J. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS

K. LIAISON REPORTS

- 1. Council Liaison to Planning Commission
- 2. Planning Commission Liaison to City Council

L. PUBLIC HEARINGS

- 1. Code Text Amendment 06-0004 to revise the Vallejo Municipal Code, Chapter 16.70 Screening and

Landscaping Regulations. Proposed CEQA Action: Exempt. *Continued from the meeting of February 5, 2007.*

Continued to the meeting of May 7, 2007.

2. Major Conditional Use Permit 07-0002 for a tow storage yard located at 107 Couch Street. Proposed CEQA Action: Exempt.

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

3. Minor Use Permit 07-0003 to expand a drug and alcohol treatment facility from 6 to 8 persons located at 200 Peppercorn Court. Proposed CEQA Action: Exempt.

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

4. Variance 06-0001 to modify an existing shopping center sign at Redwood Plaza to permit for 5 tenant signs. Proposed CEQA Action: Exempt.

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

5. Tentative Map 07-0003 to create two parcels for commercial development on Mare Island. Proposed CEQA Action: Exempt.

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

M. OTHER ITEMS

1. Development Agreement 07-0001 for the Annual Review of the Lennar Mare Island Development Agreement. *Continued to the meeting of May 21, 2007.*

N. WRITTEN COMMUNICATIONS

None.

O. 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: Commissioners McConnell, Manning, Legalos, Turley, Salvadori.

Absent: Engelman, Peterman.

D. APPROVAL OF THE MINUTES.

The minutes of the meetings of December 4, 2006; December 18, 2006; and January 17, 2007 were unanimously approved.

The minutes of the meetings of November 20, 2006 and February 5, 2007 were continued to the meeting of March 5, 2007 due to the fact that there were not enough voting Commission members present to conduct a vote.

E. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

The Consent Calendar and Agenda were unanimously approved.

F. REPORT OF THE SECRETARY

1. Upcoming Meeting of Monday, March 5, 2007

- a. Use Permit 04-0022 for a self-service refueling center, fast food and sit-down restaurant on a vacant parcel fronting on Sonoma Blvd.
- b. Use Permit 06-0018, is a request to modify the Planning Commission conditions placed on an Ice Cream Commissary located at 1853 Broadway Street. *Continued from the meeting of February 5, 2007.*
- c. Planned Development 06-0018 for a new custom home in Hiddenbrooke located at 1757 Durrow Ct. *Continued from the meeting of February 5, 2007.*
- d. Use Permit 06-0021 beer and wine service at existing Mexican restaurant located at 1598 Fairgrounds Drive.

G. CITY ATTORNEY REPORT

None.

H. COMMUNITY FORUM

None.

I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS

None.

J. LIAISON REPORTS

1. Council Liaison to Planning Commission

None.

2. Planning Commission Liaison to City Council

None.

K. PUBLIC HEARINGS

1. USE PERMIT 546A – Appeal of staff determination concerning Rose Imports located at 1605 Solano Avenue. Continued from the meeting of December 18, 2006.

Staff recommends the Planning Commission DENY the appellants appeal and AFFIRM the Planning Division's determination that the used auto sales occurring at 1605 Solano Avenue require use permit approval, as stated in Section 16.22.040(B)(3) of the Vallejo Municipal Code.

Marcus Adams: There are three parcels total and two are in question this evening. One is at the corner of Tuolumne and Solano (lots 22 & 26) and then lots 18 & 19 are on parcel number 0057-182-010. On December 18 we heard from staff, the appellants, and from neighbors. The Commission in lieu of voting asked that we meet with Rose Imports and the neighbors to see if we could resolve some of the issues. The memo that you have before you tonight goes into the meeting and the issues that were discussed at this meeting. I do want to reiterate tonight that staff is recommending is that you deny the appellants appeal and affirm the Planning Division's determination that the used auto sales occurring at 1605 Solano Avenue require use permit approval, and that the used auto sales occurring at the parcel on lots 18 and 19 are in violation of Use Permit 546 and that if they were to continue it would require a rezoning and General Plan Amendment. Lastly we would like a recommendation that within 45 days of the Planning Commission's decision that the property owner either abate the use or submit the requested applications. Any questions?

Commissioner Turley: Did I read somewhere that if Rose Imports did what you are requesting them to do the cost to them would be about \$5000?

Marcus Adams: You did not read that anywhere but I believe we spoke on it.

Commissioner Turley: On page 2, number 9, first paragraph, you talk about complaints from the neighbors. How many complaints have you received?

Marcus Adams: Between the time of the original complaint and now we have received a total of six complaints.

Commissioner Turley: On page 4, you talk about three citations.

Marcus Adams: The three citations were around the current use. One of the citations has since been voided and the other two are in a holding position based on tonight's outcome.

Commissioner Turley: Is that \$200.00 each?

Marcus Adams: Correct.

Commissioner Turley: A problem that I am having with this is that Rose Imports was established in 1972, two years after permits were required. Nothing has been done by the City or for the City in 35 years. I am just wondering if it isn't broke don't fix it or let sleeping dogs lie. I am just wondering why after all these years it could not be simply grandfathered in. On Attachment D, second paragraph, the use

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permits issued for that location does not allow for trucks or commercial vehicles to be parked on it. There are no trucks or commercial vehicles parked there. There are only cars and SUVs. Perhaps the City Planning Division needs to work with us instead of against us on the problem so it can be corrected. Then you talk about a buffer between Rose and the neighbors. This buffer would be 15 feet wide and 100 feet long. That is space enough to park 10 of their cars for sale. That means they would have 10 less cars on their lot for sale. I think some consideration should be given to that.

Commissioner Manning: I understand that they don't have a use permit and they need to have one. The appeal number two is the one I have a question about. Lot 18 was a driveway when there was a gas station there. When Rose moved there it was just part of this big open area. That lot and lot 19 is just a whole paved area and they have a problem with the neighbors parking their cars on the street. Why would we have them put up a fence in this arbitrary position? It appears arbitrary because it is just this big open lot. We want them to put up a wooden fence and they can't park any cars over there. It does not make any sense to me. Couldn't they have the option to file for a use permit to park cars on that lot? Wouldn't it make more sense to have them put up a fence between lot 18 and the residential neighborhood next door? Then they have more places to park their cars and they do not have the complaints that they have with the neighbors. If we tell them that they have less places to park their cars, if they even want to stay there, that means they are going to be putting their cars on the street and that is what the neighbors are complaining about.

Don Hazen: Staff is not recommending any mitigation or site improvements or anything like that. All we are talking about this evening is the evidence staff has presented in their first staff report: does that indicate that the applicant should be vested and has secured the necessary use permits or began that operation, as currently configured, prior to when use permits were required. The outline on your memo this evening just outlines the process they need to follow depending on your decision this evening. All the issues you have brought up would be things you would consider during the use permit process. On those vacant parcels, historically that one parcel was used as a driveway but if the applicant wished to have that used for vehicle use, it is not currently zoned for that, and along with staff recommendation for a use permit would be the necessary rezones as well. We are not really getting into the site specifics this evening we just need to know from a procedural standpoint, do you, as a Commission recognize this as a preexisting business not subject to the use permit and zoning requirements or does it need to go through that process. All those issues would come forward at the appropriate time.

Commissioner Manning: Thank you, that helps.

Commissioner Salvadori: One of the concerns I have is the relative short period of time between 1970, 1971, 1972 and being able to look back accurately and ascertain whether or not prior to the implementation of a use permit process, is it possible there were actually cars parked on that lot. I know that 1970 being the date that the use permit process went into effect. But also based on the fact that we have gone over 30 years not noticing it, is it possible that it might have actually been going on before 1970. I think that would shed a different light on the question about grandfathering. Do we have any other evidence other than the Polk Directory?

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Marcus Adams: We have the neighbor's testimonies, the Polk Directory, and Business License applications or records. Between those three that is pretty much what we have.

Commissioner Salvadori: The business license would reflect when Rose took over the property. My question was is there any possibility that prior to that it was being used to park cars.

Marcus Adams: Beyond what I just stated, no, not in our Department.

Chairperson Legalos: I have a question for the City Attorney. Failure of any official or agency to fulfill a requirement of this chapter will not excuse compliance on the part of the developer. I do not know if that is standard boilerplate but it seems to me to be a reasonable assumption that failure on the part of the City to inform these people that they needed a use permit does not necessarily excuse them from not being in compliance.

Claudia Quintana: I think that that statement is probably a restatement of the general that says that ignorance of the law is no excuse. If the applicant is burning to find out what the laws are at the time they are going to establish their business and when it comes to whether or not a use is legally established at the time we look to the evidence that we have. It is really up to the non-conforming user's burden to prove that in fact the use was legally established at that particular time.

Chairperson Legalos: My feeling about this is that we are talking about, in terms of the financial burden, a pittance of up to \$5,000 that would be incurred by the business that has been operating for well over two decades and generating a lot of income. Personally I don't feel that this is an excessive burden. Especially due to the fact that it should have been taken care of many years ago.

Don Hazen: Mr. Chair I might suggest that we open the Public Hearing before you start to make Commission inferences or decisions.

Chairperson Legalos opened the Public Hearing.

Don Hazen: If I might just make a brief announcement to the audience. Because we are missing the request to speak forms that each speaker indicate your names and addresses for the record. That way we can reflect it in the minutes. Thank you.

Katherine Ghauimi: My husband and I own the property in question. First of all we did have a meeting with our neighbors, ourselves and Marcus on January 30, 2006. This was a day before I was leaving on vacation. I had to write a letter to his supervisor to find out what date this meeting was on. Two weeks earlier he contacted me to find out what date was good for me and I told him any day but a Wednesday. He said he would get back to me. I got no response, no nothing. I had to write a letter and get a response from his supervisor stating that it was on the 30th of January. I am leaving town on the 1st of February. From that time we met with the neighbors. We had a wonderful chat for about an hour. Absolutely nothing came out of it except for a few complaints that I feel we had discussed and talked about. I got all the history of the town and nothing came out of this meeting except what Marcus wanted to hear. I felt that it was a totally inappropriate meeting. It was a waste of everyone's time. Marcus's supervisor was not there again. Marcus knows my feeling about how this whole thing has been handled. I have attempted much time to have someone other than Marcus or at least his supervisor there but no one showed. Sorry about that. We sat there and discussed everything but what needed to be discussed. Came up with a few little suggestions. Did not feel that

good about it. Gee. We left. That was the end of it. There was a packet in my mailbox, yesterday, at 6:00 when I came home. I asked him, when I left on the 30th, for a copy of the minutes of the last meeting because there was some discrepancies. There was one thing shown said that I never said. We went back and forth on this. So I get a three inch package of paper. Sent by Marcus, knowing that it was a three day weekend. He could have been nice and dropped it off or I could have picked it up but no I get it stuffed in my mailbox in a torn envelope stating what his suggestions are at the meeting. Now I don't know how anyone is supposed to defend themselves when they do not even know what we are defending. In the meantime I have contacted an aerial company who took pictures of our location since 1963. Unfortunately when the pictures came in they were quite high. They did not do a lot of good. I talked to the company and have requested larger pictures where I can actually see what buildings and such are there. If you put these on a magnifying glass you can see that there are buildings there. I cannot prove about the fence at this time because the enlargements have not come through. I ask that I am allowed a little time to prove my point. As far as proving whether the back lot of 1615 Solano, which is sections 19 & 20, whether the use permit is valid or not, all this time, in all this conversation, Planning has been stating that this is a residential piece of property. According to the Assessor's Office, I have copies of it, that is a commercial linier piece of property. It does not need to be changed from residential. It already is commercial. I do not know where Marcus is getting his information from. I have a feeling in all the changeovers and all the addresses and parcel numbers and all the items that have been moved around on this property, that when the gas station was put into the front part of it, that when they asked them to do the use permit they changed it from residential to commercial and it was never changed in the City records. It shows Commercial Linier for that whole location; both 1605 and 1615. 1615 also did have Cardon Motors on it. Here happens to be an ad of theirs at that same time. Coincidentally, according to the ad it is a full block of cars. It is not just 1615 and the top little corner. It is the whole 1605 and 1615. This is from Cardon Motors in 1966. There have been car dealers at this location all the way through. I do not understand why, all of a sudden the location in the back area, and why 1605 Solano Avenue, that has been there, and is my address, and has been my business address for 19 or 20 years. I went down to the City and we were just discussing about the expenses and the ignorance of the person who is coming down to get the license. It is not my ignorance. I went down to the City they requested to get that little box checked so that the City is not ignorant and goes and checks their boxes to make sure I can have a business there. That is my job to go down there and make sure that everything is right. That is not ignorance on my part. That is ignorance on the City to not go, especially at that time, because that was so close to the time when use permits were new. There is absolutely no reason. It is not our ignorance. The expenses you are talking about, Marcus says \$1800 to \$2000, that is just the permit. That is not the expense, the time, the effort, the drawings and everything else that has to be done and signed and approved and adjusted and our lives thrown this way and that way because 19 or 20 years ago when we went in there the use permit was a whole lot easier than it is now. It is going to cost me a whole lot more than \$5000. Irregardless of how much money we bring into the City it still is money out of my pocket. It is something that, if I had had to do 20 years ago, would not be costing me what it is costing me now. Marcus says he wants us to either obtain the proper information or permits or abate the use of an auto car dealership. This is our livelihood and the livelihood of 25 people of this town. We bring a lot of money into this town. It is not just us; it is new car dealers and used car dealers that are the number one money making people in this town. We bring in millions and millions of dollars. We employ thousands of people. It is ridiculous for him to even suggest to either get up, shut up, or sit down. That is absolutely wrong. We are here in business just like everyone else and it is not our fault that the City business license

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was issued incorrectly in the first place. Where he talks about the use on the parcel number, he also has the wrong parcel number on there. It is 020 not 150 like he says up here. I ask Marcus, at the meeting that we had, that at the last meeting here we got to say our things and the neighbors got to say their things, you got to question Marcus, he got to give you a bunch of answers that are kind of half there and half not there, I did not get a chance to rebut any of that information. Marcus suggested that I ask this; before this is over do I have any way of defending myself after the things that he said. Like he kept saying it was residential, you are thinking it is residential, it is not residential. These are important and can definitely change the appeal decision.

Chairperson Legalos: You may address the Commission after the other speakers if you wish.

Ojan Ghauimi: My wife and I own the 1605 Solano Avenue. We have been there over 18 years. When we applied for the license we went through the City of Vallejo.

Chairperson Legalos: Can you please avoid giving us the same information your wife has and give us only new information.

Ojan Ghauimi: The only information I want to give you Commissioner Legalos, last time you were the one that told me to move out of the City of Vallejo, you have no right to tell me what to do.

Chairperson Legalos: I did not ask you to move out of Vallejo.

Ojan Ghauimi: Yes you did and I asked you to loan me the money to move.

Chairperson Legalos: I think if you read the minutes you will find that that is not correct.

Ojan Ghauimi: Today you tell me that is no expense to me. I make money so I should go ahead and pay. That is not right. We did not do anything wrong. If the City made a mistake, the City made a mistake. You have to go ahead and take care of that part. As far as the grandfather thing, there was a dealership here in 1966 in the same location.

Chairperson Legalos: You are going over the same information that your wife presented. Please make your point. If you have new information please shares it with us.

Ojan Ghauimi: You are going to ask for an area to be empty, maybe 15', if a car sits down there, what kind of noise can cars make to bother anyone? Can cars at nighttime dance or play music. There is no need for a buffer zone. I don't understand the buffer zone or whatever it is. There is no noise there. If there were noise I could understand it. I guess everything else is covered for your information.

Chairperson Legalos closed the Public Hearing.

Don Hazen: Can I ask you to clarify with the applicant whether they are asking for a continuance while they are waiting for the aerial photos to be enlarged and whether that was a piece of evidence they wanted to present to help bolster their case. If so, how much of a continuance were they asking.

Chairperson Legalos: Are you asking for a continuance to have the photos considered?

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Katherine Ghauimi: Yes. The pictures should be in, in 2 ½ more weeks.

Commissioner McConnell: Mrs. Ghauimi made reference to some information from the Assessor's Office. I would like to get copies of that. She also made reference to a newspaper ad. I would like to obtain copies of that. We do not have to have it right this minute because I am inclined to grant the continuance for the photos for further study. I will move that we continue this matter to the meeting of March 5, 2007.

Commissioner Salvadori: I also have some questions that some of the data that Commissioner McConnell has ask for may help with. Also Mr. Ghauimi said that he had something that showed that there was a dealership in that location, something in printed form. Any of that evidence would be helpful to me because I really think that is the crux of this matter. Was that Parcel B used for this or a similar use prior to the 1970 date of the institution of use permits. From my prospective, if there is even a sense of possibility, I think we need to stand back and recognize that. There is in our staff report a comment about the business licenses for commercial businesses being no more than a tax. I can tell you from my own experience that it is, at least from the applicant's prospective, more than that because we are required to go through the Building Division and the Planning Division. My experience has always been a very good one with the Planning Division and very thorough. I would expect that they would be in all cases. Whether they were thorough in 1972, I do not know. I would very much like to support Commissioner McConnell's motion. I do not know if the first meeting in March would be enough time for the appellant to receive the information that she wanted. She said it may take two to four weeks. I would ask you to reconsider the date.

Commissioner McConnell: The second meeting in March is fine, that would be March 19, 2007.

Commissioner Turley: I am also for continuing this matter until the applicant has time to defend herself properly. We only have five Commissioners tonight and we need four votes to approve or deny the appeal. I think when we have a full Commission would be more fair to everyone. She has not had time to read the minutes properly. She has not had time to get enlarged air photos. I feel that as much money as they are contributing to our City coffers. I do not think we should bite the hand that feeds us. I am just wondering if the applicant feels as though the first meeting in March would provide her with enough time.

Commissioner Manning: Mr. Adams is doing his job. He went down there because there was complaint from the neighbors. In doing that found in his research that there was a problem with the permits. I do not think it is appropriate to be so disrespectful of him and single pointed of him and him just doing his job. He has a boss and a boss's boss and they have all been involved in this and trying to work it through. I do not have a problem postponing this but would really like that we all treat each other with respect and dignity.

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

NOS: None.

ABSENT: Peterman, Engelman.

Motion carries.

2. **Use Permit 06-0024** for a new auto dealership, Team GMC, Pontiac, Buick located at 301 Auto Mall Parkway. Proposed CEQA Action: Revised Initial Study and Mitigated Negative Declaration.

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

Bill Tuikka: This project involves the construction of a 24,630 square foot automobile dealership for Team GMC/Pontiac/Buick on a four acre site near the intersection of Columbus Parkway and Ascot Parkway. *Bill showed a PowerPoint which included a vicinity map, site plan, elevations, ground floor plan, and a landscape plan.* The building is proposed to be one story and will contain an auto showroom, service, parts and customer service as well as an administrative and sales office. There is 102 parking spaces. Most of the car storage will be at the rear with auto display at the front. The project anticipates employment for 31 people. The exterior features a stucco finish with decorative concrete masonry blocks and aluminum composite siding and clear anodized framed windows. *Bill showed a photograph that had the color scheme and what the building would generally look like.* Landscaping will be provided along the perimeter and side as well as at the end of several parking rows. The landscaping will be made to match the other dealerships that are already present at the site. This is the last of the dealerships. This will bring the full compliment of dealerships to the Northgate area.

In October of 1988 the City Council adopted the Northgate Specific Plan which certified the FEIR. At that time this was known as the Northeast quadrant. The area where the dealerships are proposed was set aside at that time as a business park and that area represents 109 acres of the Specific Plan that had not been developed or preserved as open space. The Specific Plan has been amended several times since 1988. In 2003 the final amendment to this Plan was approved which allows the commercial areas to be used as auto dealerships instead of a business park area. Building setbacks, landscaping, and site design guidelines were set at that time. You may remember that late in 2003 a large LED reader board was approved for this site. That sign was recently finished and has been lit. Tonight we are here to present the final approvals necessary that will establish a strong auto dealer presence in the Northgate area. Staff recommends approval and with that I will be glad to answer any questions.

Commissioner Turley: Are we talking about the new existing Team dealership?

Bill Tuikka: Yes. There are several Team dealerships. The applicant also operates the Hyundai and Chevrolet dealerships. This is the third dealership that he will be operating in that area.

Commissioner Turley: That is a very impressive dealership they have constructed out there. The February 2, 2006 staff report says the site is currently vacant.

Bill Tuikka: That is correct. The site for this particular project is currently vacant. It has not been started. There are two others: one under construction and one currently operating.

Chairperson Legalos: There is concern for views here because there is mention of landscape planting to block the view of the dealership from the houses above. Is there any concern about the use of things like balloons with flags on them that are sent up? Will they impact the view and are they allowed in this setting?

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Bill Tuikka: The City will enforce those types of displays for the dealerships as we would enforce them for all the dealerships. There are no special provisions for these dealerships as far as outdoor display. There is twice a year that they can apply for where they can have a special outdoor display for a limited number of days. That is true for all dealerships in all areas of the City.

Chairperson Legalos: It seems that we see these displays all the time. I was not aware there was a time limit on how long they could display them.

Bill Tuikka: I will have to say that a lot of them are being displayed without permits.

Chairperson Legalos: I was not able to ascertain from the diagrams what the species of trees were and why about half the trees are deciduous which will not provide any screening during the colder months.

Bill Tuikka: The landscape plan represents a theme that has been established with the other dealerships and with the Northgate center in general. This landscape architect has worked on some of the other projects. If you, as a Commission, desired to take a second look at this and perhaps substitute some trees we could take a look at that.

Chairperson Legalos: I was not able to see a list of species of plant material.

Bill Tuikka: Right, it is very small up in the corner. It is small even on the 11 x 17s.

Chairperson Legalos: I was able to make out the larger symbols but not read the smaller ones.

Bill Tuikka: Right, that did not come out in the reproduction of the plans.

Chairperson Legalos: Are you saying that the same architect designed the landscaping for the Hyundai dealership right next door?

Bill Tuikka: Yes.

Chairperson Legalos: On the Hyundai there are about four evergreens that don't look like they are going to screen very much. I am wondering about a mix of evergreen and deciduous where for about ½ the year you won't get very much screening. Is it possible to have all evergreens?

Bill Tuikka: We can certainly take a look at that and have a conversation with the landscape architect.

Chairperson Legalos: One of the other things I noticed was that it looks as if the driveway is a continuous exit route from the proposed dealership through the existing dealership and out onto Ascot Parkway.

Bill Tuikka: Yes. There are two ways of entering and exiting this dealership. One is from Columbus and from the other dealership through Ascot.

Chairperson Legalos: When I was out there I noticed that if you are at the stop sign at that driveway, the intersection of Ascot and the driveway, you have traffic coming from your left over the crest of the hill. At the moment I do not see a line of sight problem but they have planted shrubs there that are going to grow quite tall. When those shrubs grow out there is going to be a line of sight issue. You won't be able to see vehicles until they are fairly close to the light posts. You actually won't be

able to see anything. They are Oleanders they put in there. When those get to be even four feet tall I think there is going to be a line of sight obstruction. The curve of the road and the hill create that situation.

Bill Tuikka: This has been reviewed by the City's Traffic Engineer, however, we can again take a look at that with regard to landscaping.

Chairperson Legalos: More specifically with regard to the Oleander. I think that just substituting something that would be lower growing would solve the issue.

Don Hazen: We would be glad to pass this concern on to the City Traffic Engineer and if it requires that we switch out the landscaping with something that grows lower, we would be happy to do that.

Chairperson Legalos opened the Public Hearing. There were no speaker cards so the Chair asked for a show of hands that wanted to speak in favor of the project and in opposition of the project or for anyone that just wanted further information. There were no hands so the applicant was asked to give his presentation.

George Avaniation: I designed this project and four of the other dealerships that are here right now. We have been working with staff for several years on this whole strip. The landscaping pallet was selected some few years back. It has been carried all the way through. If there is a problem we will be happy to look into that but so far that has not come up. We reviewed the conditions of approval. They are very similar to the other three. We can live with that. We accept them. I will be happy to answer any questions.

Commissioner McConnell: Some of the feedback that I have received from residents, particularly in Hyde Park, is a concern that you might wish to address in your landscaping design. Many of the neighbors on your uphill side, and possibly customers, have expressed to me in various locations an unhappiness with the light and having a view of nothing but parked cars and the plainness of the back of the building. I realize that this is an auto dealership and you are going to have cars and you have neighbors. When you are operating your business out there and you are designing your landscape I think it would be very beneficial to give some added consideration to the concerns of your immediate neighbors and potential customers. Other than that I am in support of the project.

George Avaniation: There is a very steep hill in the back that does not belong to my clients. For us to plant, which we have anyway the lower level, even if a tree were 40 foot tall it still would not screen the buildings from the neighbors up on top.

Commissioner McConnell: Yes, I understand that. I am just passing on to you for your utilization in planning the comments of some of your immediate neighbors.

Chairperson Legalos closed the Public Hearing.

Commissioner McConnell: I offer the resolution in the packet with the conditions of approval.

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

NOS: None.

ABSENT: Peterman, Engleman.

Motion carries.

3. Inclusionary Housing Ordinance.

Staff recommends opening the public hearing for discussion and public input then continuing the item to the meeting of March 5, 2007.

Don Hazen: This is an introduction to the draft Inclusionary Housing Ordinance. It will be presented by Laura Simpson the Housing & Community Development Manager for the City of Vallejo. Our recommendation this evening is to receive the report, open the Public Hearing, receive testimony, and continue it to the March 5, 2007 meeting.

Laura Simpson: David Rosen from David Rosen and Associates is with me this evening. They performed the background inclusionary study for the City of Vallejo. They also help draft the Ordinance. Mainly I am going to give an overview and go through the draft ordinance that was proposed. I will talk about inclusionary housing in general as a strategy for the City. I will summarize the key findings of the background study that was completed and posted on the website in November of last year. I will go through the elements and purpose of the Ordinance and will be happy to receive questions and feedback from the Commission after that.

Inclusion ordinances never have any two alike. Every jurisdiction has a little bit of a different spin on how to do inclusionary housing. The essential elements are that it requires a new residential development or condo conversion provide a specific percentage of housing be affordable to one of the targeted income categories: moderate, or very low income families. Typically it provides alternative compliance measures. The CEQA initial study was prepared for this and resulted in a Negative Declaration that was published on January 22, 2007. This Ordinance helps meet several objectives in the Housing Element that was approved by the City Council in 2002 and was then certified by the State. The primary objective under the Housing Element is B3.2 for the adoption of an Inclusionary Ordinance. I will talk about the other objectives as well.

One of the first things I wanted to talk about was the income categories that we are talking about and affordability in these target income levels. The income levels are set by State and Federal guidelines. They are for Solano County. When we refer to moderate income, we are talking about the range between low, which is 80% of the area median income and up to 120% area median income. This is adjusted based on the number of people in the household. For one person moderate income ranges from 40 to 50 thousand. Two persons is approximately 47 to 71 thousand, and so on. A four person household can have up to 89,000 in the moderate category. The low category talks about households that earn a total gross income annually between 50% low area income up to the low income maximum which is 80%. One person household earning between 26 and 40 thousand, two person household between 30 and 47 thousand and so on up to a four person household which can have approximately 60,000. The categories that were focused on in this Ordinance was primarily the moderate and the low category.

The definition of affordability where no more than 30% of the household income is spent on rent and utilities or where no more than 30% of the household income is spent on ownership housing costs for lower income or up to 35% for moderate. It would be a combined cost of principal interest on the mortgage, property taxes, insurance and HOA costs. That is defined in the Ordinance.

I will talk about the indicators of need for affordable housing in Vallejo. The average household size in Vallejo is about 3 persons. 70% of Vallejo households earn

below \$75,000 which puts them in the category of moderate income or below. Over the past five years, as mentioned in your staff report, we have seen an annual average median home price increase of 17% per year. That has led to newly constructed homes with a median home price of over \$700,000. The market in Vallejo has not been producing housing for families earning below \$80,000 per year. No new rentals, or very little, have been produced in the past few years. As of the 2000 census we also looked at the housing cost burden in Vallejo. That means in the case of ownership what percentage of families are paying more than 35% of their income on housing costs. 22% or almost 5000 families were at that time and 20% of rental households were paying over half of their income on housing which is almost 3000 households. As you can see with the 17% increase over the past five years each year wages have not kept pace. There are probably quite a few additional. Recently it was published that Vallejo was 15th highest in the nation in terms of foreclosure rate. That is an indicator for the need of affordable housing.

While Laura was giving here oral presentation she was also giving a PowerPoint presentation that included the past housing cycles for a seven year period. The City was very successful in meeting the below low income goals as well as the above moderate income goals. Where the City fell short was in the low and moderate income categories. There is still a shortfall of about 760 units at the end of the cycle under the allocation formula that we have received. The next cycle begins in 2007 and goes another seven years. We will be receiving new numbers. They will likely be on the order of the previous numbers, maybe even a bit higher.

Staff is recommending inclusionary zoning to bring in private sector participation into the provision of affordable housing. We already have a number of City programs that are funded through Federal sources. We reach people who are extremely low income through our voucher program. We have over 2000 vouchers available for people earning primarily below \$22,000 per year. We do achieve goals in that area through Federal subsidy. We provide subsidized rental housing which is targeted at 50% of area median income and below. For a family of four that is about \$37,000. The City provided down payment loans and rehab loans. We have limited resources for these programs. We can do up to 10 loans a year total. These are geared towards 50% to 80% AMI. Where we have a shortfall of programs is the low and moderate income categories. This is where the Inclusionary Ordinance is targeted.

The overall goals of the proposed Ordinance, that I will be reviewing, are the creation of new long-term affordable housing stock, the provision of mixed income communities, to avoid the concentrations of very low and low income families in particular geographic areas, to provide economic integration by providing housing choices throughout the City. It would also assist in providing workforce housing for the school district, government, retail, and other commercial businesses. It would provide a comprehensive approach to dealing with the housing crisis and add to the City's limited resources.

The Ordinance as it was drafted allows alternatives and incentives to help developers meet their inclusionary requirements. It provides flexible options. We also provide an acquisition and rehabilitation off-site alternative which could help the City in improving its dilapidated rental stock. It would help the City comply with Housing Element law and into conformance with State density bonus law. It provides greater certainty for the developers by laying out what the requirements are by consistently applying those to each new project as it comes in. It would provided that affordable housing be constructed concurrently and in the same manor as regular housing.

Laura showed a slide that reiterated the Housing Element objectives. In your packet you have a summary of all the ordinances that are already in existence in the North Bay. It is a snapshot of the cities around the area. All the cities have requirements ranging from 10 to 20 percent. Most of them have a blended requirement of moderate and low or moderate, low and very low. There are 150 cities statewide that have inclusionary housing. Many have been in effect for more than 30 years. Previous actions we have taken from June 2006 to now were brought forward in a study session to Council. The overall affordable strategy that was presented and we received feedback from Council to proceed. We hired David Rosen and Associates to perform the background study. They worked closely with staff and developers to prepare that. That was posted on the web in November. On November 7 the Council adopted a Resolution of Intent to prepare an ordinance which was basically allowed developers who were in the pipeline or about to submit, to make them aware that this was happening and what potentially it could result in. 100 interested stakeholders were notified, three separate focus groups were held, since that time staff has met separately with representatives of the Homebuilders Association, Solano Realtors, the Chamber of Commerce and the Vallejo School District.

Laura showed a slide that summarized the key findings in the background study. The entire study was included in the packet and the Commission was given a memo that also summarized these findings.

Laura showed a slide that showed the key elements of the Ordinance. The pricing is laid out in the affordable sales price and rent formula sections and other terminology is defined. Moderate prices for a one bedroom would be \$213,000; 2 bedroom would be \$240,000; 3 bedroom \$272,000; and a 4 bedroom would be about \$282,000. For low income a one bedroom would be \$87,000; 2 bedroom would be \$106,000; 3 bedroom \$125,000; 4 bedroom \$140,000; and a five bedroom would be \$155,000. The rents that we are targeting would be \$810 for a one bedroom; \$900 for a two bedroom; and \$1000 for a three bedroom. The affordability is to be consistent with State redevelopment laws. We have matched the requirement under State law. There is a 45 year ownership restriction. There is a 55 year rental agreement which meets the requirements. As each unit resales that clock would start over. If an individual stayed in that home for 45 years it would expire and would become market rate. This would keep unison in the affordable housing stock. One of the alternative options was an equity share silent second. The difference between the affordable housing and market rate upon sale would partially come back to the owner and partially come back to the City. Typically this does not create enough income to the City to create another affordable unit. That affordable unit would be lost and the City would have to come up with other affordable housing. Limited appreciation would limit your options in moving. Maintenance issues were discussed in that limited appreciation might cause limited upkeep of the unit. There was a concern about rising HOA fees. No solution to affordable housing is perfect. There are however, ways to address and limit the impacts. One of the ways to address maintenance is by allowing the homeowner additional appreciation if the homeowner adds value to their unit, that value can be added in and that value would be allowable appreciation. They would be receiving some benefits for improvements in the home. Initially we are including HOA fees in the 35% housing cost towards housing payments. It is factored into the formula. I have talked to Palo Alto who have had an Ordinance for 30 years. Only on a few occasions have they had trouble reselling a unit. They also said it created long term stability in a neighborhood because people do stay in their homes for a long time. They have a permanent resale restriction.

Incentives are ways that City is proposing to allow the developer to meet the requirement. It is basically ways that the developer can reduce their costs. Some of these include unit size reduction, different interior finishes, and alternative product types. By that I mean that if there is a single family attached sub-division it would be allowable for a developer to put both town homes or attached units in that division. There is also an added incentive for four bedroom or larger units. For parking reductions we have proposed, in structured parking, up to a 20% reduction would be allowable with a study of impacts to the neighborhood. We would include density bonus allowances consistent with State bonus law. The alternative location section is pertaining to anything that is allowable but not on the site.

If the density called for 1.5 units then 2 units would be provided. If it resulted in 1.4 then the developer could pay .4 x 504,000. Concurrent off-site development is allowable under the ordinance; not land dedication alone, because that does not result in units but off-site development is allowable by the developer or an alternative developer that they may partner with. Alternative product type is allowed. The other compliance option is the acquisition and rehabilitation of deteriorating older rental stock that is 40 year old or older. They could be acquired, rehabbed, and a regulatory agreement would be recorded and used for very low income households.

One of the attachments to your staff report was a residential activity listing. That indicates what is in the pipeline. After reviewing this with Planning staff we found that there were 40 units on that list that have not yet received tentative maps and could be affected by the Ordinance. If they do receive tentative map approval prior to the adoption of the Ordinance and it taking effect they would be exempted. The development agreement for Mare Island has exempt status. Triad has a 9% moderate requirement included in their DDA. The present build out would result in about 1200 units to the stock. The ABAG goals that we are going to receive for the next seven years are probably going to be at about 1800 units. Finally on the administration of the program the Ordinance covers the fact that the applicant would provide an affordable housing plan to the City with their Planning application. Then an affordable housing agreement would be worked out which codifies that plan and it would be recorded on the subject property. The Housing staff would usually administer the program but it is likely that there would be an outside consulting firm or agency that we would contract with to monitor the housing stock and administrative program. It could cost between \$75,000 and \$125,000 per year to provide this service. We propose that fees collected through the Ordinance can be used for administration costs. A procedures manual would be completed upon the adoption of an ordinance. We would be happy to answer any questions and bring this back on March 5 for a recommendation of adoption to the City Council.

Commissioner Salvadori: There is a number of questions that come to mind but early on in your presentation you talked about the average price of housing going up 17%. Part of my problem with the report is taking things like that at face value. Ten years ago the City was desperately searching for executive level housing because they had none. So, that is what has been built. You would think that since the housing that is being built is at the upper end it would raise the average selling price. It is not simply because the average selling price has gone up 17%. That has to be taken into consideration. The other thing that needs to be taken into consideration is what was the base of affordable housing in Vallejo before it started. Unlike many of the other cities you had up there, Benicia for one, there was almost no base for affordable housing in that city and so through a very difficult time, including litigation, they were put in a position that they had to put forward at least a reasonable attempt to meet some of the ABAG goals. This City has for decades, maybe more than decades, had a substantial number of units within its housing

base that you would consider affordable units. That is part of the problem I have with flashing numbers up there about where we are and how things have changed to some extent in a negative fashion. I think it is commendable that the City has been able to meet the ABAG requested total number of requested units over the past seven years even if they did not meet each category. One of the things I heard said was, and I must have misunderstood, but I heard a comment about rental units, no new rental units. I know that is not true because we have approved them. I saw later in the report that we have an excess.

Laura Simpson: Sorry, you are right. I meant non-subsidized rental units. We have provided subsidized rental units that is correct.

Commissioner Salvadori: One other thing I see missing in this approach is the ability to produce lower income housing where it traditionally has been and that is in the older neighborhoods. Most of us, that is where we bought our first house. Then with appreciation we were able to move up and maybe our third or fourth house was a brand new one. The only way this proposal will work to produce units like that in older neighborhoods is either a very small infill development or if a developer decides they want to rehab something in an older neighborhood. But based on what I saw it would only be rental units that could be rehabbed not units for sale homes. You also said private sector funding. The only private sector I have seen up here is developers. I don't think we are asking the rest of the community to participate in this – just developers. The density bonus, probably the greatest thing we hear as Commissioners with new development is why are we putting such big houses on such small lots? What happened to lots? The density bonus exacerbates that. You can put more units on smaller properties. I have some ideas that I will share with you either later or next time. I have an alternative way where perhaps we can put dollars in the hands of the people that need it so that they can procure housing. Thank you.

Commissioner Turley: That was a great presentation Ms. Simpson. The primary reason for this Ordinance is to provide low income housing.

Laura Simpson: Low and moderate.

Commissioner Turley: Has any consideration at all been given to developing a mobile home park just for low income households?

Laura Simpson: Not to my knowledge.

Commissioner Turley: Generally speaking a lot of mobile homes are very attractive. Generally speaking they are quite inexpensive compared to the traditional home. We had a project a couple months ago where a small amount of prefab homes were built. Those are generally cheaper. No mention was made about the size of these homes. Do you have that available?

David Rosen: The Ordinance provides that the affordable units may be smaller in square footage but essentially that is up to the developer. We are really dealing with market rate square footages. Additionally, Laura mentioned that for a detached subdivision the developer could opt to provide an attached town home product.

Commissioner Turley: The way you have this planned out there will be some low income housing in all subdivisions.

David Rosen: Correct unless the developer opts for one of the alternative compliances. There are several options other than providing it on-site.

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Commissioner Turley: In an upscale subdivision if the homes were \$900,000 would there be a \$300,000 home right next to it?

Laura Simpson: It would not apply to existing project but if there were new development proposed there could be a more expensive home next to an affordable home. What we are proposing is that the affordable home could be a smaller home or a town home on a corner lot but it would have the same architectural texture as the rest of the subdivision so that it would fit in with the product that is there.

Commissioner Turley: One of our current project is concerning a large home worth at least a couple million dollars. It is possible that a low income home could set next door to one of these isn't there?

Laura Simpson: What the ordinance tries to do is allow flexibility. It allows developers to come up with creative ways to integrate housing. I would not expect that it would be obvious or stigmatized housing to where you could point out that that is it, its low income. I think developers and architects are very creative.

Don Hazen: The Hiddenbrooke custom homes that we see typically coming in one lot at a time would not be covered under this Ordinance. It applies to projects of two or more homes. Correct?

Laura Simpson: Three or more homes.

Commissioner Turley: I want to go on record as saying, boy I wish every single family in Vallejo could afford their own home, with their name on the deed. That is where I am coming from. However, would low income families feel more comfortable in a subdivision or mobile home park where all the homes were more or less the same price? Would they feel perhaps somewhat intimidated if they had a \$300,000 home setting next to an \$800,000 or \$900,000 home? Are they going to feel as comfortable? It just seems like, off-hand, that if everyone was on the same level playing field they just might feel more comfortable. Would there be enough buyers to buy these homes?

Laura Simpson: We would have requirements as to how the Ordinance was set up so that there would be marketing methods that would generate a large interest list and from there, once the first project goes, usually the lists are extremely long. Often in other cities that already have Ordinances people are camped out in their cars for two or three nights just to get the applications for these units. There is a huge demand.

Commissioner Turley: Do we have a subdivision in Vallejo right now with conventional type homes that also has low income housing in it?

Laura Simpson: There is none that I am aware of because we have not required it before.

Don Hazen: It is a requirement in the Triad development.

Laura Simpson: Yes, but that has not been started yet.

Commissioner Turley: Do you happen to know in a town close by that has low income housing in it?

Laura Simpson: I can provide you some examples. I don't have them with me but I can provide them to you.

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Commissioner McConnell: I have 4 ½ pages of prepared comments and questions. Rather than presenting them I would like to e-mail them to our consultants and Mr. Hazen for review and comment at our next hearing and I will make my comments at that time. I will yield my time to the public who wishes to address the Commission at this time.

Commissioner Manning: I too have some questions but I do want to hear from everyone in the audience. I think some of us have input on what we would like to see different in the Ordinance. Is that something you are entertaining tonight?

Laura Simpson: Yes. After public comment we would like to hear comments from the Commissioners so that we can go back and come back with some alternatives.

Chairperson Legalos: I too will hold my comments until after the public hearing. Seeing no further lights I will open the Public Hearing.

Daniel Glaze, 37 Sandy Beach, Vallejo: I am a member of the VCUSD Governing Board. The VCUSD is well on its way to recovery. We got a \$50,000,000 loan from the State three years ago. One of our methods to repay that loan is to sell surplus property. We have sold a piece of land on Rollingwood for \$17,000,000 and the possibility of an additional \$4,000,000 in incentives depending on the sale of those homes. We are planning to sell the old adult school in the future and that would be subject to this ordinance. The cost to the VCUSD could be around \$2,000,000 to \$3,000,000. This is at the same time we are trying to pay back \$50,000,000 to the State. The position we are taking tonight is that if the Ordinance could affect us in that way is that the Commissioners and Council would exclude us from that Ordinance so as not to take away from the children. That was the consensus of our Board tonight.

Erin Hannigan, 118 Loma Vista, Vallejo: I am speaking on behalf of the Vallejo Chamber of Commerce. While on the surface the Inclusionary Housing Ordinance appears to be the civic thing to do for the members of our community it intends to assist the Inclusionary Ordinance will limit the assistance by limiting the equity and increasing the costs of non-affordable housing in the development in which it occurs. At our Board meeting we voted on February 20, 2007 to oppose this Ordinance. We cited the following reasons for the opposition: This ordinance imposes constraints on existing landowners and potential development; the proposed ordinance contains deed restrictions that limit the abilities of homeowners to realize any appreciation; there is little overall data showing the effects of similar ordinances in other California cities; the implementation of this Ordinance is likely to significantly impede overall development in Vallejo; the implementation of this Ordinance will require additional administrative and oversight resources from the City of Vallejo at a time when resources are thin and other more critical services are not being adequately addressed. The proposed Ordinance does not apply to current developments. Additional data on other cities ordinances should be reviewed. The Chamber urges the Planning Commission to oppose the Inclusionary Ordinance and I encourage the support of organizations such as the Vallejo Neighborhood Housing Services which has a positive track record in providing all the benefits of home ownership to low and moderate income families in our community. Thank you.

Laurie Collins, 38 Romine Way, Vallejo: I am the President-elect of the Solano Association of Realtors. According to the Realtor Code Of Ethics, set forth in the preamble by the National Association of Realtors, "realtors recognize that the interest of the nation and its citizens require the highest and best use of the land

and the widest distribution of land ownership. Realtors have an obligation to our clients, customers, and the public to become and remain informed on issues effecting real estate. As knowledgeable professionals willing share our experience to ensure clients best interests are protected." Therefore the Solano Association of Realtors is opposed to the Inclusionary Ordinance as it is currently written. We are willing to explore affordable housing alternatives to help the City of Vallejo accomplish their stated goals of affordable housing. I feel the propose Inclusionary Ordinance will not work for the following reasons: it limits the homeowners equity accrual to no more than 2% per year thereby eliminating any of the traditional benefits of being a homeowner while at the same time being expected to take care of all the maintenance items and various expenses of home ownership. By limiting the accrual of equity low and moderate income families are denied the ability to get any type of home equity loan to provide for their children's college expenses, major home maintenance items like roof, painting and other items. If they become ill or loose their job they would have no backup income source and could loose their property. With little or no benefit to homeownership other than the fact that they have a nice roof over their head there would be no incentive for the homeowners to maintain their properties to the condition they are in when they first purchased the properties. The Ordinance says that City staff will ensure that property maintenance is mandatory and will be policed. In these days of budget and City staff these properties could potentially become influence for the neighborhood. There is a 45 year deed restriction on the properties and the City retains first rights of first refusal for purchasing the property in the event the owner should need to sell the property will make it hard for the properties to get sold and the owners to get any of their original investment back from the property. I would suspect that the reason they stay on the property so long is that they don't have any money to move out of it. In conclusion I would like to ask the members of the Planning Commission to vote no in supporting this Ordinance and ask City staff to investigate other alternative options to help the City reach its goals in providing affordable housing to the citizens of Vallejo. Thank you.

George Oaks, 1317 Valle Vista, Vallejo: I am also a member of the Solano Association of Realtors. I wanted to speak to you again about the issue of equity growth and how it impacts affordable housing. Owners of affordable housing would have little incentive to maintain or make improvement to the housing because they won't be able to catch their share of the equity at resale. I believe we have a larger issue at stake and that is to realize the American Dream of home ownership. The way this ordinance is written will not allow that to happen. Low income homeowners should have the same advantages and potential disadvantages that all other homeowners have. Owners should be able to take care of urgent needs or to move up or out. The should be able to send their children to school or take that long vacation. I have prepared a chart that I am willing to share. The numbers come like this. I looked at the cost of housing in northern California vs income growth in the same general area for the last 20 year period. There is not much on historic income. What I found was that from 1985 to 2005 the cost of homes in northern California grew from \$89,660 average to \$419,000 dollar average or about 367%. That is quite a significant improvement. That is a total of about \$329,000 difference. That is a nice chuck of change if you live there for 20 years. On the other hand we saw income grow only 36%. I was only able to get income date from 1989, 1999, 2003 and 2004. The bottom line is that obviously income has not kept up with the rising price of housing. That means that homeowners would never be able to approve a benefit of true ownership. I think the talk and issue of equity sharing is probably a good idea. The first owner should not necessarily get a windfall. There should be a way to allow them to accrue the benefits of equity with out taking full advantage of the reduced price. Once a housing unit is declared affordable it will always be an affordable unit. I have concerns with that because it

is cheating by eliminating resale values and equity sharing in this case for up to 45 years and some cases more. This Ordinance is direct at housing units and not the real target which is people. I have not heard people anywhere in this conversation except one of the Commissioners spoke of it this evening. The target should be how to help low to moderate income families obtain the American Dream and with that the accompanying risks which include rising or lowering equity. The other side of the coin is that owners with affordable housing income have their income change. What if they get a better job and make significantly more. Are we going to require them to move out? If they do move will they gain the equity or if forced to move would they get very little equity with which to start their life in a new area. If they are not then why not? If they exceed the affordable income levels why are they not asked to move out? Lenders ask mortgage insurance for those people who put less than 20% down. We are asking these people to put 5% down. It limits the opportunity for people to move into these things. Lets give them every opportunity to do that. There would also be fire and homeowners insurance between \$1000 and \$1200. You have landscaping and maintenance and all these things. We want them to succeed. Income is not necessarily the main cause of foreclosure. The last issue is HOA fees. We have to be concerned that when we get them in there they may be hit with HOAs. I ask that you hold this Ordinance for further review and input from the citizens of Vallejo. Thank you.

Jennifer Wilson, 1826 Tennessee St, Vallejo: I am a mortgage broker here in town. I have a business a few blocks away and the bulk of my clientele is the first time home buyer with low to moderate income. I have quite a bit of experience in the reality of trying to get these people into homes not just in the world that we portray it as being functional based on this report. Looking at it as it is drafted it is very obvious to me that it is not a good thing for the homebuyer and there has been no real world experience trying to get a loan on these properties involved in the drafting of this Ordinance. It is just not going to work it is just not the right solution. I have worked with many similar programs but with twists. I think we need to explore how we can change this and make it something that is workable for Vallejo. I have done low to moderate housing for the Lake County, St. Helena, Napa, other parts of Vallejo using existing programs. I think we should look into Vallejo Neighborhood Housing Services. That is a program that works for people here in town. I wanted you to specifically know that as a lender what I see is huge problems with this that are going to keep it from being a functional program. While the intention might be there it would not be used. The 5% down, looking at the numbers that you saw of what are considered affordable prices for these units. I sort of went somewhere in between the 2 to 3 bedroom. I figured a 2 bedroom 1 ½ bath the price might be around \$65,000. If that person has to come up with that 5% down that is over \$13,000. How many people do we know at the median income for Vallejo, family of three, have an extra \$13,000 lying around? Pretty much none of them. Right there you kind of shot your self in the foot. The next issue with that is that because a lender looks at the sales price as the value, they do not care what fair market value is on this, these are going to be 95% devalued loans. They are going to be higher risk. Typically these people entering the market are not your cream of the crop borrowers. They may have credit issues and other things. You are looking at a higher interest rate right off the bat. Then comes the next product, a second mortgage to make up that other 15% if you are looking at a traditional 80% first and 15% second. According to the way this is drafted any subordinate financing would be in fourth position. There is no lender in their right mind that would take fourth position on a property like this. It is not going to happen. That leaves you with one possible funding source: Vallejo Neighborhood Housing Services. You could get second mortgages on these properties there but alas what we find out is that as of October they are out of funds. You are compounding the problems with how realistically are people going to buy this. Let's assume that they are able to get a

VHNS second and a first. They would be looking at a house payment of around \$2000. We are told, while they can't accrue equity look at this great tax break. At IRS web site you can run the withholding there it is a \$118 per month savings. The rent on those size homes is \$1300. Why would they spend \$700 more a month if they cannot accrue the equity? It does not make sense. Compound it with maintenance costs you are coming out with a net some of zero on any tax vs maintenance. This is not something that I can in good conscience recommend to a home buyer.

Beth Britenbock, 123 Shelly Drive, Vallejo: I am the Chairperson of the Housing Opportunity Committee for the Solano Association of Realtors. I am also the realtor for Vallejo Neighborhood Housing and have been for the last eight years. When they buy or sell real property in Vallejo I represent them on those transactions. For the past nine years I have been a participant in the VNHS home buyers club. The vast majority of my buyer clients are low to moderate income buyers who take advantage of programs that are available to us. I want to talk a little bit about the people. We have talked an awful lot about the numbers. My whole thing forever has been that I do not want to see the client set up for failure under any circumstances. You have heard some of the reasons why I believe they are being set up to fail in the way this Ordinance has been drafted. According to the Department of US Housing and Urban Development and the Mortgage Bankers Association the primary reasons for foreclosure are illness, loss of employment, and marital difficulty. Another words some sort of catastrophic event that impacts a family where it does not matter if their housing debt is 25% or 45% something happens catastrophically to them that makes it impossible for them to keep meeting their payments. I have a concern that when we are looking at this percentage of income, most things I don't think have been taken into account. Anyone who lives in a common interest development the HOA dues can be raised without a vote of the membership by the Board of Directors of that HOA by 20% a year. Under Prop 13 property taxes can be increased up to 2% a year. We will have people in home ownership who have no options. They cannot take out equity loans to reconfigure their debt and they can't sell the property if they get *word indistinguishable* at an amount to pay off the debt that they have. I am very much in favor of affordable housing programs where we set people up to succeed. The Solano Association of Realtors recently started a program to provide deferred loan closing cost grants to buyers in our area who are at 140% below the median income. In partnership with the California Association of Realtors in three months we raised \$30,000 for this program. It has been matched by CAR. Ultimately that will be a \$100,000 program just in this 12 month period. The final thing I would like to say is that there was a study done by the National Housing Conference, published in February 2004, on Inclusionary Zoning the California Experience. One of their main conclusions was that in order for the program to be successful reasonable amounts of equity must accrue to the owners while still ensuring long term affordability. I think that is a key issue. Lets please set our clients up to succeed not to fail. Thank you.

Deana Lang: I am Co-Chair of the Governmental Affairs Committee that has taken great interest in this. I am also a homeowner in Vallejo. I, like so many of the realtors that I have talked to, really want an affordable component to housing in our community. I got kind of excited by inclusionary zoning. It sounds great. It is a great concept. This seems, when you start digging through the hundreds of pages, seems greatly flawed. Many people have talked about the exact reasons why. I want to kind of back up and take a look at this. Our community is very unique. As you know we have a large part of our homes which are historic homes and older homes. We are pretty dense in our building. The makeup of our community is different. We are not Palo Alto and we are not Walnut Creek, and we are certainly not Benicia. I kind of feel like the current proposed Ordinance is a square peg trying

to be crammed into a round hole. That is just not our community. Upon further research I see a model that has a subtle background, long term tie to our community, zero foreclosures and that is Vallejo Neighborhood Housing Services. Why are we actually defunding that program and putting money over to rental housing. I request: there is a study that is going to come out at the end of the month about non-profit buying. It is an updated study. I would like a continuance for at least a month so that study can come out and we can research it. I think this whole thing should be taken back to the beginning block. We need to go wider in our study and not just take a model that seems to be a one size fits all thing and take a look at more successful programs, the lasting impacts, and the models that are the closest to our town. It is apples and oranges. I would really like to find a closer comparison. I am very concerned because, how many of us have our first houses as brand new houses? We have a huge stock of houses and rentals in our Downtown specifically; lots of subsidized housing. What we need is owner occupied properties. If we have owner occupied property in the Downtown with first time homebuyer incentive, assistance, rehab work done then we have people who are moving into a great product that they can make better. On the back end, when they sell, if we have an equity share in the property then it is a win, win. That is a 30% equity share. There is plenty of stock more that can be rebuilt. That money can go back into it, go back into it, go back into it. What I am looking for is, yes, get back from developers. I think that needs to happen and it has not happened and that is a shame. I think we need to look at other ways. Maybe a transfer tax needs to be looked at and brought up incrementally so that we can actually afford affordable homes. We can make that happen in our community. I think this really needs to be reworked from the ground up. There is some verbiage in there about wanting people who have lived in Vallejo all their lives and work here but there is no requirement that I saw and anybody from any community can take part in this opportunity. I think if that is truly our intention to create this within our community for people who work in our community there has to be ties to our community. Whatever ordinance we come up with lets have that in there. Have a great night.

Deborah Pugh, 129 El Monte, Vallejo: I just heard about this inclusionary program housing project and it sounds wonderful. It is needed. Yes there are changes that have to be made. What are the alternatives to having inclusionary housing within a certain project? They were talking about off-site. Does that mean creating low-income housing off-site? Now you are mentioning low-income housing in one area and not giving us an opportunity to improve or look improved or be improved. I would like to also say County workers, City workers, teachers, union workers all fit in the moderate to low income. You are talking \$62,000 down to \$41,000 that fit into that category. Yes we need an opportunity to buy a home. We would like to in Vallejo but we need a way to do it. From what I understand not too many people who work here live here. We would like a chance to do that. Thank you.

Corrine Oaks, 916 West 3rd Street, Benicia: I am a realtor and a property owner at 317 Valle Vista here in Vallejo. I appreciate being able to participate in this process. I am speaking against the Ordinance for many reasons already articulated here. However, I believe there are other speakers who will be speaking in favor of the Ordinance. I think what we can all agree on is that we need to solve the affordable housing problem. Affordable housing is a community issue. The entire community needs to be involved in the solution. This Ordinance if adopted is being used to meet 2/3 of our housing element. This burden should not be placed solely on the developer, land owners, and market rate buyers. I wanted to talk about the unintended consequences of inclusionary zoning and housing ordinances. Many of the homeowners we currently serve could be priced out of the market with even a modest increase in price or interest rates. Where are they going to go? How will they buy? We really need to be careful not to do any harm. There has not been

enough study by the City on the effects of these ordinances. There are two additional studies that I have read that say that these ordinances actually exacerbate the problem. That would be the Reason Report Housing Supply and Affordability: Do Affordable Housing Mandates Work. This report has been criticized by proponents of the Ordinance yet they still do not bring forward anything that explains why the science is bad or prove that it is different. Also, Cosmet has done a large study and after Dr. Rosen's report was done for Los Angeles and that is definitely worth reading. In closing I just want to read a portion of a letter written by Lucetta Done who is the Director of Housing and Community Development for the State of California. "State Housing Element law requires jurisdictions to plan for existing and projected housing, identify adequate sites to accommodate their share of the regional housing need, analyze local policies, regulations or requirements that have the potential to constrain the development, maintenance or improvement of all housing for all income levels. The law also requires programs to assist in the development of adequate housing to meet needs of low and moderate income households. While some local governments adopt mandatory inclusionary programs as one component of a comprehensive affordable strategy such programs have the potential to negatively impact the overall development of housing. As a result local governments must analyze mandatory inclusionary policies as potential governmental constraints on housing production when adopting or updating their housing elements." I would like that to happen here in this city. If I actually look at these numbers, for a tri-plex, given the formula that has been given, that person would have to pay an additional \$222,000 in fees. That is just not going to happen. They are going to get bilked. That is exorbitant. That is beyond any of these other programs that they have compared it too. These fees are outrageous. It need to be dealt with by the community, perhaps at a bond level. I will speak against transfer tax at a different time. Thank you.

Bob Stalker: I am the managing attorney of Legal Services of Northern California in the Solano County Offices at 1810 Capitol Street here in Vallejo. I want to echo what staff said about the need for affordable housing. I urge you to consider this as one of the tools that is available to expand the affordable housing option. Our small office, with only two attorneys, served about 1,200 people last year that were having civil legal problems. Almost ½ of that total number were from Vallejo with housing problems. There is a huge need in this community for descent, safe, and affordable housing. The complaint I have with the draft proposal is that it does not target the most needy, the people in the most need of housing, the people we serve. The targets in the proposed Ordinance are low income, which sounds good. The wealthiest of the clients that we serve are very low income, which is quite a bit below. Most of the clients we see are extremely low income. This Ordinance is not going to expand the supply of houses to those most in need. Our clients are not really concerned so much with buying a house. Most of them are just looking for a roof over their head that will work. So, one of the things that could be changed is in the single-family development, if you give the developer the option of building apartments or rental housing along with the developments. You talk about town house option but if that could be rental option it might open the door to affordability for a deeper segment of the community, those who most need affordable housing. Thank you.

Evelyn Stivers: I am with the Non-Profit Housing Association of Northern California. We are an organization that advocates for policies and programs that enable the creation of clean, descent affordable housing. I am the Inclusionary Housing Coordinator for that organization. I work on inclusionary housing programs throughout Northern California and throughout the State. I am in the process of updating a production report that looks at housing programs and production similar to the one that was crafted by staff in communities throughout California. One thing

I was really impressed by how staff really integrated some of the lessons we have learned in some of the other communities. There are a couple of things that I think are really effective. One, allowing for partnership, allowing for flexibility for the for profit developers. For example, what Bob was just talking about, allowing for rental housing to be built in a subdivision. That can really reach deeper levels of affordability and allow for more units to be produced. Those kind of creative solutions instead of a very ridged program really help create the housing options that are needed in a community like Vallejo. This type of program has been effective in communities like Sacramento, Petaluma, East Palo Alto, San Diego and a wide variety of others. There is a wide variety of communities that have used this kind of strategy to make their inclusionary housing policy effective. I think that is great. I understand that people have issues with long-term affordability of the for sale units. One thing that might be able to help solve that problem is to try to reach a lower income with the actual units. The way the policy is drafted is to try to reach the moderate and low income but there is always a balance between percentage and income targeting. If the income targeting is lower the percentage is smaller. For some of these programs it might make more sense. Some of the resale restrictions might not seem so onerous if there are people who would not be able to buy in this market. The idea is to open up the market to people who don't have access right now. What we found in communities where people have opportunities to buy where they don't in the market place, those families are very stable and willing to stay in neighborhoods for long periods of time and are able to add to the local schools, to the local community, to the local fabric of that area. Having a first year school teacher who is low income able to buy a home, of course this Ordinance does apply for 5%, but lowering the income targeting might be one way to satisfy some of the disputes. Thank you.

Kimber Lesley, 3085 Hazelwood, Vallejo: I am a homeowner. I have been here for 17 years. A couple concerns I have are: everyone is saying affordability, affordability, affordability. I am a working professional. Half my income goes towards my mortgage. At this point in time I cannot afford to buy my house if I got thrown out because of a travesty I had several months ago. I make my mortgage payment. I am going without PG &E but I am making my mortgage payment. I also represent home care workers with SEIU. You guys are complaining about 10% equity. People who rent get no equity. People who rent have to come up with first, last, and security deposit. They are at the whim of their landlords. Some items are fixed and some are not. Rent goes up at the discretion of the landlord. What about these people? Do they not deserve a home? Do they not deserve the 2%. There are a lot of people below what you are calling affordable. A member I had to take back to her house because she had to leave, her lease expires at the end of the month. She has been trying to find a place to live. She cannot come up with first, last and deposit. On a tight budget how can one do that let alone come up with a down payment for a house. You guys are not considering this and you need to think out of the box to help everyone, not people that make \$62,000 a year. There are people who make \$22,000 who would love a house and would take great pride and care of it. Please consider this when you are considering this. Thank you for your time.

Cole Carter, 1650 Larkspur Ave, Sunnyvale: I own the property at 201 Sandy Beach Road, Vallejo. I am in the process of subdividing the property into 17 single-family homes. For the record I want to say that I really appreciate the need for affordable housing. I know it is really tough for a lot of people. I want to speak about one aspect of this zoning ordinance. I understand that this thing is dedicated to starting retroactively to people having their tentative map on November 7, 2006 even though this has not yet passed. I have worked on this project since mid-2005. I have been meeting with the Planning Department all the time since the summer of

2005. We have a difficult parcel on a steep slope. Our engineer has worked on this project doing the civil engineering since 2006. The engineering is presently complete. All the architectural designs are complete for the 17 units. Our tentative map application has been submitted to Vallejo. I first heard about this ordinance on December 1, 2006 when I received a letter from Laura Simpson. All the things I have stated about my project were all complete when I heard about this inclusionary zoning. I had no idea that this thing was in the works. If we are unfairly subjected to this zoning ordinance Vallejo will only get 2.4 extra units of affordable housing out of our 17 parcel development. The 44 units, of which we are 17, would only yield 6 units. There are people who have spent a lot of money in these whole processes and risk of developing. I respectfully request that if this zoning ordinance passes our project be exempt from the inclusionary zoning ordinance as we are almost complete with the process. Thank you.

Mike Burgess, 34 Olster Place, Alameda: I am here with Mr. Carter tonight. We had a meeting at the Planning Department and I decided to stick around. He was going to speak tonight and I decided to stay and participate. I almost feel like apologizing for the self-serving appearance of our presence tonight because of all the positive energy I feel coming out of this discussion. We are here to specifically talk about our project. I am a consultant for Mr. Carter and his partner who was unable to make the meeting tonight. I can assure you that we are completely in line with Commissioner Turley's comment earlier about we too would like to see anyone who would want to own a home be able to do so. I chose to speak tonight because I saw an item in the presentation regarding creating developer certainty in Vallejo. In the future if a developer comes to Vallejo and they are aware of this Ordinance and they need to comply that is the proper procedure. For my clients, this has almost become an ambush. I am only speaking so you get a face behind the barrage of letters you are about to receive showing the unique hardships. This is a very small development for them. It is a very unique, complex, difficult site. It has extreme unique hardships. They are asking for an exemption and we will provide you some documentation as to why we believe we should have the exemption from this in addition to the fact that they are already so far along in the process. I will step down at this time so we can continue this positive energy and find a solution for the needed affordable housing.

Don Jordan, 215 Martin, Vallejo: The reason I came down here tonight is I have been attending meeting with inclusionary housing. The main focus tonight is people talking about cost. The real thing we are talking about is the American Dream. The American Dream is owning a house. I do not want it to be so that our kids cannot afford to live in the same City they were raised in. Vallejo needs to recognize that we have been the affordable housing hub of Solano County. Vallejo can be all it can be by taking care of all of its citizens not just the ones that can afford to live here. Like the lady said, if I had to leave today I could probably not afford my house. I told my wife when we got our house that we have to get one now or we will never be able to afford a house. My whole reason for being here today is that I understand the real estate agents have to make their buck, the developers have to make their buck, when I go to work I don't cut my prices. But we are talking about a city. We are not talking about individual businesses. Just like attorneys do pro bono, the real estate agents, the buyers and sellers of this town, need to give back to the community. A lot of them do. There are some great real estate agents in this town. They give back every day. When it comes to inclusionary housing they are going to have to give back a little bit more. Because you are going to get a client that starts out low, they are going to get money from that house, they are going to get a bigger house, they are going to remember the people that helped them get started. When their lives get better they will go back to those people and buy their second, third and fourth house. That is how it starts. Thank you.

Bob Glover, I am a representative of the Home Builders Association. I am also a fellow Planning Commissioner in Martinez. We are dealing with the same issue. I am here to ask you, should you choose to proceed with an ordinance, proceed with an ordinance that is not only flexible but fair. It is important to keep in mind that inclusionary zoning is by no means an end all solution to the lack of affordable housing. It is a tool that should be used with many other tools to collectively achieve the inclusionary housing requirements placed on each jurisdiction. I have three key points in the current draft that I would like to address. The most important incentives provided in local ordinances are the density bonus provision. Under the proposed Ordinance, on page 8, of the staff report it indicates that, "ownership projects meeting the 15% requirement will be eligible for a 10% bonus," however it goes on to say, "it should be noted that only a small percentage of potential development sites in Vallejo would be eligible for density bonus as most opportunities exist within commercial districts or planned development districts." This basically renders this density bonus provision null and void. I would like request that the Commission consider adopting language brought forward by the Non Profit Housing Association and the Home Builders Association in the On Common Ground Report, which I believe is included in your packet. This is a report from two organizations with some differing opinions on inclusionary zoning, but share important views on how to create more affordable housing through the adoption of flexible inclusionary zoning ordinances. On page 7 in that document it requests that local jurisdictions will provide at least one density bonus unit for each affordable housing unit required. My second point is to allow other alternative compliance measures. I am encourages to see the provisions for off-site construction, rehabbing of existing units, but would like to request adding one other provision I would like to suggest that projects be allowed to meet requirements through payment of an in lieu fee. As the inclusionary study points out the in lieu fee would be a considerable fee and those dollars could be used to provide secondary mortgages, first time home buyer assistance, and to allow for the City to meet a need not addressed in this Ordinance and that is of extremely low income individuals. Finally, and most important, has to do with projects who have already begun the development process prior to adoption of an inclusionary ordinance. On page 4 of the staff report under intent, item #2, the inclusionary ordinance provides the greatest certainty for the developer because it allows the developer to incorporate all requirements before they submit their development application. It continues on at the end to say that this also allows developers to negotiate their land purchases with an understanding of the City's requirements for that project. I agree with these statements 100%. As stated in the staff report projects in the pipeline that have development agreements in place or will be complete by the time this ordinance is adopted however, there are undoubtedly a handful of projects that did not rush forward with submittals prior to that November date and may be subject to this Ordinance at the last hour. They have not had the opportunity to incorporate the requirements into their proformas and they have already negotiated their land prices. In order to make sure that this does not adversely affect these projects I would like to suggest that the Planning Commission consider a phased in approach allowing for projects to be given 12 months following adoption of this Ordinance to have their tentative map approved. This will provide the certainty stated in the staff report. Thank you.

Nichole Byrd: I am the Solano Napa Sales Representative for Greenbelt Alliance. I really want to commend Bob, who came up here and made some specific suggestions on how to improve the ordinance instead of saying we need to go back to the drawing board. Staff has done a lot of work on this report. Research has been done and it is refreshing to see someone say these are things we like and these are some improvements instead of saying lets scrap the whole thing but I really want to see affordable housing. I am really excited that we are having this

conversation. It is very important. Inclusionary housing is not going to solve the problem of affordable housing in Vallejo but it is a tool that the City can use to provide more housing choices for its citizens. That is what it is meant to do and it has a history of success of doing that. There always is more that can be done in an ordinance. I agree with most of what is in there. I think the idea of providing some more density bonuses to give developers more flexibility is one example of how to make the ordinance a little better. I also see, at least in the rental housing, that the levels of affordability be dropped to the very low instead of where it is right now which is not that far off from market rate housing. I would like to see it dropped down to the very low level so there is a bigger difference between the hoops they have to jump through to get this affordable housing program and how much money they are actually going to save compared to the market rate housing. I know that sometimes one of the things you suggested is pretty difficult to make happen. Something that would be really helpful is if you could expedite the planning permitting process in a way that actually made a difference. I think the community would really appreciate that. I know it is not an easy thing to do. Most of all I just want to make sure that we keep the ball rolling. The process has been happening for about seven months. The public has had a chance to become involved and I just want to make sure that we keep on moving ahead. There have been some good suggestions to improve the Ordinance. We need to go ahead and get something out there because it is very important and it is a tool that Vallejo needs desperately. Thank you.

Commissioner Legalos closed the Public Hearing.

Commissioner Manning: I want to thank everyone for coming out tonight. It really helps to get the community input on this. I also want to commend the good work of the City staff. I have a lot of thoughts here but I will try and be concise. I did a lot of research on the internet about this. I have a lot of reports that I have pulled out. Inclusionary housing is going on across the United States. It is particularly very popular in California. You see the same discussion going on in New Jersey, states in the Midwest, it is really a tool that cities are using to deal with the difficult problem of high prices of housing and people not being able to afford to buy. It is not a silver bullet. In the report there are examples of cities that had great success and another report about why inclusionary housing was not a success. It was not delivering the number of housing units that had originally been anticipated. There are lots of different opinions about that because you can take statistics and move them many ways to make a point. It is definitely not a silver bullet and I did not read any report that ever said it was. How we write this Ordinance is going to make a huge difference but I feel that at some point the City of Vallejo is going to have inclusionary housing. I want to say that one of the things that makes Vallejo so wonderful is the diversity of our community. There are people of low, moderate and high income and we are all mixed in together here. That is what makes it a wonderful community. It would be a terrible shame if the futures of the workers and artists in our community, who tend to be low income to mid income, can't afford to buy a house in Vallejo. It would drastically change our community. I don't think any of us want that because one of the reasons most of us live here is the way that this community is made up. I have real concerns about equity for ownership because one of the ways that people do move up the economic ladder is that they do buy a house, and it is not a \$700,000 home, it is a \$200,000 home or a \$300,000 home. That is where people get started. They move up because they get equity. This does not allow them to do that. I think for the lower income people that probably will never move up this is a great program. But I struggle with why people would buy. Also the rental levels, the rental units on there are market rate here in Vallejo. Maybe they are \$20 less or something. I don't think that the rental units, even though we don't have any rental units coming up to be built, I don't think these rates

are appropriate. I don't think they will solve the problem. I also want to talk about what this means for the developers. I love this town but this is not the first town the developers come to. We are not on the A List. I have a real concern about whether developers will want to come in based on this Ordinance. I question why we picked the number 3. Why is it 3 units? Where did that come from? I feel that is way too low. One of the most important things I think in this community is infill building not new greenbelt building but it is in the community. There are so many empty lots. A month or so ago we had six units built in a small little neighborhood in one of our older neighborhoods. I question with the way this Ordinance is written if those six units would have penciled in for that developer. I personally want to see a lot of these blighted lots to be cleaned off with infill housing. I think there are a lot of things we can do besides inclusionary housing. Do some rezoning, do some double units on one lot, these are the kind of things we can bring before the City. I really would suggest that we have a higher threshold for the number of units. We could start with 20 and over time bring it down to 10 or something. I did not see any justification for the 3, in fact I really had to dig through there to find the 3. I really question that and I think that it is not appropriate that we grandfather something back to a date for builders who had no idea that this was coming. It is not fair to change the rules when you are in the middle of a project. It is not fair and is not the right thing to do. It is so important that we make it easy and welcoming for builders to come and want to build in our community. We have to make sure we do that in this Ordinance. The density bonus is not enough. It is what California law allows but we can do better than that. We should make this an Ordinance that says yes we value our community. We value that low and mid income get to live in our community and not stuck in a separate neighborhood but right in the mix with all of us. I totally agree with that. We also need to recognize that a developer is not going to come and build unless they can make money. Nobody does this for altruistic reasons. We have to construct this in a way that helps people that makes it pencil in for them and also not so onerous with so many different rules and regulations that they feel it is just too difficult to come here. Thank you.

Commissioner Turley: I am really not in favor of the Ordinance as it is written. Earlier this evening I offered a couple of suggestions. One was prefab housing which is a little cheaper the other was mobile homes which are even more cheap. Well I have a couple more suggestions. Mr. Carter is pretty much involved with Habitat for Humanity. From what I know of it I think it is an excellent program. I am wondering if there is any possibility that we could promote this more in Vallejo. The other suggestion is, in several areas of Vallejo I have noticed some blighted homes. I speak of those that need paint and might need a new roof or quite a lot of repair. Is there any way that we could help them purchase these blighted homes, these fixer uppers as we call them? Can we provide them with some money and some tools and they put some sweat equity into the home. Not only that but then we will drive down the street and see a better neighborhood because of this. Lastly there is a poor family that was in need of some food and wanted some fish. Someone handed him a fishing pole.

Commissioner Salvadori: I am not sure that I can say that any better but one thing that did cross my mind with this approach to inclusionary housing is the situation at build out when there are no more developers to extract money from. There would be no more money to help those who still need homes at the low and moderate income levels. I would like us to consider alternative methods of funding; a broader base of potential funding. I have no suggestions of where but affordable housing is a community issue. The community should share in the solution and not simply one select group of people called the developers though they are an easy target. I noticed the intent was to have this public hearing tonight and potentially come back at our next meeting and ask the Commission to act on the Ordinance. Personally I

think we are a long ways from that. I think there is still a lot to be heard in public hearings, in public meetings. It is not unlike this City to ask the developer to restart again to have four or six more public meetings to hear from the public and what they think are the solutions to a better development to a better City. I am suggesting that the continuance be substantially longer than that. From the Commission's perspective maybe into the summer. I ask that there are more public meetings to get more ideas because I do not think this one is there. That is my recommendation.

Commissioner McConnell: I believe Mr. Dolan has a comment and I will yield to him on that comment.

Brian Dolan: I just wanted to make a few comments in response to Commissioner Salvadori's suggestion. That is just to remind the Commission that staff was directed by City Council with a resolution of intention to explore this specific type of tool, the Inclusionary Housing Ordinance. That is what Laura and our consultants and Planning staff has participated as well, have done. We have heard a lot of good suggestions of how we might better tailor such a tool to our community. We have heard on the equity issue and the threshold issue. There were requests for additional types of data where it has worked in other communities. That is definitely something that we need to take into consideration. I agree that it is going to take longer than a week to pull that all together so a continuance longer than a week is probably appropriate. I also think that many of the other suggestions are not really a comment on an Inclusionary Housing Ordinance but more of a dialogue and opinions about pursuing other options as well or in lieu of and since our direction is to develop this Ordinance that is somewhat of a different discussion. Clearly we are going to bring forward to Council, whenever we get there, some of these other ideas about different approaches but I just want to make sure that it is fresh in everyone's mind and that you are aware that our charge from City Council is to work on this type of ordinance. We do not want to get too far a field from that and we have a model here that has the fundamental components of most everyone that is out there. The reason I came forward is to suggest that I think we can address the issues but it is going to take longer than a week however, it certainly, is not going to take us into the summer.

Commissioner McConnell: I want to echo the concerns of Commissioner Salvadori as well as Mr. Dolan's concern about timing involved here. To set for a future session at a regularly scheduled Planning Commission meeting would be overtaxing staff as well as the facilities of this Commission. I believe we should set a special hearing on some night other than a normal calendared hearing whether it is a month or two months away. Secondly I wish to offer two suggestions at this time. My questions have now grown to five pages. One is when you explore alternate sites that you consider what is going on in the mobile home parks in this city, that is, I have been informed by several people who live there, that if their mobile home is older than ten years old they cannot sell it. The mobile home park owner will not let them sell it to a new buyer. They must instead haul it away at a tremendous cost. Instead of allowing replacement mobile homes to be erected there the mobile home park owners are instead building prefab homes. This, I think, needs to be integrated into the Housing Ordinance. For another alternate site, we have had considerable problems with the marina in this city. I would like you to study the feasibility of establishing affordable housing in the marina, whether it is on houseboats, on purchase or rental facilities as well. Finally, a comment or a critique. I do not think it is possible to draft an effective ordinance unless within that ordinance you establish the eligibility standards for who is basically going to win this lottery. We will never be able to provide enough affordable housing for the population of the State of California where we are hitting 13% of the entire nation

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now. Unless you establish who is going to be entitled to these eligibilities we are dealing with an unknown. I think that has to be an essential part of this Ordinance. Thank you.

Chairperson Legalos: Is there a risk that if this goes forward and becomes adopted that the other alternatives become moot?

Brian Dolan: I do not necessarily think so. It would be up to Council to give us direction to explore them. They are already a part of the record and certainly whatever reporting we do to the path we took to get to Council will be included. There were many suggestions that were suggested out there tonight that are other tools, clearly, to address the problem. Our directive was not to go out and explore the package of tools it was to develop an ordinance on this particular tool. Ultimately we will get to Council, one way or another with this one, and they can judge it on its merits or whether they want to pursue it. I think the other tools would be part of that dialogue at that time with them as well. Certainly we can flush out what those suggestions might be here with the Commission.

Chairperson Legalos: How long a continuance would you think would be appropriate?

Brian Dolan: I think we could say six weeks or a month. Then if we are not ready we will let you know and ask to change it. Six weeks is probably safer.

Commissioner Salvadori: During those six weeks do you plan to have any further public input? Obviously there were some people here that had substantial ideas. There are probably more in the community. It strikes me that this is, at least, equivalent to some of the major developments that we have seen come to the City. I would think we would take at least the same level of public input on them. I know you had some.

Laura Simpson: We did mail out to all the developers in the pipeline and all the parties who are on our interested parties list for the housing element and that was well over 100 stakeholders. For the past 3 ½ months we have been talking to people. Anyone that was interested in meeting with staff directly we have been meeting with. We will continue to do so. I do not think we are planning other focus groups.

Brian Dolan: If it would help the Commission to know that we had met with some of the parties that made specific suggestions tonight and you would want us to go further I think we could get some more direct contact with those folks either in a one on one setting or in a more general meeting.

Commissioner Salvadori: I guess my question is, and it is not directed at you Mr. Dolan but more to my fellow Commissioners, is it only the stakeholders, or those we suspect would have an interest or is it something that ought to be done in a general forum where anyone might come. It generally takes three of those to get all the people that might be interested there. That is more what I was talking about, like what we did for the Downtown Plan and the Waterfront Plan where anyone, they did not need to be invited, they did not need to be aware, but based on what they were hearing were interested.

Brian Dolan: We will give that some consideration.

Chairperson Legalos: I believe Commissioner McConnell also suggested that we agendaize this in a special meeting. I would like to support that idea. I have a few

concerns. I want to say that I agree with almost all the concerns we have heard and I will not repeat them. There were a few things that I thought weren't mentioned that I wanted to mention. The question of setting the bar at three units, my understanding is that that is done to prevent developers from breaking up a project into several small units and getting under the radar. Is there a possibility of, rather than setting the bar at three units, building in a condition that would take into account the total number of units built over a certain period of time by a specific developer? This might be another way of dealing with that and not imposing this burden on a very small developer each time or a one time developer. Unit maintenance has been brought up several times. A suggestion was made that this would be a matter for enforcement by the City. After having moved into a very poor, rundown neighborhood here in Vallejo myself, fortunately we have been able to deal with that in my area and we have not had any problems for the past year or year and a half, but it required a major on-going, constant effort to see that happen. So I have some concerns about relying on enforcement and coercion.

Laura Simpson: I can address that for one moment. There was a deed restriction sample that we provided and what it stated in there in the sample language was, that upon the owner wanting to sell the unit, that is the point at which it would be inspected to make sure that it is in livable, habitable condition. It is not a Code Enforcement situation where you would be going out and looking at units weekly or monthly. It is a situation where upon resale that would be the inspection time.

Chairperson Legalos: That addressed the Code Enforcement burden but that does not address the issue for the neighbors. Relying on coercion of any kind is highly inefficient. It works much better if there is some positive incentive for people to maintain their buildings. The last concern that I have that I don't think was mentioned was a provision that would not lower the quality of materials on the interior of these homes. That concerns me for two reasons the first is just the issue of lower quality, the second it that I don't see that as a very good incentive. Materials are the smaller part of the cost. The real issue is labor. If you go to Formica in a few homes and granite in the rest it is not going to have any effect. It is not a significant savings. But I believe it does have an impact on the neighborhood. If you have the shell looking good but the inside has materials that are not up to the standards of the rest of the homes in the neighborhood.

Commissioner Turley: I think Commissioner Manning brought up a very interesting point about hoping that we won't be scaring any developers out of Vallejo. With that I am going to suggest that the group that is responsible for putting this together invite all the builders that might want to do business here in Vallejo in the next five or ten years to a meeting and give you some input.

Chairperson Legalos: I heard from small developers who won't consider developing here because the City has a reputation for being difficult to work with. This Ordinance could have a lot of potential for exacerbating that situation. I think anything we could do to sell developers on coming into the City, and this is not the only issue, there are issues with developers feeling that the permitting process is too long and too difficult as well as inconsistent. Those are other issues. I think we have a selling job to do to bring more developers into the City and I do feel that this has the potential to make it more difficult.

Claudia Quintana: You can call a special meeting if you have the concurrence of four other Commissioners. We can do that whenever you want by sending notices.

Commissioner Salvadori: If we have a regular meeting that has a fairly vacant agenda would that be OK as well as a special meeting?

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Commissioner McConnell: If we had a vacant agenda then I think it would be OK at a regular meeting. We have been on this item for a little over two hours. My concern is to give this justice, particularly to the public hearing portion so people can and no doubt will voice their opinions. It might take a combination of special meetings that would include a weekend or an afternoon. People have different hourly schedules. I do think we need a special meeting and my concern is that we would over extend the regular agenda.

Commissioner Salvadori: Then I would ask that we continue the decision until about two weeks before staff is ready to come back. At that point we could make a decision as to when we would like to schedule it.

Commissioner McConnell: That is fine.

Commissioner Turley: When we invite input from the people I am wondering if we could have a large print ad in the paper and also on Channel 28 so we get as much input as possible.

Brian Dolan: I think we can accomplish that.

Commissioner Salvadori: Can I request that we set a date certain to have staff come back and tell us that they are prepared and at that meeting set a date for the special meeting.

Commissioner McConnell: I agree with the suggestion of Commissioner Salvadori but earlier we did announce too many people who are no longer here that there would be a meeting on March 5th. I believe many of them might come back here so perhaps we could have a report by staff by March 5th and set a special hearing at that time.

Don Hazen: We could certainly do that and then we might know about upcoming agendas or whether a special meeting would need to be called.

Commissioner Salvadori: I move that we continue the item to March 5th and a determination be made at that point when the next meeting that takes into consideration staff's needs would be set.

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

NOS: None.

ABSENT: Engelman, Peterman.

Motion carries.

L. OTHER ITEMS

None.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:30 P.M.

Respectfully submitted,

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Deborah Marshall

(for) DON HAZEN, Secretary

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

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

C. ROLL CALL:

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

Absent: None.

D. APPROVAL OF THE MINUTES.

The minutes of the meeting of November 20, 2006 were unanimously approved on a motion by Commissioner Peterman with Commissioners McConnell and Salvadori abstaining. The minutes of the meeting of February 5, 2007 were unanimously approved on a motion by Commissioner Peterman with Commissioners Engelman, Legalos and Turley abstaining.

E. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

The Consent Calendar and Agenda were unanimously approved on a motion by Commissioner Peterman.

F. REPORT OF THE SECRETARY

1. Upcoming Meeting of Monday, March 19, 2007
 - a. Inclusionary Housing Ordinance, *Continued from March 5, 2007*
 - b. Planned Development 06-0018 for a new custom home in Hiddenbrooke located at 1757 Durrow Ct. *Continued from the meeting of March 5, 2007.*
 - c. Use Permit #546A – Appeal of staff determination concerning Rose Imports located at 1605 Solano Avenue.

G. CITY ATTORNEY REPORT

None.

H. COMMUNITY FORUM

None.

I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS

None.

J. LIAISON REPORTS

1. Council Liaison to Planning Commission
None.
2. Planning Commission Liaison to City Council
None.

K. PUBLIC HEARINGS

1. Inclusionary Housing Ordinance – *Continued from the meeting of February 21, 2007.*

Staff recommends a continuance to the meeting of March 19, 2007.

Don Hazen: There were some policy meetings at staff level following the Planning Commission hearing. I think the way that it was finally resolved was that the basic policy direction has already been given by the City Council by the act of adopting that Resolution of Intention to pursue the Inclusionary Housing Ordinance. I do know that staff plans on presenting responses to all of the points that were raised in the public hearing and all the points that were raised by the Commissioners as well as policy alternatives that will be discussed on the 19th. My recommendation would be to give the staff a chance to attempt to satisfy your concerns I think they had noted that there had been a number of meetings held in the community with the builder interest and I think they felt it was a pretty aggressive outreach program getting up to this point. That is basically where the Housing Manager is coming from at this point acting under the general directions from the City Council.

Commissioner Salvadori: Based on what you said I am going to expect to see two or three different approaches other than developer only impact. Something more like what Vallejo Neighborhood Housing is providing and having that incorporated into the Ordinance not just simply an approach to provide affordable housing through only new development by new developers. Is that a reasonable assumption that staff is prepared to present those kinds of alternatives?

Don Hazen: All I can say at this point is lets respond to what staff brings back on the 19th.

Commissioner Peterman: I agree with what Commissioner Salvadori first said. I think we do need to have more time and more input from our community. I do not think that can happen by the 19th. I would recommend that we give them more of an opportunity to get input. Although the Council gave us the direction for Inclusionary Housing there are many different kinds of inclusionary housing. It does not necessarily have to be that Ordinance.

Chairperson Legalos: I also share the concerns of Commissioners Salvadori and Peterman. I feel that this is moving too fast on a very far reaching and pivotal piece of work for the City.

Claudia Quintana: Considering there has been some discussion I would remind everyone present that if there is an opportunity to comment now we should officially make this a public hearing, ask for public comment, and perhaps adjourn to a date certain. Both for this and for the other item we are continuing.

Chairperson Legalos opened the public hearing on the issue of the continuance.

Chairperson Legalos closed the public hearing seeing no responses.

Commissioner Salvadori: The last thing I want to do is to waste staff's time. I do feel that if staff shows up here on the 19th and basically has for us the same Ordinance that it had and the same approach to the Ordinance that it had last time, and there are at least a few other Commissioners here who feel the same way, that is not the way we want it to go. Staff did take some direction from the City Council and brought it to the Commission. I think it is within the Commission's purview to be

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sure that what leaves here with some kind of recommendation is what the Commission would like to see. If that is not what the expectation is then I am not sure why we would bring it to the Commission at all. I am afraid that they will show up on the 19th and we will send them away again to get more information and to look at this Ordinance from a completely different perspective than where it is now. I won't change the date but I do have a sense it will be a very frustrating evening for staff.

Don Hazen: In those meetings that I sat in on with Housing Staff after the last Planning Commission Meeting I think what was discussed at the staff level was that there was a strong belief among the Housing Staff that they are acting at the direction of the City Council. We talked about the concerns that were expressed by the Commission at the last meeting and how to resolve that. There were some earlier comments like let's continue it to summer time. I think Mr. Dolan had laid out at the last meeting that they believe they are operating in the parameters that were given to them by the City Council. The alternative approach that was discussed at the meeting last week was the minutes and a resolution that could eventually come out of your decision on the 19th might not be in favor of the Ordinance that staff is bringing forth. There is two ways to handle this. One is for staff not to come back until they bring back an ordinance which they believe meets with your acceptance. This would presumably involve a lot of outreach and deviating from what they believe is the direction of the City Council. The other approach would be to bring back what they believe is the type of ordinance that the Council asked them to pursue and document through resolution what your objections might be on that. That is forwarded to the City Council so they have everything. They have got the staff recommendations, they have got the Commission's recommendations, and then they have their own thoughts. Then they can grapple with that at the Council level. Those were the two options that were discussed in response to the last meeting. Ultimately it is your choice on how you want to proceed.

Chairperson Legalos: Mr. Hazen can you say more about what kind of outreach has been done?

Don Hazen: There has been several meetings with that were publicized throughout the community, targeted to the builders and the development interests, the Chamber of Commerce, the various builders, engineering firms, ones associated with development in the community. I believe there was a web page advertisement. Marcus is there anything you want to add?

Marcus Adams: There were interest groups beyond just the developers. Some were individuals and some were those we knew would be interested. We had a couple of focus group meetings.

Chairperson Legalos: How many people attended those meetings?

Marcus Adams: About 20 at each meeting; no more than 30.

Chairperson Legalos: Do you feel it was a good cross section of opinion from those groups?

Marcus Adams: The meetings I attended we heard both decent and support. Laura and I got a lot of good ideas. Not nearly as much as we have received from the Commission. All the Commissioner's comments were taken into consideration in the Ordinance Laura plans on bringing forth on the 19th.

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Chairperson Legalos: It is interesting, as Commissioner Salvadori pointed out, we heard a great deal more decent than support. I just wonder if the outreach has been representative or adequate. This is one of the fears is that it comes back to us in essentially the same form and that we have 15 or 20 speakers here opposing it again.

Commissioner Peterman: I agree with you. I think it is far too important an issue to rush and I really think we need to take more time and to do a better job of talking to the public and finding out what they want. You are right there seemed to be a lot of people who were not happy with it and they had not been heard in the initial stages.

Commissioner Salvadori: Chair Legalos, would it be reasonable for you to author a letter to the City Council to ask them if they think we are inconsistent with their desires in our plan to get a wider breadth of potential methods for this Inclusionary Ordinance. If staff thinks they have been told to do precisely this and when it gets to City Council that is what they are going to do I don't want to beat our heads against the wall. I do not want to put staff through a lot of work that is going to be overturned later. I just would not think Council would have, in their minds, already drafted what they thought the Ordinance is going to look like. I do not know exactly how to do that, even if you are willing to do it, it would require a quick turn around.

Chairperson Legalos: I would be willing to do that but I am not sure what the utility in doing that would be. I think that also calls into question why the Commission is taking time on this at all if it is a foregone conclusion. Is this a rubber stamp or are we expected to do our jobs.

Don Hazen: I know the focus groups staff has had prior to it being introduced to you. Most of the issues that were raised at the last public hearing were issues that were raised during the focus group meetings. Staff believes that through the assistance of their consultant that whatever day you continue this to, staff believes that they have addressed those and have explained alternatives where applicable. I know for a fact that things like the threshold, staff is recommending that that be increased. That is just an example of what I think staff at this point thinks that they have been responsive to what they have heard in the community and they are able to offer responses. The equity was also raised at the last meeting. If the Commission feels that they would like to have staff initiate another meeting with the community, or two possibly, we certainly can do that. I am not sure that they feel that they need to go back and change the fundamental components of that Ordinance. There will be those in the community that feel that it should be. I think in the end when you have competing viewpoints they are going back to what they feel was their basic direction from the Council. My advise would be, since we don't have staff here this evening, I think because we have had some momentum and people turned out at the last meeting I would suggest that you do bring it to the 19th while the momentum is going and put staff in the position where they have to respond to all the issues that were raised. At that point judge for yourselves whether you believe it is an adequate response. Then we can move forward from there but I would be a little hesitant to recommend that you continue or postpone it too long because the public will start to loose track of where were we on this. I do not want to give the perception that we are trying to cram something through because that is not it. I know that this work has been in effect for a long time.

Commissioner Manning: I also have concerns with the time. I agree with Commissioner Salvadori that waiting past the 19th does not make any sense because nothing is going to happen between now and then. So what I move is that we go ahead and have staff present on the 19th and see the changes made based on input from the community and Commission. It would be solely a presentation

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night. The community could come and offer input and it would give staff one more opportunity to take everyone's input and bring it back to the next meeting for a vote.

Commissioner Peterman: As I was lying there recovering from surgery last time I seem to recall that Commissioner McConnell suggested that there be a special meeting.

Commissioner McConnell: I did suggest that because of the longevity of the calendar and the complexity of the issues. I know that staff has provided responses to the many questions that I submitted. I suggest that we all submit the questions that we might have prior to the meeting so staff can respond in writing as they have done with mine. I can go with the hearing on March 19 or any other specially set date. Let's just get something done.

Commissioner Manning: OK, I would like to propose that we continue this item to March 19, 2007. That there be a presentation only on this item and not to be voted on and that we schedule the voting on that Ordinance at a later date.

Commissioner McConnell: May I make a friendly amendment that we also conduct a public hearing and receive comments from the public.

Commissioner Manning: I will accept that friendly amendment.

Claudia Quintana: I am just wondering whether this hearing is continued to a date certain.

Commissioner Manning: Yes. March 19th is my motion.

Don Hazen: The we have the public hearing that also needs a date set or we will need to renotece.

Commissioner Manning: I am fine with setting the public hearing the first meeting in April 2, then.

Don Hazen: You are asking for two things. You are asking to only receive feedback from staff of March 19th not open the public hearing.

Commissioner Manning: No, my intent was to have a presentation only and open the public hearing for input from the community.

Don Hazen: So you are continuing the item to March 19th and that includes the hearing as well.

Commissioner Manning: Yes.

Chairperson Legalos: But you are saying that the Commission will take no action only hear from staff and get public input.

Commissioner Manning: Correct, we will take no action.

Don Hazen: My suggestion is that we just get it to the March 19th meeting and you can make another motion that evening if you wish to continue the public hearing to another date.

Commissioner Manning: I will restate my motion that we continue this item to the meeting of March 19th and that will include a public hearing.

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

Motion carries.

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

Staff recommends a continuance to the meeting of March 19, 2007 at the request of the applicant.

Commissioner Peterman: I move that we continue this item to the meeting of March 19, 2007.

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

Motion carries.

- 3. Use Permit 06-0018**, is a request to modify the Planning Commission additional Conditions placed on an Ice cream Commissary located at 1853 Boradway Street. Proposed CEQA Action: Exempt. *Continued from the meeting of February 5, 2007.*

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

Marcus Adams: Back on December 4 the Commission approved the Ice Cream Commissary at 1853 Broadway. This is next to Raileys and the Park Place Shopping Center. *Marcus did a PowerPoint presentation to refresh and reacquaint everyone with the particulars of the project including location, site map marked with the portion that the applicant is going to sub-let, site map with fences in question tonight, some photographs of the site, slide with the boundary next to the Tall Trees Mobile Home Park.* The property owner is here tonight and he will speak to this issue more in depth but the issue is that the property owner felt that the conditions added by the Planning Commission to Staff's conditions, after calculating the cost would be far beyond the income that is going to be brought in by the sub-letter. He may bring out about some of the finances and definitely will bring out his points of view about why those conditions were so onerous.

Commissioner Turley: Are the fences that are proposed the responsibility of the owner or the applicant?

Marcus Adams: In our opinion it would be the responsibility of the property owner. If they worked out something with the applicant that is something that staff does not get involved with. Ultimately the fences would be the responsibility of the property owner.

Don Hazen: I would just like to clarify that. When the Commission puts a condition on a project you often times do not make a distinction whether it is the owner or the applicant. All applications that we receive have the written consent of the property

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owner so in effect you always have the consent of the owner when you impose a condition. We generally don't concern ourselves sometimes of the private relationship they have as far as whose responsibility it is. All that the Commission really cares about is that you implement these conditions and they work it out amongst themselves.

Commissioner Turley: I am concerned here because it seems like they want to park about seven ice cream trucks there for which they are going to pay \$400.00 a month rent to park these trucks there. It just seems like a lot of expensive improvements to park seven trucks at the rental price of \$400.00 per month. It seems like everyone is concerned about the fences there but no one seems to be very concerned about what is on this property. I personally would be concerned with what is on the property. There is a series of shacks connected one to the other, some junk cars, some containers which I don't know why they are there or what is in them, a couple of small camping trailers, an old bus, two large commercial trailers which are all rusty, one is so old it has hard rubber tires. They are also talking about doing tandem parking. Very seldom is that really satisfactory. I don't know why they are considering tandem parking instead of side by side parking. On page 7 first paragraph, they talk about one hour after sunset. I think it would be a little more specific if they would just simply say 8:00 P.M. year around. These trucks are going to be parked in a 40 x 50 foot section in the right rear end corner of the property.

Commissioner Salvadori: Marcus could you put up the plot plan again and with the cursor draw the approximate location of the piece of property we are talking about?

Marcus Adams: Sure. *Marcus did so.* Just to address some of Commissioner Turley's comments. You previously approved operations until sunset. If you want to revisit that and change it to 8:00 P.M. I do not think staff or the applicant would have a problem with that. As far as the trailers and stuff on the property, that is being actively pursued by Code Enforcement. It sounds like I need to do another site visit. However, there was a permit a long time ago for some outdoor uses. That is why you saw some of those trailers there. If they have reached the point of blight we can look at that and address it.

Commissioner Turley: It just seems that with those wrought iron fences and chain link fences there sure was not a lot of capitol investment there for \$400.00 a month rent.

Chairperson Legalos: It seems to me that there really is not any question that the fence is needed between the built up area, the buildings and so on, and the front parking lot and something would be needed between the trailer park and the parking lot. Given that is an empty lot there is no activity other than driving through to the back I question whether other fences are needed at all. Could the ones along the street and paralleling the shopping center just be done away with?

Marcus Adams: The property owner will speak to some of these issues I am sure but due to security issues and transients are why the one in the front is there.

Chairperson Legalos: I looked at the wooden fence and it appears to me that it is not in very good condition. It has been repaired with 4 x 8 sheets of plywood nailed or screwed to it. I just think some of these fences are not needed. If our objective is to improve the appearance of the property and the fences cannot be repaired or replaced and are not needed an option would be to remove them. Why do we have 6 foot fences on the sidewalk. I thought that within 15 feet of the property line fences were limited to 3 feet or four feet with the Traffic Engineer's approval.

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Marcus Adams: That is for residential this is commercial. If you will recall there is going to be some landscaping to soften the fence in front. We took their word as to why they need the fence.

Chairperson Legalos opened the Public Hearing.

Ron Brazil: I am the owner of the property. I lease the truck owners a space and am here to speak on their behalf tonight. They pay me \$400.00 a month and store their trucks there. They go about their business during the day. I met with Marcus Adams a month or so ago and we discussed some of his ideas about improving the appearance of the property. I bought the property last year and we are in the process of cleaning it up and thinking what we are going to do with it. Essentially I am willing to comply with the staff's recommendations for the landscaping and the interior fence. The chain link fence along the eastern border and southern border and the wooden fence, the cost of these items is so great that I cannot pay for it and the applicants can't pay for it. They make essentially \$50 to \$75 dollars a day and they have to support their families. None of us can come up with the kind of funds it would take to make these fence changes. I have an estimate from Tri-City Fence just for the wrought iron fence on the eastern and southern borders. It is \$26,800 just for that fence. I charge these guys \$400.00 a month and I don't make any money on it. I would ask that these additional regulations be relaxed and that we conform with staff's original recommendation which we would comply with. There was some landscaping and improving the look of the property. As far as removing the fence goes it is an industrial area. We are next to the Railey's Shopping Center. There is a recycle facility in the back that draws a sometimes undesirable crowd. The fence is essential, unsightly as it may seem. I do need to keep that fence in the front.

Commissioner Peterman: You said that you recently purchased the property and are evaluating what you are going to do with it. Do you have any long-term plans that may include some of the things that we talked about that would be more acceptable to beautifying the community?

Ron Brazil: The iron fence would have to be economically justifiable to do something like that. If that were the case we would get an architect and do something different. Vallejo is turning into a city of fences. Everywhere you look you see the wrought iron fences turning up. It seems like it isolates the society from each other. We would certainly be amenable to change in the future depending upon what I do with the property. I have no long term plans at this time. I have some storage that I use myself. I lease some of the property out to others right now. I do not know what the real estate market will do in the next year or so. It has slowed down a bit. That has not altered my plans but maybe just slowed them down a bit.

Chairperson Legalos: Have you have an estimate on the fence on the western boundary where the big container is? The interior fence.

Robert Brazil: No I have not but I could pay for that. It is a good idea to shield those containers. I would like to do that anyway. That is acceptable.

Chairperson Legalos closed the Public Hearing.

Commissioner Turley: The first time I went out there when this appeared on the Planning Commission agenda about a month ago I was not able to gain access to the premises. This other time last week the front gate was open and I drove in and all the way to the back. I was talking to the gentleman who owns the ice cream

Vallejo Planning Commission Minutes
March 5, 2007

trucks. He was saying that he was finding it very difficult to find a place to park these trucks. I don't know if it is because they are ice cream trucks or we just have a shortage of truck parking space in Vallejo. This just does not seem right to me. \$26,000 for part of the fencing and right now the existing fence fits the ambiance of the rest of the lot to a T.

Chairperson Legalos: Did we have a specific condition for the fence?

Marcus Adams: If I recall correctly the condition for the inside fence was to extend it because right now it goes about ½ way. We wanted it continued all the way across because it would be a shield.

Chairperson Legalos: Mr. Brazil said he would have no problem doing that?

Marcus Adams: Correct.

Chairperson Legalos: Can we modify that to require solid fencing? My intention is to block the view.

Commissioner Salvadori: In the Planning conditions in the original staff report, 2B says, 8' decorative wood fence. Correct?

Marcus Adams: Correct.

Chairperson Legalos: The other conditions that would be maintained would include the landscaping?

Marcus Adams: Correct.

Chairperson Legalos: So the only thing that we are talking about changing is the chain link fence on the east and the south side of the outer lot.

Marcus Adams: The eastern fence in the front and the one between the supermarket and the property. Also the replacement of the northern fence between the property and Tall Trees.

Chairperson Legalos: Mr. Brazil is requesting that we not require that.

Marcus Adams: Right.

Commissioner Turley: Can you or someone here explain to me why we need Planning Commission intervention to park seven ice cream trucks on a property?

Don Hazen: We are just following the Code sir. One of the things we are looking at in terms of streamlining our operation is to look at the type of permits and possibly go back to the City Council with Code amendments that would help streamline some of our land use permits. Hopefully with the approval of the Commission and Council we can do more administrative permits. Right now we are following the Zoning Ordinance.

Commissioner Peterman: I move we approve Use Permit 06-0018 per the original staff report with the addition of a solid fence between the building portion and the front portion and with landscaping as suggested. Basically in the original staff report we keep conditions 2a, 2b, and 2c as modified by the Planning Commission at the last meeting and we eliminate conditions 2d and 2e and 2f.

Vallejo Planning Commission Minutes
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Commissioner Salvadori: Commissioner Peterman, I want to be clear on what you are offering. It sounds to me like you are asking that we approve the original staff report with the short fence from the edge of the building to the edge of the property and the landscaping as required in the staff report.

Commissioner Peterman: That is correct except making sure it is a solid fence.

Chairperson Leglaos: Could

4. **Use Permit 06-0021** for beer and wind service at an existing Mexican restaurant located at 1598 Fairgrounds. Proposed CEQA Action: Exempt.

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

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

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

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

L. OTHER ITEMS

None.

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:18 P.M.

Respectfully submitted,



(for) DON HAZEN, Secretary

would be construction of a small structure in an urbanized area not exceeding 10,000 square feet in floor area on a site zoned for such use.

9. CONFORMANCE WITH APPLICABLE ZONING REGULATIONS:

ZONING. The property is zoned Public Facilities (PF). Cemetery uses are allowed in PF zoning districts subject to a use permit. The existing cemetery use was established prior to the City's adoption of the Zoning Ordinance (1947) and so is considered a legal non-conforming use. Because the proposed addition will be an "intensification of operation" per Section 16.78.040(B) V.M.C., it is subject to conditional use permit approval.

The following zoning ordinance development standards are applicable:

ACCESS. Cemeteries, crematories, mausoleums, and columbaria shall have direct access to a major street- 16.82.060(C) V.M.C.

The subject parcel has direct access to Rollingwood Drive (see Attachment A, Sheet A1-03)

PARKING. Cemeteries are classified under the civic use type of "major impact services and utilities." Parking requirements for this use type are determined by the development services director per Section 16.62.100(Q) V.M.C.

The applicant has proposed removing existing curb and sidewalk fronting the subject site in order to add four new parking spaces (1 compact, 1 accessible, 2 full size). The Development Services Director has determined that the resultant amount of parking spaces for the site will be sufficient.

10. NOTICING AND PUBLIC COMMENTS: Notice of the proposed project was sent to: property owners within 500 feet of the subject property, the Home Acres Home Improvement Association, and the applicant on March 22, 2007. Staff did not receive any public comment related to the project.

11. DEPARTMENT AND AGENCY REVIEW: Notice of the application was sent to the Building Division, the City & Traffic Engineer, Fire Prevention, and the Water Superintendent. Comments from these departments are incorporated in the conditions of approval.

12. STAFF ANALYSIS: The existing Skyview Memorial Cemetery predates Vallejo's zoning ordinance and has been in existence for at least 60 years. As noted in Section 9 of this report, existing uses established before adoption of the zoning ordinance cannot be expanded and/or intensified without conditional use permit approval. In 2004, Skyview received use permit approval to add a crematorium to their existing mausoleum. In 2006, a use permit was approved allowing expansion of the chape/reception area by 70%. The purpose of the proposed project will be to add 384

crypts to a new mausoleum building. Within the mausoleum will also be spaces dedicated to future columbaria.

The largest impact cemeteries have on neighborhoods is usually related to funeral traffic. The parking lot for Skyview is very large and to the present staff's knowledge, there is not a history of neighborhood complaints related to parking, traffic circulation or any other aspect of the cemeteries' use at the site. Staff did not receive any complaints or comments of concern related to parking and traffic circulation during the public noticing comment period.

The architectural design for the proposed mausoleum will be compatible with the adjacent existing mausoleum (see Attachment B) with polished granite exterior facing for the crypts and columbaria while the remaining exterior walls will be poured concrete with acrylic finish. Staff recommends as a condition of approval that the proposed windows and mullions on the east and west elevations match the existing tinted windows and mullions of the adjacent mausoleum. Based on these facts, staff recommends approval of the proposed expansion.

13. STAFF RECOMMENDATION:

Staff recommends the Planning Commission **ADOPT** a Resolution approving Use Permit #07-0004 subject to findings and conditions found in the attached Resolution.

EXPIRATION

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

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.

Prepared by: Marcus Adams
Marcus Adams, Associate Planner

Reviewed by: Don Hazen
Don Hazen, Planning Manager

- Attachment A: Resolution
- Attachment B: Site plan and elevations
- Attachment C: Pictures of site
- Attachment D: Conflict of Interest Map

J:\PL\Marcus\2006permits\UP\skyviewmemorial(addm)UP06-0022\staffreport

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A CONDITIONAL USE PERMIT APPLICATION
USE PERMIT #07-0004**

SKYVIEW MEMORIAL LAWN

The proposed mausoleum project is located within the Skyview Memorial Lawn Cemetery which is located at the northeast intersection of Rollingwood Drive and Benicia Road, approximately one half mile north of Interstate 780.

APN# 0072-160-830

I. GENERAL FINDINGS

WHEREAS an application was filed by Thomas D. Woodworth of CMC Incorporated seeking approval for a conditional use permit to allow a 2,816 square foot mausoleum; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on April 16, 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, "New Construction or Conversion 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 Major Use Permit application for a 2,816 square foot mausoleum which would include crypts and columbaria in the Public Facilities District pursuant to the City of Vallejo Municipal Code Chapters 16.30 and 16.82 Conditional Use Permit Procedure.

Section 3. Planning Commission finds, based on the facts contained in sections 1-12 of the staff report attached herein and incorporated herein by this reference, and given and the evidence presented at the public hearing, and subject to the conditions attached to this resolution that:

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

IV. RESOLUTION APPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR A 2,816 SQUARE FOOT MAUSOLEUM LOCATED WITHIN SKYVIEW MEMORIAL LAWN CEMETARY

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Conditional Use Permit application (UP# 07-0004) for the mausoleum, 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 16th day of April, 2007, by the following vote to-wit:

AYES:
NOES:
ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
MAJOR USE PERMIT #07-0004
(APN# 0072-160-830)

CONDITIONS OF APPROVAL:

Planning Division

1. Prior to building permit issuance, the Planning Division shall confirm that the building permit drawings and subsequent construction substantially conform to the approved Planning application drawings.
2. Prior to building permit submittal, the applicant shall provide revised plans illustrating proposed windows and mullions for the east and west elevations which match the adjacent existing mausoleum.
3. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping is 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.
4. 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.

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval will be satisfied. (W1)
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers. Prior to building permit submittal, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:
 - a. Location and size of fire sprinkler service connection(s), if required by Fire Marshal.
 - b. Location and size of domestic service connection(s), if separate from adjacent church.
 - c. Location and size of irrigation service connection(s), if any.
 - d. Location of fire hydrants
 - e. Location of structures with respect to existing public water system improvements such as mains, meters, etc.

- g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d). [W3]
- 3. Prior to building permit submittal, hydraulic calculations shall be submitted to the **Water Superintendent** demonstrating that the fire flow requirements are complied with. (W5)
- 4. Prior to final building inspection, install water system improvements as required. Backflow device shall be installed in compliance with the Vallejo Municipal Code and in areas hidden from public view and/or shall be mitigated by landscaping. (W10)
- 5. Fire flow requirements of the Fire department shall be complied with. Fire flow at no less than 25 psig residual pressure shall be available within 1,000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 - b. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy Jenks and its latest update by Brown and Caldwell dated April 1996. (W4)
- 6. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied. (W6)
- 7. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc. (W7)
- 8. Each unit or building structure shall be metered separately. (W8)
- 9. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code, including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system

improvements. The Water Division may be contacted for a description of applicable fees. (W9)

Fire Prevention

1. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied. (F1)
2. Additional fire hydrants may be required. Submit a complete set of plans for review and approval. All fire hydrants are to have "blue dot" highway reflectors installed on the adjacent street of the driveway to clearly identify the fire hydrant locations. (1998 CFC Section 903, Appendix III-B).
3. Fire alarm system is required for this project.
4. Prior to building permit submittal, building construction plans and plans for required fire protection systems (automatic sprinklers, smoke alarms, etc.) shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid. (F4)
5. Automatic fire sprinkler extinguishing systems are required for all residential, commercial, and industrial occupancies. (1998 CFC Section 1003.1.2 added VMC Section 12.28.190) [F3]
6. 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]
7. 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]
8. Prior to final building inspection, install "No Parking Fire Lane" signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manual, sign# R26F) [F10]
9. 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)
10. If security gates are desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.

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

Vallejo Sanitation and Flood Control District (VSFCD)

1. Prior to building permit submittal, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. Storm drain fees will apply.

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.

MAUSOLEUM PROPOSAL FOR SKYVIEW MEMORIAL LAWN
VALLEJO, CALIFORNIA



CARRIER MAUSOLEUMS CONSTRUCTION USA, INC.
1770 BAY AVENUE, SUITE 200
VALLEJO, CA 94592
PHONE: 925-771-0000
FAX: 925-771-0000

M6214

REVISION	DATE

AI

OWNER
SKYVIEW MEMORIAL LAWN CEMETERY
700 ROLLINGWOOD DRIVE
VALLEJO, CALIFORNIA 94591
REPRESENTATIVE: BUCK KAMPFHAUSEN
PHONE: 707-644-1414
FAX: 707-644-1451

STRUCTURAL / CIVIL ENGINEER
DR. CH. KRIPANARAYANAN, SE
3325 CANTINO DEL RIO SOUTH, #300
SAN DIEGO, CALIFORNIA 92108
PHONE: 619-516-3311
FAX: 619-516-3398

GEOTECHNICAL ENGINEER
KLEINFELDER, INC.
180 CHADBOURNE ROAD
FAIRFIELD, CALIFORNIA 94534
REPRESENTATIVE: CHRIS NARDI
PHONE: 707-428-4070
FAX: 707-428-4167

GENERAL CONTRACTOR
CARRIER MAUSOLEUM CONSTRUCTION USA, INC.
1770 BAY AVENUE, SUITE 200
VALLEJO, CALIFORNIA 94592
REPRESENTATIVE: THOMAS D. WOODWORTH
PHONE: 925-771-0000
FAX: 925-771-0000

- INDEX OF DRAWINGS**
- A1 COVER SHEET / VICINITY MAP / SITE PLAN
 - A2 PLAN FOR CONSTRUCTION DETAILS
 - A3 FLOOR PLAN / GENERAL NOTES / STRUCTURAL NOTES
 - A4 ROOF PLAN / GENERAL NOTES / STRUCTURAL NOTES
 - A5 BUILDING ELEVATIONS
 - A6 WALL SECTIONS
 - A7 WALL DETAILS
 - A8 ARCHITECTURAL / STRUCTURAL SPECIFICATIONS

SITE STATISTICS:
ASSESSOR'S PARCEL NUMBER: APRN 7-180-030
ZONING: PF
ACREAGE: 0.84 ACRES

DESCRIPTION	AMOUNT
PARCEL LOTS	11
ACRES	0.84
NEW PROJECT	0.84 ACRES
EXISTING	0.0716 LOT COVERAGE

BUILDING STATISTICS:
OVERALL FOOTPRINT (GROSS FOOTAGE) 2,916 SF
CORRIDORS (UNHABITABLE SPACE) 1,514 SF
CORRIDORS (HABITABLE SPACE) 1,242 SF

PROJECT STATISTICS:

EXISTING APPROXIMATE GRAVES	79,620
EXISTING CRYPTS TOTAL	1,210
PROPOSED NEW CRYPTS (182 SINGLE, 182 TANDER)	384
PERCENTAGE CRYPT INCREASE	32%
PERCENTAGE TOTAL INTERMENT INCREASE	1%

CODE SUMMARY:
2001 CALIFORNIA BUILDING CODE
2001 NATIONAL ELECTRICAL CODE
2001 UNIFORM FLUORING CODE

OCCUPANT LOAD CALCULATION (TABLE 1009.1.2)

USE: MAUSOLEUM STORAGE
OCCUPANT LOAD FACTOR: 300 SF / PERSON
OCCUPANT LOAD: 1,242 SF / 3600 = 5

OCCUPANCY CLASSIFICATION: 5-2 LOW HAZARD STORAGE (TABLE 3-1A)

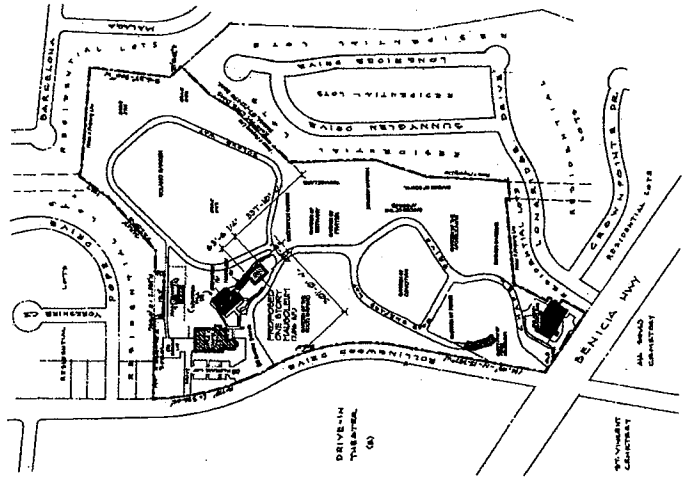
DESCRIPTION OF USE: MAUSOLEUM

TYPE OF CONSTRUCTION: TYPE I, CONST. (NOT SPRINKLED)

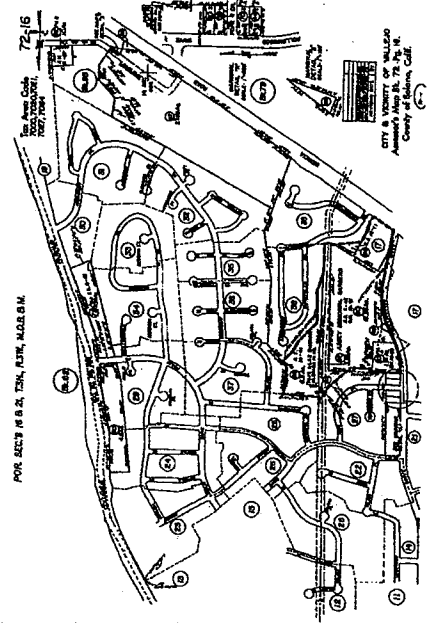
ALLOWABLE AREA: UNLIMITED (TABLE 5-5)

BUILDING HEIGHT (AFF.): UNLIMITED (18'-10" * PROPOSED)

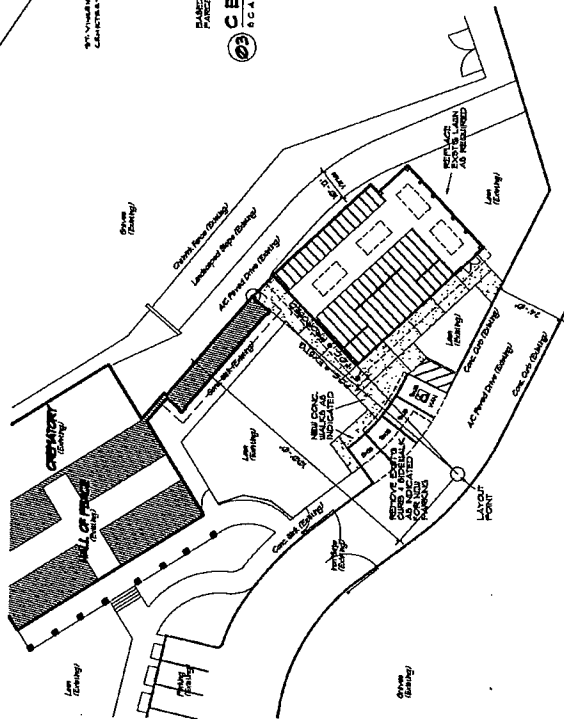
ASSESSOR'S PARCEL NUMBER: APRN 7-180-030



(A) VICINITY SITE MAP
NO SCALE

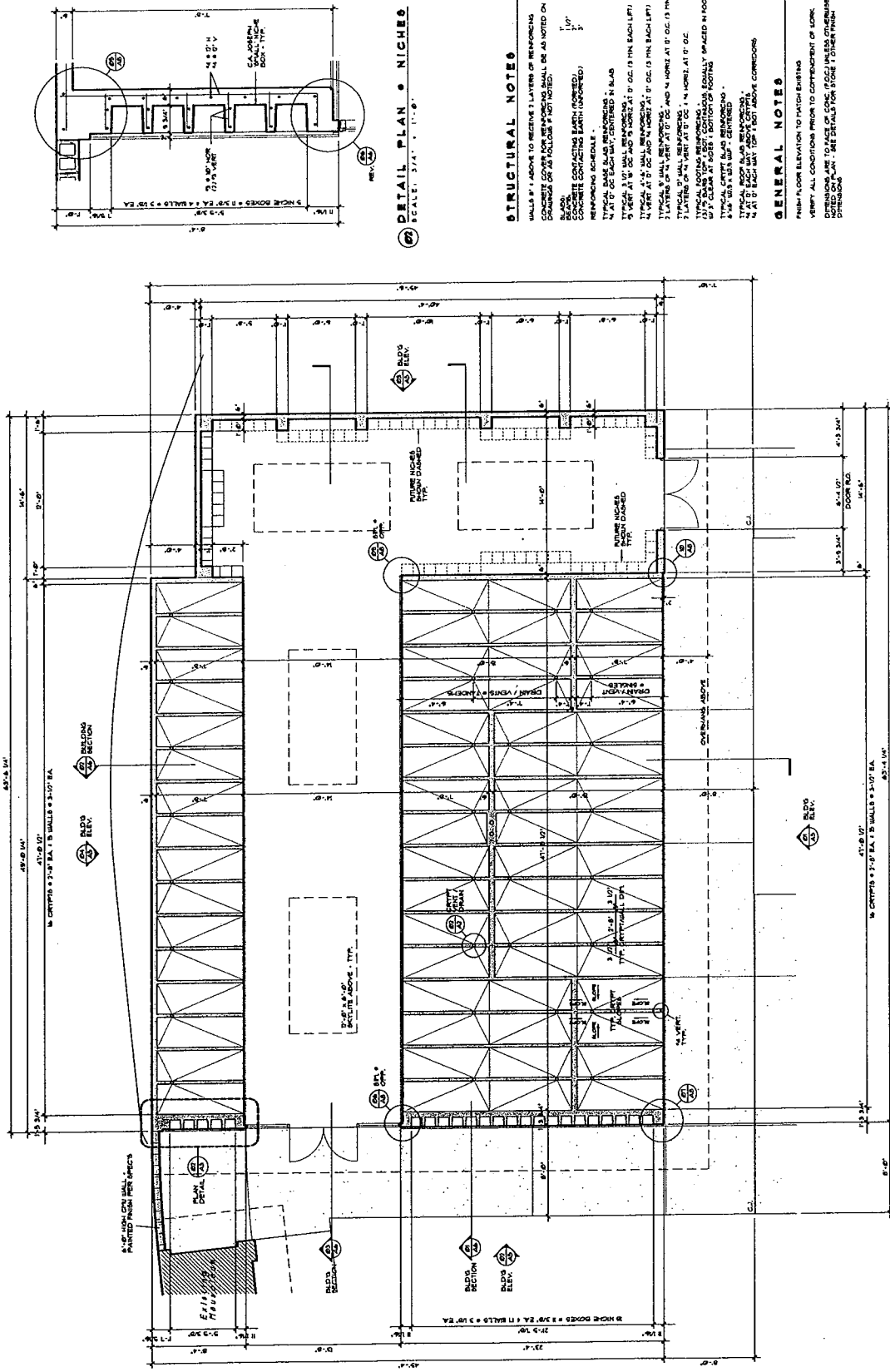


(B) SITE PLAN OF PROPOSED MAUSOLEUM
SCALE: 1" = 10'-0"



(C) CEMETERY SITE PLAN
SCALE: 1" = 100'-0"

MLB 18214-01-A1-00000000



62 DETAIL PLAN - NICHES
SCALE: 3/4" = 1'-0"

STRUCTURAL NOTES

WALLS 8" ABOVE TO RECEIVE 3 LAYERS OF REINFORCING
CONCRETE COVER FOR REINFORCING SHALL BE AS NOTED ON
DRAWINGS OR AS FOLLOWS IF NOT NOTED:
1. 1/2"
2. 1/2"
3. 1/2"

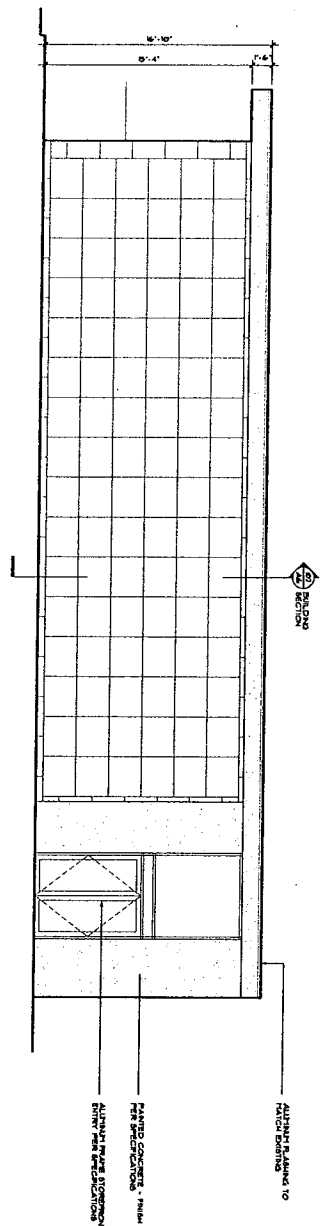
REINFORCING SCHEDULE:
1. AT 12" O.C. (3 #4'S PER FOOT) IN SLAB
2. AT 12" O.C. (3 #4'S PER FOOT) IN WALL
3. VERT. AT 12" O.C. AND HORIZ. AT 12" O.C. (3 #4'S EACH L.F.T.)
4. VERT. AT 12" O.C. AND HORIZ. AT 12" O.C. (3 #4'S EACH L.F.T.)
5. VERT. AT 12" O.C. AND HORIZ. AT 12" O.C. (3 #4'S EACH L.F.T.)
6. VERT. AT 12" O.C. AND HORIZ. AT 12" O.C. (3 #4'S EACH L.F.T.)
7. LAYERS OF 1/2" VERT. AT 12" O.C. (3 #4'S EACH L.F.T.)
8. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
9. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
10. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
11. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
12. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
13. 1/2" CLEAR AT JOIST BOTTOMS OF FOOTING
14. AT 12" O.C. (3 #4'S PER FOOT) ABOVE CORNERS

GENERAL NOTES

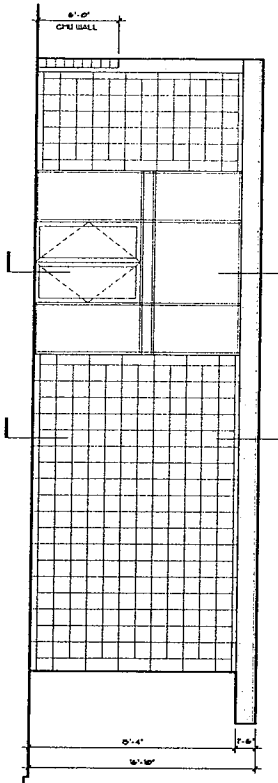
FINISH FLOOR ELEVATION TO MATCH EXISTING
VERIFY ALL CONDITIONS PRIOR TO COMMENCEMENT OF WORK
DIMENSIONS ARE TO FACE OF CONCRETE UNLESS OTHERWISE
NOTED ON PLAN - SEE DETAILS FOR STORES OTHER FINISH
CONDITIONS



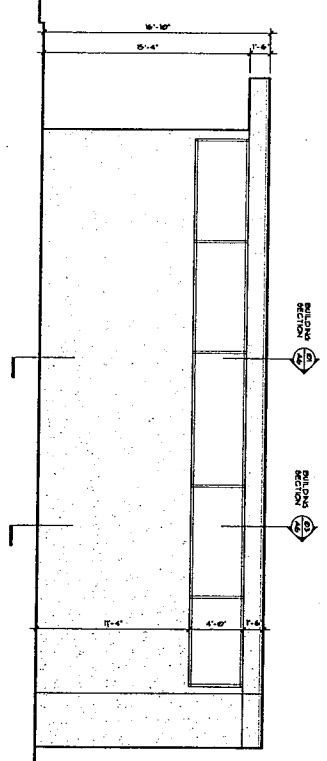
61 FLOOR PLAN
SCALE: 1/4" = 1'-0"



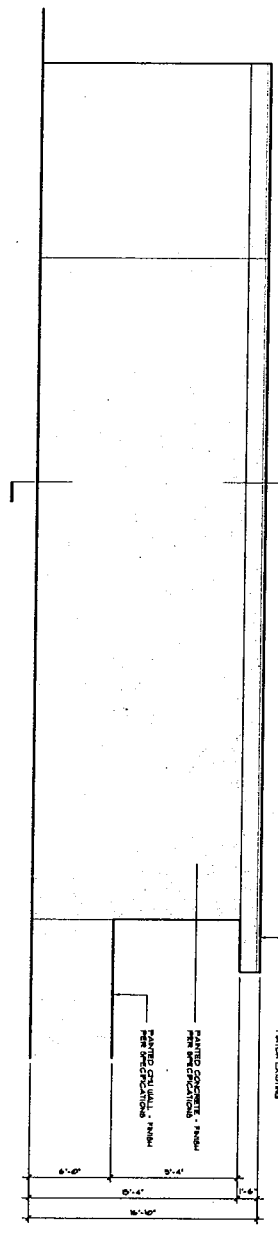
20 SOUTH BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



26 WEST BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



32 EAST BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



38 NORTH BUILDING ELEVATION
SCALE: 1/4" = 1'-0"

MAUSOLEUM
PROPOSAL FOR
**SKYVIEW
MEMORIAL
LAWN**
VALLEJO
CALIFORNIA



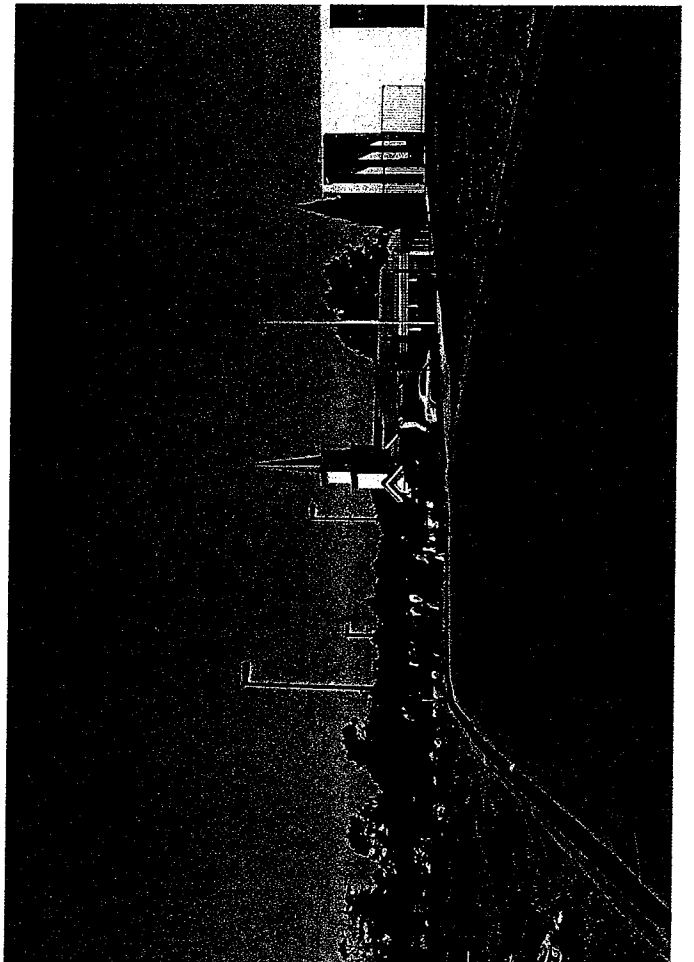
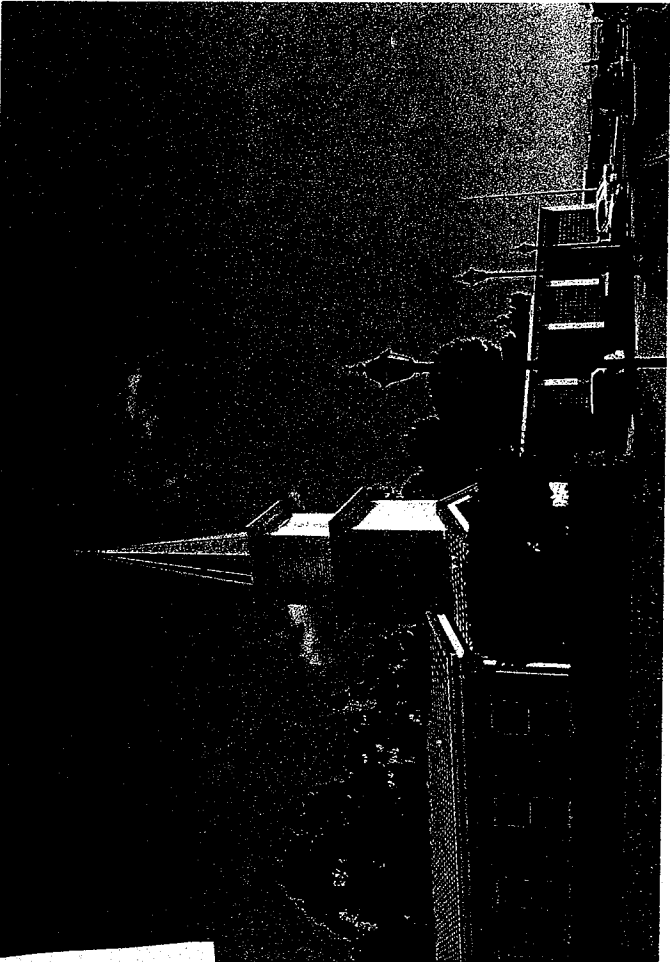
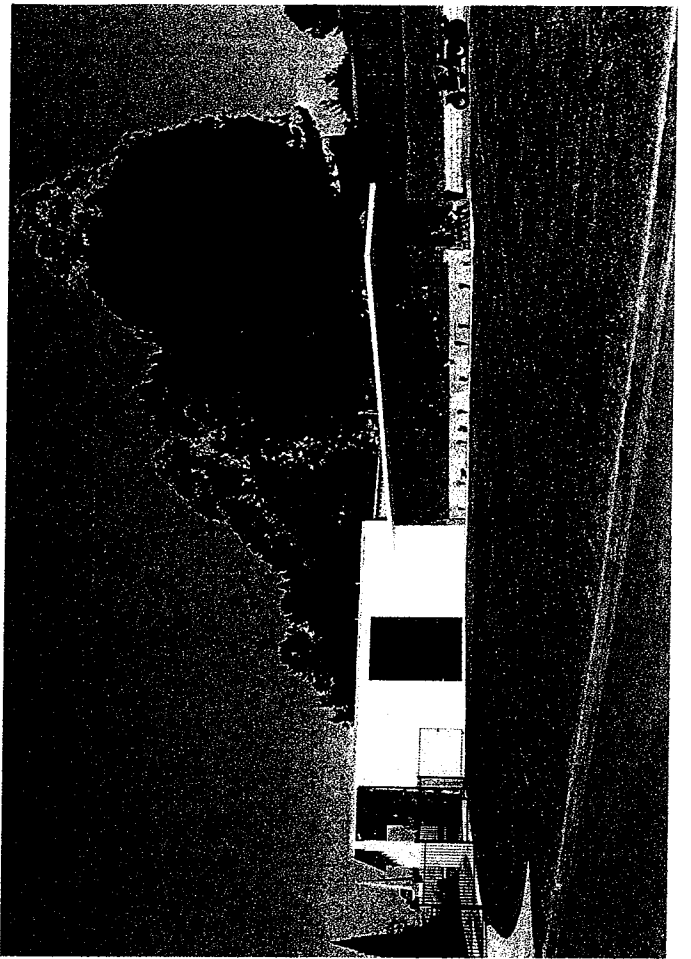
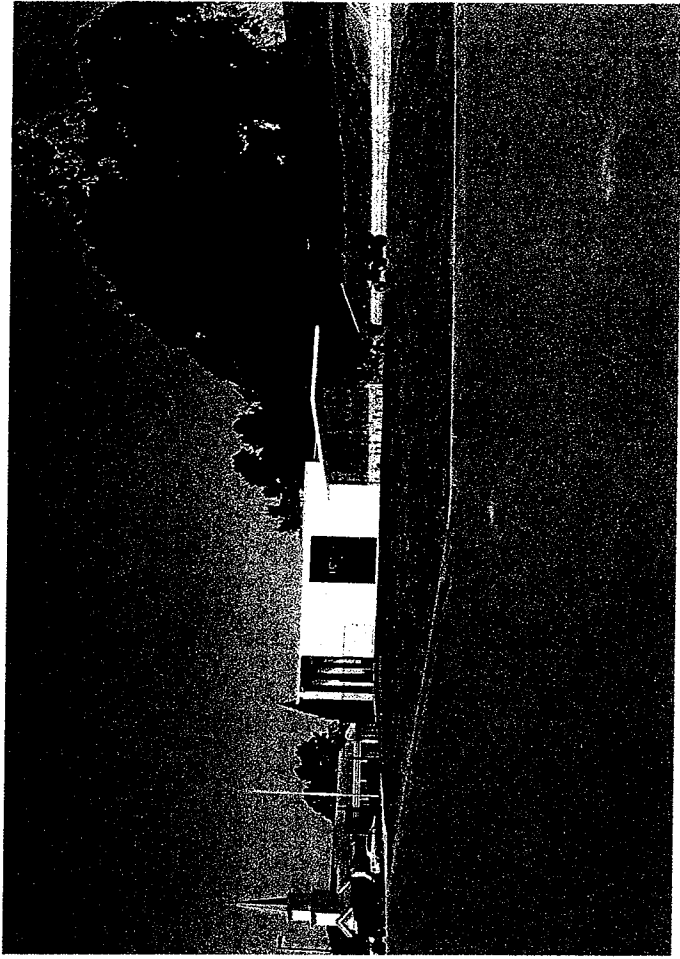
CARRIER
MAUSOLEUMS
CONSTRUCTION USA INC.
1750 PULFINGER LANE, SUITE 200
VALLEJO, CA 94588
U.S.A.
PHONE (509) 277-0054
FAX (509) 277-0082

M6214

SCALE: 1/4" = 1'-0"

REVISION	DATE
	February, 2007

AS

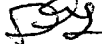


PLANNING DIVISION

CITY OF VALLEJO

April 16, 2007

TO: Planning Commission

FROM: Darren Goon, Assistant Planner 

SUBJECT: **Consent Item E-2**
Tentative map #05-0004 (Illinois and Fern Street);
Vacant Parcels – APN #s 0056-024-080 and 0056-024-090

This item was previously heard before the Planning Commission on November 20, 2006. At that time, The Planning Commission recommended that City Council approve the tentative map, approve a Zoning Map Amendment to change the zoning from Intensive Use Limited to Planned Development Residential, adopt the Planned Development Master Plan/Unit Plan to construct six two-story manufactured homes and adopt the Mitigated Negative Declaration associated with the project. As to the tentative map, however, the matter should not have been forwarded on to the City Council for its approval. Tentative maps should be approved or disapproved by the Planning Commission and not by City council per Section 15.08.040H of the Vallejo Municipal Code.

Background

Project Description. The proposed tentative map would creates six residential lots. The two existing parcels (0.47 acres) into six parcels with a proposed parcel size ranging from 2,936 square feet to 3,915 square feet. The dimensions of the six lots would include two lots that are proposed to be 54 feet by 72.50 feet, two lots that are proposed to be 40.50 feet by 72.50 feet, and the remaining two lots are proposed to be 45.50 feet by 72.50 feet. The tentative map has been reviewed and found to be consistent with Section 15.08 (Tentative Maps) of the Vallejo Municipal Code and the Subdivision Map Act Guidelines.

At the November 20, 2006 hearing, the Planning Commission voted 5-0 to forward a recommendation to the City Council to approve the Tentative Map, approve the Zoning Map Amendment to change the zoning from Intensive Use Limited to Planned Development Residential, adopt the Planned Development Master Plan/Unit Plan to construct six two-story manufactured homes and to adopt the Mitigated Negative Declaration associated with the project. On March 27, 2007 the Vallejo City Council approved a resolution and ordinance approving the Zoning Map Amendment to change the zoning from Intensive Use Limited to Planned Development Residential, adopted the

Planned Development Master Plan/Unit Plan to construct six two-story manufactured homes and adopted the Mitigated Negative Declaration associated with the project. The tentative map was referred back to the Planning Commission for its review and possible approval.

Environmental Review. On March 28, 2007, the City Council adopted the Mitigated Negative Declaration and Monitoring Plan for this project. The Planning Commission may rely on that Mitigated Negative Declaration for the project, since not substantial changes have occurred and no new information of substantial importance has been received. (CEQA Guidelines sec. 15162(a)) The Initial Study was prepared for the project and the analysis concluded that the project will not have a significant impact on the environment provided that certain mitigations are incorporated as conditions of approval (Attachment E of the November 20, 2006 Planning Commission Report). Staff identified that the project may have potential impacts to Air Quality, Cultural Resources, Hydrology and Water Quality, and Noise as a result of construction activities. However, the mitigation monitoring program will ensure that the impacts to the surrounding neighborhood will be less than significant. A Notice of Intent to adopt a Mitigated Negative Declaration was prepared and made available to the public for review on October 25, 2006. No comments pertaining to the Initial Study were received and the Mitigated Negative Declaration and Mitigation Monitoring Program was adopted on March 27, 2007.

Action Requested

Staff is requesting that the Planning Commission adopt the resolution and conditions of approval attached as Exhibit 1 approving Tentative Map #05—0004.

Attachments

- Attachment A – Resolution & Exhibit 1 (Conditions of Approval)
- Attachment B – Conflict of Interest Map
- Attachment C – Minutes from the November 20, 2006 Planning Commission Meeting
- Attachment D - November 20, 2005 Planning Commission Staff Report and Attachments.

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC 07-06

A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A TENTATIVE MAP

(TM#05-0004)

Paisanno Village

Vacant Parcels on Illinois Street

Assessor Parcel Numbers 0056-024-080 and 0056-024-090

WHEREAS An application for a Tentative Map to subdivide two existing parcels into six residential lots has been received from CLW Partnership of Fairfield, California. The subject property is located approximately 500 feet west of Broadway and 1,050 feet east of Sonoma Boulevard at Fern Street, and the application consists of the following:

1. Application Form and supplemental application materials received on May 20, 2005.
2. Tentative Map drawings two pages titled C-1 and C-2, dated April 6, 2004, and prepared by Evans Surveys Inc. of Fairfield, California, and,

WHEREAS, the official record for this project includes, but is not limited to, the Staff Reports, minutes, application materials, Mitigated Negative Declaration, and all letters, comments and materials received at the public hearing; and

WHEREAS, The Planning Division and designated City Staff has reviewed the project in accordance with applicable regulations and have recommended conditional approval of the application to the Planning Commission, as set forth in the Staff Report dated November 20, 2006; and

WHEREAS, The Planning Commission held a duly-noticed public hearing on March 21, 2007 and has heard and considered testimony from interested persons and based on evidence received at the public hearing, and all of the evidence before it, the Planning Commission makes the following factual findings:

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

Section 1. On October 16, 2006, an Initial Study was prepared which revealed the project will have a less than significant impact with mitigation incorporation on the environment.

Section 2. On October 16, 2006, Mitigated Negative Declaration and Mitigation Monitoring Program were prepared, containing the proposed finding of No Significant Impact, with an attached copy of the Initial Study justifying the finding. The Mitigated Negative Declaration and Monitoring Program were posted at the Solano County Clerk's Office for 21 days, and the minimum Public Notice and Review Period of 21 days was duly provided. The Mitigation and Monitoring and Program are included in the Conditions of Approval for this Project.

Section 3. On March 27, 2007 the Vallejo City Council adopted the Mitigated Negative Declaration and Monitoring Program on the basis of the whole record before it including the initial study, the staff report, and any comments received, and determined that there is no substantial evidence that the project will have adverse impact on the environment provided that the Mitigation Measures identified in the Mitigated Negative Declaration and Monitoring Program are followed.

II. FINDINGS RELEVANT TO THE APPROVAL OF THE TENTATIVE MAP.

Section 1. The proposed subdivision of property as conditioned, together with the provisions for its design and improvements:

- A) Are consistent with the goals and policies of the Vallejo general plan and any applicable specific plans; and
- B) Conforms with Title 15 and Title 16 of the Vallejo Municipal Code; and
- C) Conforms to the requirements of the Subdivision Map Act.

III. RESOLUTION RECOMMENDING APPROVAL OF THE TENTATIVE MAP, SUBJECT TO CONDITIONS OF APPROVAL

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the tentative map to divide Assessor Parcel Numbers 0056-024-080 and 0056-024-090 into six residential lots, based on the findings contained in the staff report and subject to the Conditions of Approval attached hereto as Exhibit 1 and incorporated herein by reference.

V. VOTE

PASSED and APPROVED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 16th day of April, 2007, by the following vote to-wit:

AYES:

NOES:

ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

**PROJECT CONDITIONS FOR THE TENTATIVE MAP, MITIGATED
NEGATIVE DECLARARTION, ZONING MAP AMENDMENT #05-0002, AND
PLANNED DEVELOPMENT (Master Plan / Unit Plan) #05-0012**

**CONDITION COMPLIANCE REQUIRED PRIOR TO BUILDNG PERMIT
SUBMITTAL:**

Planning Division

1. Prior to submittal of final map, submit a numbered list to the Planning Division stating how each project requirement contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Prior to building permit submittal, submit a complete set of construction plans to the project planner for review and approval.
3. The project shall comply with all mitigation measures outlined in the attached Mitigated Negative Declaration and Mitigation Monitoring Program.
4. Prior to building permit submittal, submit a colors and materials board, showing the exterior architectural materials to be used. T-111 or Panel Siding shall not be used on this project. Exterior façades shall reflect and be respectful of the surrounding homes fronting on Fern & Illinois Streets as stated in the November 20, 2006 Planning Commission Minutes. The applicant shall schedule with Planning Division staff to bring the revised elevations to the Planning Commission for review and approval.
5. Prior to the building permit submittal, submit details of the window, door and garage trim to the project planner for review and approval.
6. Prior to building permit submittal, submit details and location of any proposed fencing to the Project Planner for review and approval. Fencing shall comply with Section 16.70 of the Vallejo Municipal Code. The fencing shown on page C-1 of the submitted plans calls for seven (7) foot high wood fencing, the maximum height of fencing shall not exceed six (6) feet per Section 16.70.060F of the Vallejo Municipal Code.
7. Prior to building permit submittal, work with staff to revise the two side elevations for the two units that front on Illinois Street. The revised elevations shall be enhanced architecturally to provide more visual interest as viewed from Illinois Street.
8. Prior to building permit submittal, the applicant shall work with staff to revise the landscape plans to meet City requirements. Submit 2 sets of

EXHIBIT 1

revised landscaping plans prepared by a registered landscape architect to the Planning Division for review and approval. The requirement for a registered landscape architect may be waived at the discretion of the Planning Manager. Landscape plans shall comply with Chapter 16.70 (VMC), and are to include the following:

- a. The use of a variety of plant materials including perennials and ornamental grasses.
 - b. A minimum of 1 City-approved street tree per unit to be planted at least 6 feet from any sewer line;
 - c. Specification of low growth type species adjacent to doors, windows and walkways;
 - d. Low-water using and drought-resistant plant materials;
 - e. Screening of required backflow preventer;
 - f. All trees to be minimum of 15 gallon, double staked; at least 50% of the proposed shrubs shall be a minimum of 5 gallon;
 - g. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage.
9. Prior to building permit submittal, submit an official stamped certification by a licensed and registered engineer or architect that the proposed project and structure complies with Section 7.98 (Floodplain Management Regulations).

Building Division

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

Public Works Department

1. Prior to building permit submittal, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project. (PW1)
2. Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR) and secure their approval.
3. Comply with the City of Vallejo Flood Damage Protection Ordinance (Section 7.98 of the Vallejo Municipal Code).

EXHIBIT 1

4. Prior to building permit submittal, submit a geotechnical investigation report for this project for review.
5. Prior to building permit submittal, submit a site grading, drainage, improvement, utility and landscaping and irrigation plans for review and approval. Site plan shall show all proposed and existing improvements and utility services. Secure approval of the site plan prior to building permit submittal.
6. Prior to building permit submittal, establish a common access, drainage, parking and utility easements within the common area for the benefit of all six units.
7. Prior to building permit submittal, underground overhead utility wires fronting the property. All proposed utility wires serving the lots shall be under-grounded.
8. Dedicate a six foot wide Public Utility Easement along Illinois Street fronting the property.
9. Prior to building permit submittal, submit an address map for review and approval.
10. Owner of the property shall request in writing from the Public Works Department to assign an address for each lot.
11. Prior to building permit submittal, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports. (PW3)
12. Prior to building permit submittal, or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
13. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards (PW 10).

EXHIBIT 1

14. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way (PW 11).
15. Prior to building permit submittal, submit a traffic control plan to the Department of Public Works for review and approval (PW 12).
16. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance (PW 15).
17. The project is located within the 100-year flood zone and shall therefore comply with Chapter 7.98 – Flood Damage Protection, VMC. Prior to obtaining a grading permit, apply to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision (CLOMR). Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR). Prior to obtaining a certificate of occupancy or acceptance by the City, whichever is applicable, obtain an approved Letter of Map Revision from FEMA. It will take FEMA at least 90 days to obtain CLOMR or LOMR. FEMA can be contacted by telephone at 9415)923-7177, or FEMA, Mitigation Division, Building 105, Presidio of San Francisco, San Francisco, CA 94129-1250. (PW18)
18. Prior to building permit submittal, submit a final a final map prepared by a qualified civil engineer or land surveyor for review and approval. (VMC 15.12.030)
19. Prior to recording the final or parcel map, the owner shall pay the City charges required by Solano County for providing copies of the recorded map to the City (\$15.00/Sheet).
20. Pay the map checking fee. (Resolution No. 02-55 N.C.)

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval will be satisfied.
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers. Prior to building permit submittal, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:

EXHIBIT 1

- b. Location and size of domestic service connection(s).
 - c. Location and size of irrigation service connection(s).
 - d. Location of fire hydrants.
 - e. Location of structures with respect to existing public water system improvements such as mains, meters, etc.
 - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d)).
3. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25 psig residual pressure shall be available within 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 1. For single family residential units, the fire flow is 1500 gpm.
 2. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown and Caldwell dated April 1996
 4. Prior to building permit submittal, hydraulic calculations demonstrating that the fire flow required by the Fire Marshall is satisfied shall be submitted to the Water Superintendent.
 5. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions shall be satisfied.
 6. Each lot or unit shall be metered separately.
 7. Prior to building permit submittal, hydraulic calculations shall be submitted to the Water Division demonstrating that the fire flow requirements are complied with.
 8. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc. and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

9. The water service (if existing) on site may not meet Plumbing Code requirements for the number of fixture units in this development. Submit plumbing calculations that show the existing water service and/or meter size meets the current Plumbing Code requirements. If it does not, upsize the water service and meter size to recommended size. Application for water service changes should be directed to Water Engineering at 202 Flemming Hill Road, Vallejo, CA 94589.

Vallejo Sanitation and Flood Control District

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

Fire Prevention

EXHIBIT 1

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

CONDITION COMPLIANCE REQUIRED PRIOR TO OCCUPANCY/FINAL INSPECTION:

Planning Division

1. Prior to final occupancy install required landscaping as illustrated on the approved landscape plan.
2. Prior to occupancy/final building inspection, install landscaping and irrigation per approved plans. The landscape architect shall verify in writing that the landscaping and irrigation have been installed in accordance with the approved landscaped plans with respect to size, health, number and species of plants and the overall design concept.
3. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice.

Occupancy permits shall not be granted until all construction and landscaping is complete and final in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.

Public Works

1. Prior to occupancy, remove and replace broken curb, gutter and sidewalk fronting the property as determined in the field by the City Engineer. (VMC, 10.04). Obtain a sidewalk permit from the Public Works Department prior to any work.
2. Prior to final occupancy, install frontage improvements as determined in the field by the City Engineer.
3. Prior to occupancy/final building inspection, install the improvements required by Public Works including but not limited to streets and utilities. (PW16)
4. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (PW17)
5. Prior to release for occupancy, plant street trees in accordance with Vallejo Municipal Code, Section 15.06.190 and Regulations and Specifications for Public Improvements, Section 3.3.48. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (PW19)
6. Prior to occupancy, install required street tree fronting the property along Illinois Street. Street tree shall be selected from the City's approved street tree list. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48)

Fire Prevention

1. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Residential buildings shall have numerals or letters not less than 3 inches in height, and approved color that contrasts the background. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night (2001 CFRC Section 901.4.4; added VMC Section 12.28.170)

EXHIBIT 1

2. Prior to final occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.
3. Prior to occupancy/final building inspection, install "No Parking/Fire Lane" signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manual sign #R26F).
4. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story, (including basement) there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level.

Water Department

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

Vallejo Sanitation and Flood Control District

1. If comments from VSFCD and the City of Vallejo call for differing standards of development, the higher standard shall apply.
2. If any of the VSFCD comments are in conflict with comments from the City of Vallejo request clarification.
3. Applicant shall pay all fees (plan review fees, connection fees, etc.) required by VSFCD for the subject project.
4. Prior to occupancy/final building inspection, provide a standard VSFCD cleanout at the right-of-way/easement line per District standards and a two-way cleanout at the building per U.P.C.
5. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

6. VSFCDD comments shall be understood to require modification of the project to any extent necessary to meet VSFCDD requirements, unless specifically stated.
7. Prior to occupancy, install VSFCDD cleanout per standard drawing number seventeen.
8. Prior to occupancy, install VSFCDD manhole (Sanitary and Storm Drain) per standard drawing number seven and eleven.
9. The VSFCDD would prefer the public portion of the sanitary sewer pipe material to be PVC SDR 26.
10. VSFCDD personnel shall inspect all work on the District's system.

Crime Prevention

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

STANDARD REQUIREMENTS

Planning Division

1. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur

EXHIBIT 1

on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.

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

Public Works

1. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply.
2. Surface runoff from the site shall be intercepted on site and piped into the public storm drain system (No sidewalk cross drains allowed). Show the point connection of drainage pipe to public storm drain system. Surface drainage of each lot shall be directed to the court and shall not cross neighboring lots, unless a Homeowner Association established to maintain the private storm drain system.
3. The driveway approach and the common driveway inside the project shall not be less than 25 feet in width.
4. Multiple trenches require grinding and overlay along Illinois Street. Limit of work shall be determined by the City Engineer.
5. Water meters shall not be located with the driveway approach.
6. Identify public and private sanitary sewer and storm drain lines in the common court.
7. Prepare and record Codes Covenants and Restrictions (CC&Rs) and a Private Road/Access Maintenance Agreement that shall be reviewed prior to recording by the Planning Division, Public Works Department and the City Attorney.
8. Remove and replace broken curb and gutter fronting the property as determined in the field by the City Engineer. (VMC, Section 10.04)
9. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)

EXHIBIT 1

10. Construction inspection shall be coordinated with Public Works and no construction shall deviate from the approved plans. (PW13)
11. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
12. Standard driveway and approach shall be per City standard. (VMC Section 16.62.150)
13. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply (PW 2).
14. Site grading shall comply with Chapter 12.40 - Excavations, Grading and Filling, (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor (PW 4).
15. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary (PW 5).
16. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the to the Department of Public Works shall shut down the grading operation (PW 6).
17. All dust and erosion control shall be in conformance with City standards and ordinances (PW 7).

Fire Prevention

1. The project shall conform to all applicable requirements of Title 19 (2001 CFC and all VMC Amendments)
2. Should security gates be desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.

EXHIBIT 1

3. Development sites shall be maintained weed free during construction. (2001 CFC Section 1103.2.4)
3. Every sleeping room below the fourth story shall have at least one exterior opening for rescue purposes. The opening shall be a minimum of 5.7 square feet, and 20 inches wide by 24 inches high. The finished sill height shall be no higher than 44 inches from the floor. Ladder access shall be provided for buildings over the first floor.

Water Division

1. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
2. Each unit or building structure shall be metered separately.
3. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code, including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

Vallejo Sanitation and Flood Control District

1. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
2. The following permits are identified as being required from other agencies prior to construction: Building Permit from the City of Vallejo. Additional permits may be required. It is the responsibility of the applicant to determine any and all permits that are required.
3. After the plans are approved, submit a Construction Permit Application (SSI) Form for connection fee calculation (\$20 Submittal Fee). Non-residential developments shall also submit a Pre-treatment Questionnaire for review by VSFCDD Pollution Control Department.
4. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

EXHIBIT 1

5. All individual parcels shall drain and sewer directly to the public system.
6. Non-VSFCD facilities serving more than one lot will not be allowed.
7. VSFCD's sanitary sewer or storm drains shall not be installed in the rear of any of the lots.
8. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.

GENERAL REQUIREMENTS

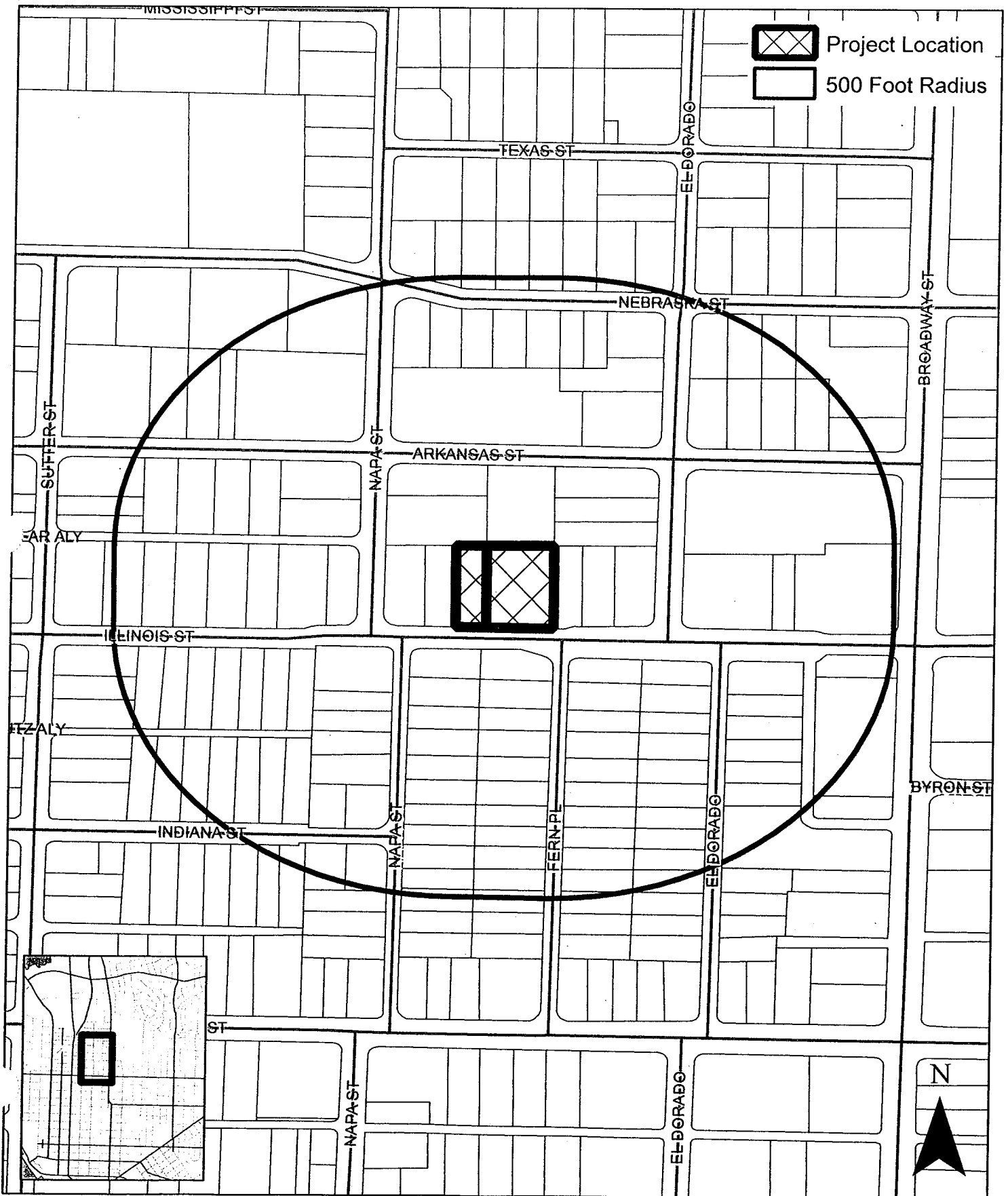
1. All contractors and subcontractors working on the project shall have City of Vallejo business licenses.
2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
5. All applicable requirements of any law or agency of the State, City of Vallejo and any other governmental entity at the time of the recording of the Final Map shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
6. The subdivider shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, the approval of this subdivision by the City. The City shall promptly notify the subdivider of any action. The City may elect, in its discretion, to participate in the defense of any action.

Conflict of Interest Map

ATTACHMENT B

Tentative Map #05-0004

Vacant Parcels on Illinois Street - (APN# 0056-024-080 and 0056-024-090)



Vallejo Planning Commission Minutes
November 20, 2006

I. REPORT OF THE PRESIDING OFFICER AND COMMISSIONERS

None.

J. LIAISON REPORTS

1. Council Liaison to Planning Commission

None.

2. Planning Commission Liaison to City Council

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

K.

PUBLIC HEARINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Any questions?

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

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

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

Darren Goon: That is correct.

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

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

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

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

Darren Goon: Yes.

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

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

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

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

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

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

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

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

Darren Goon: Correct.

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

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

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

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

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

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

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

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

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

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

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

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

Don Hazen: Only the ones with Xs have impacts.

Chairperson Legalos: Was there an error in the report?

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

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

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

Chairperson Legalos opened the Public Hearing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Legalos: They will be independent?

John Piccolo-Wignall: Yes.

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

John Piccolo-Wignall: Probably.

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

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

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

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

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

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

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

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

Otis Orsburn: Yes there is of about 15 inches.

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

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

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

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

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

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

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

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

Chairperson Legalos closed the Public Hearing.

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

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

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

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

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

Chairperson Legalos reclosed the Public Hearing.

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

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

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

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

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

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

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

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

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

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

NOS: None.

ABSENT: McConnell, Salvadori.

Motion carries.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Claudia Quintana: Yes.

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

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

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

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

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

NOS: None.

ABSENT: McConnell, Salvadori.

Motion carries.

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

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

Planned Unit Development (Master Plan / Unit Plan)

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

Findings:

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

- A. The proposed master plan is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report. The project is not located in a specific plan area.
- B. The master plan furthers the stated purpose of the planned development district per Section 9 of this report.
- C. The master plan is in conformity with public convenience, the general welfare and good land use practice.
- D. The master plan will not be detrimental to health, safety and general welfare per Section 9 and the proposed Mitigated Negative Declaration.
- E. The master plan will not adversely affect the orderly development or the preservation of property values.
- F. The unit plan is consistent with the intent, purpose and development standards of the master plan per Section 9 of this report.
- G. The unit plan serves to achieve groupings of structures which will be well related one to another and which, taken together, will result in a well-composed urban design, with consideration given to site, height, arrangement, texture, material, color and appurtenances, the relation of these factors to other structures in the immediate area, and the relation of the development to the total setting as seen from key points in the surrounding area per Section 9 of this report.
- H. The unit plan is of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

Tentative Map

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

Findings:

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

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

CONDITION COMPLIANCE REQUIRED PRIOR TO BUILDNG PERMIT SUBMITTAL:

Planning Division

1. Prior to submittal of final map, submit a numbered list to the Planning Division stating how each project requirement contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Prior to building permit submittal, submit a complete set of construction plans to the project planner for review and approval.
3. The project shall comply with all measures included in the Mitigated Negative Declaration.

MITIGATION MEASURES

Air Quality

Construction Phase:

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

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

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

CULTURAL RESOURCES

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

HYDROLOGY AND WATER QUALITY

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

NOISE

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

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

Building Division

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

Public Works Department

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

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

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

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

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval will be satisfied.
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers. Prior to building permit submittal, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:
 - b. Location and size of domestic service connection(s).
 - c. Location and size of irrigation service connection(s).
 - d. Location of fire hydrants
 - e. Location of structures with respect to existing public water system improvements such as mains, meters, etc.
 - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).
3. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25 psig residual pressure shall be available within 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 1. For single family residential units, the fire flow is 1500 gpm.
 2. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown and Caldwell dated April 1996
4. Prior to building permit submittal, hydraulic calculations demonstrating that the fire flow required by the Fire Marshall is satisfied shall be submitted to the Water Superintendent.
5. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions shall be satisfied.

6. Each lot or unit shall be metered separately.
7. Prior to building permit submittal, hydraulic calculations shall be submitted to the Water Division demonstrating that the fire flow requirements are complied with.
8. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc. and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.
9. The water service (if existing) on site may not meet Plumbing Code requirements for the number of fixture units in this development. Submit plumbing calculations that show the existing water service and/or meter size meets the current Plumbing Code requirements. If it does not, upsize the water service and meter size to recommended size. Application for water service changes should be directed to Water Engineering at 202 Flemming Hill Road, Vallejo, CA 94589.

Vallejo Sanitation and Flood Control District

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

Fire Prevention

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

CONDITION COMPLIANCE REQUIRED PRIOR TO OCCUPANCY/FINAL INSPECTION:

Planning Division

1. Prior to final occupancy install required landscaping as illustrated on the approved landscape plan.
2. Prior to occupancy/final building inspection, install landscaping and irrigation per approved plans. The landscape architect shall verify in writing that the landscaping and irrigation have been installed in accordance with the approved landscaped plans with respect to size, health, number and species of plants and the overall design concept.
3. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping is complete and final in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.

Public Works

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

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

Fire Prevention

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

Water Department

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

Vallejo Sanitation and Flood Control District

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

Crime Prevention

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

STANDARD REQUIREMENTS

Planning Division

1. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
2. T-111 or panel siding shall not be used on this project.
3. All landscaping and fencing surrounding the proposed use shall be maintained in a clean, attractive, and well kept condition and any dead or dying material shall be replaced promptly. There shall be no barbwire or razor fencing allowed.

Public Works

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

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

Fire Prevention

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

Water Division

1. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
2. Each unit or building structure shall be metered separately.
3. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code, including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with

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

Vallejo Sanitation and Flood Control District

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

GENERAL REQUIREMENTS

1. All contractors and subcontractors working on the project shall have City of Vallejo business licenses.
2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
5. All applicable requirements of any law or agency of the State, City of Vallejo and any other governmental entity at the time of the recording of the Final Map shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
6. The subdivider shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, the approval of this subdivision by

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

L. OTHER ITEMS

None.

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

M. WRITTEN COMMUNICATIONS

None.

N. ADJOURNMENT

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

Respectfully submitted,



(for) BRIAN DOLAN, Secretary

Petition to the Planning Commission

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- 2) **TRAFFIC:** The increase in population and traffic that these modular units would add to the unsafe traffic on Nebraska St., Illinois St., Fern Pl., El Dorado St., Sutter St. and on neighboring streets. There have been requests in the past for Stop signs and speed bumps but to no avail. The new construction would only worsen a bad situation.
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- 4) **STREET LIGHTING:** The Streets in this neighborhood are very poorly lit at the the current time. By plugging in these modular units it is feared that it would attract undesirable residents and transient persons to the area. The Street lighting issue needs to be addressed.
- 5) **ASPHALT PAVING:** The asphalt paving on Napa Street has deteriorated to the point that is will soon be nothing more than a gravel road. Other Streets such as Fern Place and Illinois Street have great need of repaving also. They cannot bear the load of the increased traffic without repaving.

Signature	Print Name	Address
<i>James Wright</i>	JAMES WRIGHT	444 ILLINOIS ST

Comments:

Signature	Print Name	Address
<i>Brenda Williams</i>	BRENDA WILLIAMS	1830 SUTTER ST.

Comments:

Signature	Print Name	Address
<i>Jesse Bain</i>	JESSE BAIN	1830 SUTTER ST
<i>Manuel Rivera N.</i>	MANUEL RIVERA	429 1/2 BROADWAY ST.

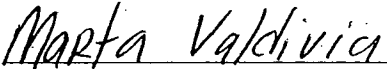
Comments:

Signature	Print Name	Address
<i>Jose G. Vieira</i>	JOSE G VIEIRA	312 ILLINOIS ST


Comments:

Additional signatures on reverse side.

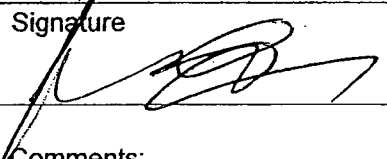
**Petition to the Planning Commission
Continued Signatures**

Signature	Print Name	Address
	Marta Valdivia	310 Illinois St.


Comments:

Signature	Print Name	Address
	JORGE GUTIERREZ	331 Illinois St.

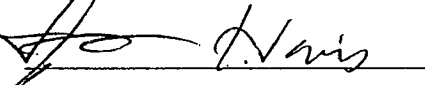
Comments:

Signature	Print Name	Address
	John C. ...	400 ILLINOIS

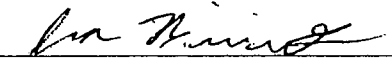
Comments:

Signature	Print Name	Address
	Chydal Coleman	407- Illinois St. #B, Vallejo, Ca. 94590

Comments: I pay absolutely not to the new/modular tractor units

Signature	Print Name	Address
	Sandra Ninos	407-A Illinois St.

Comments: no trailer pls on street


Signature	Print Name	Address
	Ira Bivins	421 Illinois

Comments: Don't need to over populate the street


Petition to the Planning Commission

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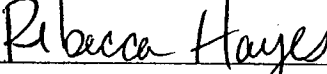
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Signature	Print Name	Address
	Cochea Bivins	421 Illinois


Comments:

Signature	Print Name	Address
	Berna Beltran	433 Illinois

Comments: probably lots of problems could occur if trailer park gets developed (N)

Signature	Print Name	Address
	Rebecca Hayes	443 Illinois St.

Comments: Too many people of lower income levels and problems that come with trailer parks. Too much foot traffic

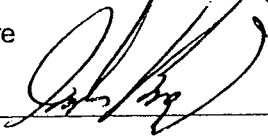
Signature	Print Name	Address
	Lucy Parrish	1717 Fern Place.

Comments:

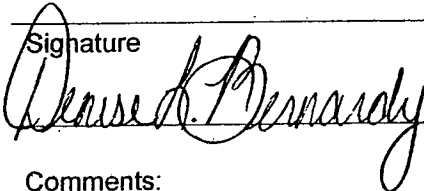
Additional signatures on reverse side.

Petition to the Planning Commission

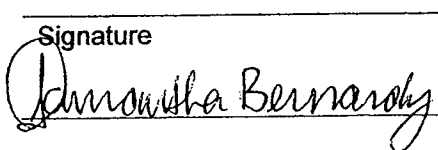
Continued Signatures

Signature	Print Name	Address
	Joseph Pearegood	1713 Fern Place

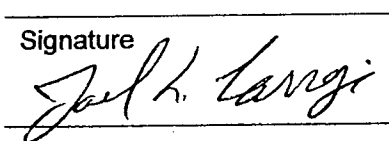
Comments:

Signature	Print Name	Address
	Denise Bernardy	1709 Fern Place

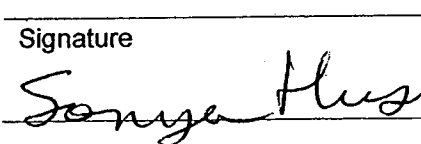
Comments:

Signature	Print Name	Address
	Samantha Bernardy	1709 Fern Place

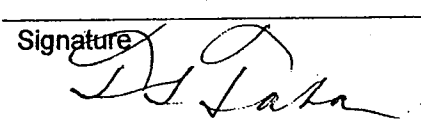
Comments:

Signature	Print Name	Address
	JOEL L. CARREJO	1705 FERN PLACE

Comments:

Signature	Print Name	Address
	SONYA HUSS	1627 FERN PL

Comments:

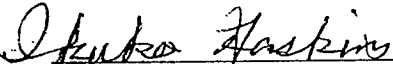
Signature	Print Name	Address
	THOMAS TABBA	1621 FERN PL.

Comments:


Petition to the Planning Commission

We, the undersigned, feel that no modular housing units should be built on the proposed property on Illinois Street. We feel that there should not be more than three (3) modular housing units on the properties in question (APN3s 0056-024-080 & 0056-024-090). The issues that we feel must be addressed are:

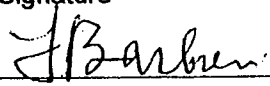
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Signature	Print Name	Address
	Ikuko Gaskin	1724 Fern Place

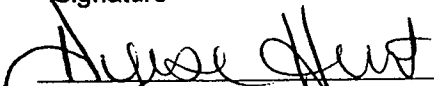
Comments: _____

Signature	Print Name	Address
	Wesley D'Angelo	1551 El Dorado St.

Comments: _____

Signature	Print Name	Address
	THOMAS BARBIERI	1543 EL DORADO

Comments: _____

Signature	Print Name	Address
	DYESE HUNT	1552 EL DORADO

Comments: _____

Additional signatures on reverse side.

**Petition to the Planning Commission
Continued Signatures**

Signature	Print Name	Address
<i>Maegan Smith</i>	Maegan Smith	1556 El Dorado St.

Comments:

Signature	Print Name	Address
<i>JULIO MAJAN</i>	508	ILLINOIS ST.

Comments:

Signature	Print Name	Address
<i>O. Glen Hammack</i>	O. Glen Hammack	1725 NAPA ST.

Comments:

Signature	Print Name	Address
<i>Daniel A. Flores</i>	DANIEL A FLORES	1719 MAPLE ST

Comments:

Signature	Print Name	Address
<i>James Clark</i>	JAMES CLARK	1795 NAPA ST VALLIJO

Comments:


Signature	Print Name	Address
<i>David Pedersen</i>	DAVID PEDERSEN	749 INDIANA ST

Comments:

Petition to the Planning Commission

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Signature	Print Name	Address
	Christopher Mariano	1604 Fern Pl.

Comments:

Signature	Print Name	Address
	Jeanne Newton	1609 Fern Pl.

Comments:

Signature	Print Name	Address

Comments:

Signature	Print Name	Address

Comments:

Additional signatures on reverse side.

Signature	Print Name	Address
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Comments:

Signature	Print Name
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Signature	Print Name	Address
<i>Michael Fernandez</i>	MICHAEL FERNANDEZ	1724 NAPA

Comments:

Signature	Print Name	Address
<i>Alicia S. Boyer</i>	Alicia S. Boyer	1728 Napa St.

Comments:

Signature	Print Name	Address
<i>William H. Edwards</i>	WILLIAM H. EDWARDS	1734 NAPA ST.

Comments: NO REZONING

Signature	Print Name	Address
<i>Ron Collins</i>	RON COLLINS	1734 NAPA ST

Comments: NO REZONING

Additional signatures on reverse side.

Comments:

Signature	Print Name	Address
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Comments:

Signature	Print Name	Address
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Comments:


Signature	Print Name	Address
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Comments:

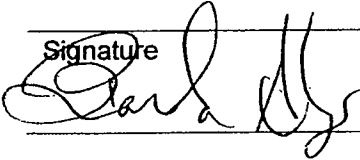
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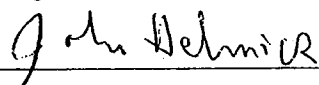
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Signature	Print Name	Address
	Rock Stone	


Comments:

Signature	Print Name	Address
	Darsha Alonso	1617 Illinois

Comments:

Signature	Print Name	Address
	John Helmick	1615 Napa St.


Comments:

Signature	Print Name	Address
	WALLACE MATTIE	1612 NAPA ST.

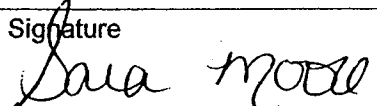
Comments:

Additional signatures on reverse side.


Petition to the Planning Commission
Continued Signatures

Signature	Print Name	Address
	GARY MILLER	1616 NAPA ST

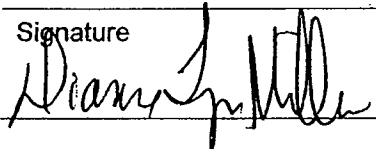
Comments:

Signature	Print Name	Address
	Sara Moore	1616 Napa St.

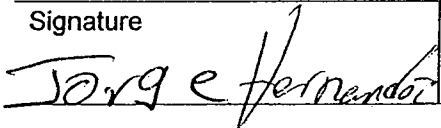
Comments:

Signature	Print Name	Address
	Aleena Moore	1616 Napa St.

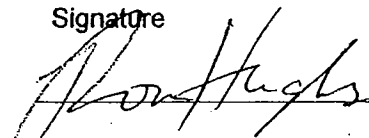
Comments:

Signature	Print Name	Address
	Dianne Miller	1616 Napa ST

Comments:

Signature	Print Name	Address
	Jorge Hernandez	1634 ST

Comments:

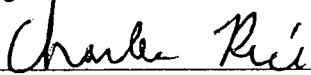
Signature	Print Name	Address
	Rami Hughes	1710 Napa St.

Comments:

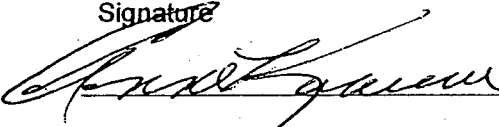
Petition to the Planning Commission

We, the undersigned, feel that no modular housing units should be built on the proposed property on Illinois Street. We feel that there should not be more than three (3) modular housing units on the properties in question (APN3s 0056-024-080 & 0056-024-090). The issues that we feel must be addressed are:

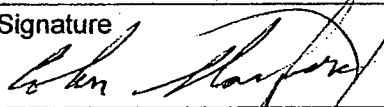
- 1) **POPULATION DENSITY:** The Vallejo City minimum lot size is 5,000 square feet. The density of 6 modular units on undersized lots would overpopulate the lots. This would bring down property values throughout the neighborhood.
- 2) **TRAFFIC:** The increase in population and traffic that these modular units would add to the unsafe traffic on Nebraska St., Illinois St., Fern Pl., El Dorado St., Sutter St. and on neighboring streets. There have been requests in the past for Stop signs and speed bumps but to no avail. The new construction would only worsen a bad situation.
- 3) **SEWER SURCHARGING:** By adding more housing units of any type, it will increase surcharging sewers. To build these modular units, the sewer system should be addressed to eliminate overflowing and surcharging. The sewer and storm drain systems on Illinois Street, that would be serving these new residences, are already exceeding their capacity every time there is a moderate to heavy rain. This tendency to overflow and surcharge caused sewage and storm water backups in at least four (2) homes along Illinois Street in the December 31, 2005 flooding. This was not the first time this has happened.
- 4) **STREET LIGHTING:** The Streets in this neighborhood are very poorly lit at the the current time. By plugging in these modular units it is feared that it would attract undesirable residents and transient persons to the area. The Street lighting issue needs to be addressed.
- 5) **ASPHALT PAVING:** The asphalt paving on Napa Street has deteriorated to the point that is will soon be nothing more than a gravel road. Other Streets such as Fern Place and Illinois Street have great need of repaving also. They cannot bear the load of the increased traffic without repaving.

Signature	Print Name	Address
	Charles Rice	1735 Napa St.

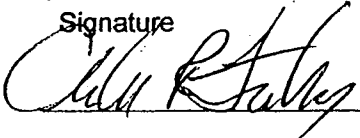
Comments: None

Signature	Print Name	Address
	ANNE KIRKHAM	1701 FERN PLACE

Comments:

Signature	Print Name	Address
	COLTON STANFORD	1701 FERN PLACE

Comments:

Signature	Print Name	Address
	Charlie R Findley	1617 Fern Pl.

Comments:

Additional signatures on reverse side.

**Petition to the Planning Commission
Continued Signatures**

Signature <i>Mark J. Benda</i>	Print Name Mark J. Benda	Address 1606 Fern Place Vallejo, CA.
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Comments:

Signature <i>Jeri MacDonald</i>	Print Name JERI MACDONALD	Address 1606 Fern Place Vallejo, CA 94590
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Comments:

Signature <i>Reynan Prado</i>	Print Name Reynan Prado	Address 1620 FERN PLACE
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Comments:

Signature <i>Georgette Smith</i>	Print Name Georgette Smith	Address 1700 Fern Place
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Comments:

Signature <i>Kelsey V Baker</i>	Print Name KELSEY V BAKER 706	Address 1716 FERN PLACE
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Comments:

Signature <i>Daoud BA</i>	Print Name DAOUD BA	Address 1718 Fern Place Vallejo, CA
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Comments:



**STAFF REPORT
CITY OF VALLEJO PLANNING COMMISSION**

Date of Hearing:

November 20, 2006

Agenda Item: K-1

Application Number:

Zoning Map Amendment #05-0002, as governed by Chapter 16.86, "Amendments" of the Vallejo Municipal Code.

Planned Unit Development #05-0012 (Master Plan / Unit Plan), as governed by Chapter 16.116, Planned Development Permit Procedure of the Vallejo Municipal Code.

Tentative Map #05-0004, as governed by Chapter 15.08 "Tentative Maps" of the Vallejo Municipal Code.

Recommendation:

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

Staff recommends that the Planning Commission forward a recommendation to the City Council to **APPROVE** Zoning Map Amendment #05-0002 to rezone two parcels from Intensive Use Limited (IU-L) to Planned Development Residential (PDR) subject to the findings and conditions provided in this report.

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

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

Project Description:

The project requires a Zoning Map Amendment application to rezone the subject parcels from Intensive Use Limited to Planned Development Residential (PDR). The applicant is also requesting a Planned Development application for a Master Plan/Unit Plan to construct six two-story detached manufactured dwelling units. Two of the units will be 1,542 square feet and the remaining four

units would be 1,634 square feet. Each unit will contain three bedrooms, three bathrooms, kitchen, dining room, optional den (on four of the units), and a two car garage. A Tentative Map application is required to divide the two existing parcels (0.47 acres) into six parcels with a proposed parcel size ranging from 2,936 square feet to 3,915 square feet.

Location: Vacant Parcels on Illinois Street
(APN #'s 0056-024-080 and 0056-024-090)

Applicant: CLW Partnership
2743 Mankas Corner Road
Fairfield, CA 94534

Property Owner: Same as above

Environmental Review: An Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration were prepared by the City and made available to the public for review on October 25, 2006.

General Plan Land Use: High Density Residential (the allowed density is 17.4 units or more per acre)

Zoning: Intensive Use Limited (IU-L)

Existing Land Use: The existing parcels are undeveloped.

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

Public Notice: Notice of a public hearing was sent to property owners within 500 feet of the subject property on October 25, 2006 and published in the Vallejo Times-Herald on October 25, 2006.

1. PROJECT DESCRIPTION

The project requires a Zoning Map Amendment application to rezone the subject parcels from Intensive Use Limited to Planned Development Residential (PDR). The applicant is also requesting a Planned Development application for a Master Plan/Unit Plan to construct six two-story detached manufactured dwelling units. Two of the units will be

1,542 square feet and the remaining four units would be 1,634 square feet. Each unit will contain three bedrooms, three bathrooms, kitchen, dining room, optional den (on four of the units), and a two car garage. A Tentative Map application is required to divide the two existing parcels (0.47 acres) into six parcels with a proposed parcel size ranging from 2,936 square feet to 3,915 square feet.

2. ENVIRONMENTAL REVIEW

An Initial Study was prepared for the project and indicated that the project will not have significant impact on the environment provided that certain mitigations are incorporated as conditions of approval. A Notice of Intent to adopt a Mitigated Negative Declaration was prepared and made available to the public for review on October 25, 2006 (See Attachment B). Adoption of a Mitigated Negative Declaration is part of the recommendation of this project.

3. CONSISTENCY WITH THE GENERAL PLAN

The General Plan Land Use Element designates the property as High Density Residential. The proposed rezoning of the two parcels to Planned Development Residential is "Clearly Compatible" with the General Plan designation. The proposal to construct six single family dwellings is consistent with the General Plan designation which allows densities in excess of 17.4 units per acre. The project will provide a maximum density of 12.76 units per acre.

4. CONFORMANCE WITH ZONING REGULATIONS

The existing zoning designation for the two parcels is Intensive Use Limited and does not permit residential use types. As a result, the applicant is proposing to change the zoning designation from Intensive Use Limited to Planned Development Residential. The project will be consistent with the General Plan land use designation and be developed in accordance with the zoning regulations for the Planned Development Residential District.

5. CONFORMANCE WITH SUBDIVISION REGULATIONS

The proposed Tentative Map would subdivide a 0.47-acre property into six residential lots. The lot sizes range from 2,936 to 3,915 square feet. This proposal has been reviewed and found to be in compliance with the Vallejo Municipal Code, Title 15 "Subdivisions" and the Subdivision Map Act.

6. PUBLIC COMMENTS

Notice of the public hearing was sent to property owners within 500 feet of the subject property on October 25, 2006 and published in the Vallejo Times-Herald on October 25, 2006. No written comments from the public were received.

7. AGENCY REVIEW AND COMMENTS

The plans for this project were sent to the following City departments: Building, Traffic Engineer, City Engineer, Maintenance Division, Vallejo Sanitation and Flood Control District, Fire Prevention, Water Superintendent, and Vallejo Garbage Service. Comments from the various departments and agencies have been incorporated into the staff analysis and conditions of approval for this project.

8. REFERENCES

- ❖ State of California, Office of Planning and Research; CEQA: California Environmental Quality Act (Statutes and Guidelines 2006).
- ❖ 2005 Subdivision Map Act
- ❖ City of Vallejo General Plan
- ❖ City of Vallejo Zoning Ordinance:
 - Chapter 15.08 – Tentative Maps
 - Chapter 16.86 – Amendments
 - Chapter 16.106 – Planned Development Residential District

9. STAFF ANALYSIS

Mitigated Negative Declaration

Based on an Initial Study prepared by the Planning Division in October 2006, it has been determined that the proposal to rezone the subject property and construct six single family dwellings could have a potentially significant effect on the environment. However, the mitigation measures described in the negative declaration and the conditions of approval included in this staff report, will mitigate the project impacts to a less-than-significant level. Staff concludes that the potential adverse environmental effect of this action will be less than significant.

Zoning Map Amendment

The subject property is currently zoned Intensive Use Limited (IU-L). In order to construct the proposed six homes, the two parcels, APN#'s 0056-024-080 and 090 (subject property), must be rezoned from Intensive Use Limited (IU-L) to Planned Development Residential (PDR) (Attachment C). The site development standards for each planned development are established on a case by case basis. The development standards proposed for this project will ultimately become the zoning regulations for the proposed project, with the approval of this Planned Development application. Section 16.106.030 of the Zoning Ordinance requires that residential planned developments be evaluated by the following development standards:

A. *Size and location of the site;*

The 0.47-acre site is large enough to be developed with six homes at the proposed 12.76 units per gross acre. The location of this site is in an area of Vallejo containing a mix of single family and multi-family uses and as a result is compatible with the surrounding development.

B. *Circulation patterns, including delineation of arterial, collector and local streets, pedestrian access and public transit;*

The project provides access from Illinois Street. The circulation pattern provides vehicular access to each unit from a shared driveway (private road). Public transit is available on Broadway Street and Sonoma Boulevard approximately two blocks to the east or west of the project site.

C. *Topography of the site, including vegetation, soils, proposed grading, slopes, orientation;*

The site is essentially flat and is surrounded by existing development.

D. *Preservation of natural resources, including ridgetops, riparian area, unique features, trees, drainage;*

There are no natural resources, ridgetops, riparian areas, unique features, trees or drainage that have been identified at the project site.

E. *Relationship to surrounding area, including visual and land use compatibility*

The land uses surrounding this project are a mix of single family and multi-family residential, and a legal non-conforming truck storage facility to the east. The proposed subdivision will be compatible with the surrounding land uses.

F. *Mix of residential, commercial, or industrial use;*

The project proposes single family homes in an area characterized by single family residential to the south and west, multi-family residential to the north a legal non-conforming truck and storage facility to the east of the project site. Staff concludes that the proposed project would serve as a buffer between the lower density residential uses and the existing truck and storage facility.

G. *Architecture;*

The project architecture is attractive and the style is typical of the architecture that is applied to many new residential developments and would be compatible with the immediate area and other new development in the Vallejo area.

H. *Public Improvements;*

All public improvements required by the project will be provided by the developer.

I. *Development Intensity;*

The proposed six single family homes are well below the development intensity that has been established by the General Plan land use element. The proposed subdivision will be constructed at 12.76 units per gross acre (0.47 acres). The General Plan designation allows a density greater than 17.4 units per gross acre.

J. *Landscaping;*

Project landscaping will be required throughout the site in compliance with City standards. The project proposes several small landscaped open space areas for each home within the site plan which will enhance the environment.

K. *Intent of the proposed project, including consistency with the Vallejo General Plan and stated purpose of the district;*

The project is in conformance with the General Plan. The existing general plan designation of high density residential is compatible with the proposal.

Planned Development Master Plan/ Unit Plan

Although this project proposes small lots with limited front, rear and side yard areas, staff considers the project appropriate as the development encourages individual homeownership. Overall, the project will create a compact and well-designed neighborhood with individual open space for each home.

Regarding the elevations of the proposed six homes, staff believes that each has an attractive front façade with varying rooflines and sufficient detail to the rear and sides to provide visual interest. However, staff is recommending Planning Condition of Approval #4 (Prior to Building Permit Submittal) that would require the applicant to work with staff to redesign and enhance the street-facing building elevations on the two units that are visible from Illinois Street. To further enhance the streetscape and interior landscaping, staff has also recommended a condition that all five-gallon trees be upsized

to 15 gallon trees per Planning Condition of Approval #8f (Prior to Building Permit Submittal).

The intent of a Master Plan is to allow varied and diverse uses as integral projects to promote the orderly growth of the City. The Master Plan would allow single family residential uses and development standards for the project area. Allowed uses are intended to include existing uses, anticipated future uses, and other uses that would be compatible with existing and proposed future uses. The proposed use for this project is for six two-story single-family detached units.

Usable open space for these homes is minimal. The buildings are set back twenty feet from the front property line and ten feet from the back of sidewalk (there is a ten foot section of the public right-of-way that is not in use as street or sidewalk). All other yards are five feet except for those yards where the garages are zero lot line.

The proposed Unit Plan would approve development of six homes on individual lots approved as Tentative Map #05-0004. The homes will be two stories, with two-car garages on the ground floor, and would be three bedrooms and three bathrooms. The proposed homes would have a combination of horizontal lapped siding, wood siding and composition roofs. The architectural style would be more contemporary than the existing houses primarily constructed between 1920 and 1940 and serves to provide a transition between the existing residential uses and the surrounding commercial/industrial uses east of the project site.

The proposed Master Plan/Unit Plan would ensure that new development and uses will be compatible with the surrounding existing development. The Unit Plan would provide six homes with access to Illinois Street. With the proposed changes and compliance with the conditions of approval in this report, the project will provide an interesting new development that would be compatible with existing development in the area.

Tentative Map

The proposed tentative map would create six residential lots. The two existing parcels (0.47 acres) into six parcels with a proposed parcel size ranging from 2,936 square feet to 3,915 square feet. The dimensions of the six lots would include two lots that are proposed to be 54 feet by 72.50 feet, two lots that are proposed to be 40.50 feet by 72.50 feet, and the remaining two lots are proposed to be 45.50 feet by 72.50 feet. The tentative map has been reviewed and found to be consistent with Section 15.08 (Tentative Maps) of the Vallejo Municipal Code and the Subdivision Map Act Guidelines.

10. STAFF RECOMMENDATION

Mitigated Negative Declaration

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

Zoning Map Amendment

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

Findings:

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

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

Planned Unit Development (Master Plan / Unit Plan)

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

Findings:

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

- A. The proposed master plan is consistent with the goals and policies of the Vallejo General Plan per Section 3 of this report. The project is not located in a specific plan area.

- B. The master plan furthers the stated purpose of the planned development district per Section 9 of this report.
- C. The master plan is in conformity with public convenience, the general welfare and good land use practice.
- D. The master plan will not be detrimental to health, safety and general welfare per Section 9 and the proposed Mitigated Negative Declaration.
- E. The master plan will not adversely affect the orderly development or the preservation of property values.
- F. The unit plan is consistent with the intent, purpose and development standards of the master plan per Section 9 of this report.
- G. The unit plan serves to achieve groupings of structures which will be well related one to another and which, taken together, will result in a well-composed urban design, with consideration given to site, height, arrangement, texture, material, color and appurtenances, the relation of these factors to other structures in the immediate area, and the relation of the development to the total setting as seen from key points in the surrounding area per Section 9 of this report.
- H. The unit plan is of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

Tentative Map

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

Findings:

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

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

D. As conditioned, the Tentative Map is in conformance with the Subdivision Map Act and the Subdivision Ordinance as discussed in Section 5 of this report.

CONDITION COMPLIANCE REQUIRED PRIOR TO BUILDING PERMIT SUBMITTAL:

Planning Division

1. Prior to submittal of final map, submit a numbered list to the Planning Division stating how each project requirement contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. Prior to building permit submittal, submit a complete set of construction plans to the project planner for review and approval.
3. The project shall comply with all mitigation measures outlined in the attached Mitigated Negative Declaration and Mitigation Monitoring Program.
4. Prior to building permit submittal, submit a colors and materials board, showing the exterior architectural materials to be used. T-111 or Panel Siding shall not be used on this project. Exterior materials shall reflect and be respectful of the surrounding homes fronting on Fern & Illinois Streets
5. Prior to the building permit submittal, submit details of the window, door and garage trim to the project planner for review and approval.
6. Prior to building permit submittal, submit details and location of any proposed fencing to the Project Planner for review and approval. Fencing shall comply with Section 16.70 of the Vallejo Municipal Code. The fencing shown on page C-1 of the submitted plans calls for seven (7) foot high wood fencing, the maximum height of fencing shall not exceed six (6) feet per Section 16.70.060F of the Vallejo Municipal Code.
7. Prior to building permit submittal, work with staff to revise the two side elevations for the two units that front on Illinois Street. The revised elevations shall be enhanced architecturally to provide more visual interest as viewed from Illinois Street.
8. Prior to building permit submittal, the applicant shall work with staff to revise the landscape plans to meet City requirements. Submit 2 sets of revised landscaping plans prepared by a registered landscape architect to the Planning Division for review and approval. The requirement for a registered landscape architect may be

waived at the discretion of the Planning Manager. Landscape plans shall comply with Chapter 16.70 (VMC), and are to include the following:

- a. The use of a variety of plant materials including perennials and ornamental grasses.
 - b. A minimum of 1 City-approved street tree per unit to be planted at least 6 feet from any sewer line;
 - c. Specification of low growth type species adjacent to doors, windows and walkways;
 - d. Low-water using and drought-resistant plant materials;
 - e. Screening of required backflow preventer;
 - f. All trees to be minimum of 15 gallon, double staked; at least 50% of the proposed shrubs shall be a minimum of 5 gallon;
 - g. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage.
9. Prior to building permit submittal, submit an official stamped certification by a licensed and registered engineer or architect that the proposed project and structure complies with Section 7.98 (Floodplain Management Regulations).

Building Division

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

Public Works Department

1. Prior to building permit submittal, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project. (PW1)
2. Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR) and secure their approval.
3. Comply with the City of Vallejo Flood Damage Protection Ordinance (Section 7.98 of the Vallejo Municipal Code).

4. Prior to building permit submittal, submit a geotechnical investigation report for this project for review.
5. Prior to building permit submittal, submit a site grading, drainage, improvement, utility and landscaping and irrigation plans for review and approval. Site plan shall show all proposed and existing improvements and utility services. Secure approval of the site plan prior to building permit submittal.
6. Prior to building permit submittal, establish a common access, drainage, parking and utility easements with in the common area for the benefit of all six units.
7. Prior to building permit submittal, underground overhead utility wires fronting the property. All proposed utility wires serving the lots shall be under-grounded.
8. Dedicate a six foot wide Public Utility Easement along Illinois Street fronting the property.
9. Prior to building permit submittal, submit an address map for review and approval.
10. Owner of the property shall request in writing from the Public Works Department to assign an address for each lot.
11. Prior to building permit submittal, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations, and pertinent reports. (PW3)
12. Prior to building permit submittal, or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (PW8)
13. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards (PW 10).

14. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way (PW 11).
15. Prior to building permit submittal, submit a traffic control plan to the Department of Public Works for review and approval (PW 12).
16. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance (PW 15).
17. The project is located within the 100-year flood zone and shall therefore comply with Chapter 7.98 – Flood Damage Protection, VMC. Prior to obtaining a grading permit, apply to the Federal Emergency Management Administration (FEMA) for a Conditional Letter of Map Revision (CLOMR). Prior to building permit submittal, apply to FEMA for a letter of Map Revision (LOMR). Prior to obtaining a certificate of occupancy or acceptance by the City, whichever is applicable, obtain an approved Letter of Map Revision from FEMA. It will take FEMA at least 90 days to obtain CLOMR or LOMR. FEMA can be contacted by telephone at 9415)923-7177, or FEMA, Mitigation Division, Building 105, Presidio of San Francisco, San Francisco, CA 94129-1250. (PW18)
18. Prior to building permit submittal, submit a final a final map prepared by a qualified civil engineer or land surveyor for review and approval. (VMC 15.12.030)
19. Prior to recording the final or parcel map, the owner shall pay the City charges required by Solano County for providing copies of the recorded map to the City (\$15.00/Sheet).
20. Pay the map checking fee. (Resolution No. 02-55 N.C.)

Water Division

1. Submit a numbered list to the Water Division stating how each condition of project approval will be satisfied.
2. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers. Prior to building permit submittal, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:
 - b. Location and size of domestic service connection(s).
 - c. Location and size of irrigation service connection(s).

- d. Location of fire hydrants.
 - e. Location of structures with respect to existing public water system improvements such as mains, meters, etc.
 - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).
3. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25 psig residual pressure shall be available within 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
 1. For single family residential units, the fire flow is 1500 gpm.
 2. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers and its latest update by Brown and Caldwell dated April 1996
 4. Prior to building permit submittal, hydraulic calculations demonstrating that the fire flow required by the Fire Marshall is satisfied shall be submitted to the Water Superintendent.
 5. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions shall be satisfied.
 6. Each lot or unit shall be metered separately.
 7. Prior to building permit submittal, hydraulic calculations shall be submitted to the Water Division demonstrating that the fire flow requirements are complied with.
 8. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc. and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

9. The water service (if existing) on site may not meet Plumbing Code requirements for the number of fixture units in this development. Submit plumbing calculations that show the existing water service and/or meter size meets the current Plumbing Code requirements. If it does not, upsize the water service and meter size to recommended size. Application for water service changes should be directed to Water Engineering at 202 Flemming Hill Road, Vallejo, CA 94589.

Vallejo Sanitation and Flood Control District

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

Fire Prevention

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

CONDITION COMPLIANCE REQUIRED PRIOR TO OCCUPANCY/FINAL INSPECTION:

Planning Division

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

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

Public Works

1. Prior to occupancy, remove and replace broken curb, gutter and sidewalk fronting the property as determined in the field by the City Engineer. (VMC, 10.04). Obtain a sidewalk permit from the Public Works Department prior to any work.
2. Prior to final occupancy, install frontage improvements as determined in the field by the City Engineer.
3. Prior to occupancy/final building inspection, install the improvements required by Public Works including but not limited to streets and utilities. (PW16)
4. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (PW17)
5. Prior to release for occupancy, plant street trees in accordance with Vallejo Municipal Code, Section 15.06.190 and Regulations and Specifications for Public Improvements, Section 3.3.48. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (PW19)
6. Prior to occupancy, install required street tree fronting the property along Illinois Street. Street tree shall be selected from the City's approved street tree list. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48)

Fire Prevention

1. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Residential buildings shall have numerals or letters not less than 3 inches in height, and approved color that contrasts the background. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night (2001 CFRC Section 901.4.4; added VMC Section 12.28.170)

2. Prior to final occupancy/final building inspection, all applicable fees shall be paid and a final Fire Prevention inspection shall be conducted. All meetings and inspections require a minimum 24-hour advance request.
3. Prior to occupancy/final building inspection, install “No Parking/Fire Lane” signs along interior access roadways, in locations where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manual sign #R26F).
4. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story, (including basement) there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level.

Water Department

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

Vallejo Sanitation and Flood Control District

1. If comments from VSFCDD and the City of Vallejo call for differing standards of development, the higher standard shall apply.
2. If any of the VSFCDD comments are in conflict with comments from the City of Vallejo request clarification.
3. Applicant shall pay all fees (plan review fees, connection fees, etc.) required by VSFCDD for the subject project.
4. Prior to occupancy/final building inspection, provide a standard VSFCDD cleanout at the right-of-way/easement line per District standards and a two-way cleanout at the building per U.P.C.
5. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

6. VSFCDD comments shall be understood to require modification of the project to any extent necessary to meet VSFCDD requirements, unless specifically stated.
7. Prior to occupancy, install VSFCDD cleanout per standard drawing number seventeen.
8. Prior to occupancy, install VSFCDD manhole (Sanitary and Storm Drain) per standard drawing number seven and eleven.
9. The VSFCDD would prefer the public portion of the sanitary sewer pipe material to be PVC SDR 26.
10. VSFCDD personnel shall inspect all work on the District's system.

Crime Prevention

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

STANDARD REQUIREMENTS

Planning Division

1. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or

- federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
2. T-111 or panel siding shall not be used on this project.
 3. All landscaping and fencing surrounding the proposed use shall be maintained in a clean, attractive, and well kept condition and any dead or dying material shall be replaced promptly. There shall be no barbwire or razor fencing allowed.

Public Works

1. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply.
2. Surface runoff from the site shall be intercepted on site and piped into the public storm drain system (No sidewalk cross drains allowed). Show the point connection of drainage pipe to public storm drain system. Surface drainage of each lot shall be directed to the court and shall not cross neighboring lots, unless a Homeowner Association established to maintain the private storm drain system.
3. The driveway approach and the common driveway inside the project shall not be less than 25 feet in width.
4. Multiple trenches require grinding and overlay along Illinois Street. Limit of work shall be determined by the City Engineer.
5. Water meters shall not be located with the driveway approach.
6. Identify public and private sanitary sewer and storm drain lines in the common court.
7. Prepare and record Codes Covenants and Restrictions (CC&Rs) and a Private Road/Access Maintenance Agreement that shall be reviewed prior to recording by the Planning Division, Public Works Department and the City Attorney.
8. Remove and replace broken curb and gutter fronting the property as determined I in the field by the City Engineer. (VMC, Section 10.04)
9. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
10. Construction inspection shall be coordinated with Public Works and no construction shall deviate from the approved plans. (PW13)

11. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (PW14)
12. Standard driveway and approach shall be per City standard. (VMC Section 16.62.150)
13. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply (PW 2).
14. Site grading shall comply with Chapter 12.40 - Excavations, Grading and Filling, (VMC). Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor (PW 4).
15. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary (PW 5).
16. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the to the Department of Public Works shall shut down the grading operation (PW 6).
17. All dust and erosion control shall be in conformance with City standards and ordinances (PW 7).

Fire Prevention

1. The project shall conform to all applicable requirements of Title 19 (2001 CFC and all VMC Amendments)
2. Should security gates be desired at any entrances to the project, they shall be provided with a Fire Department approved entry system.
3. Development sites shall be maintained weed free during construction. (2001 CFC Section 1103.2.4)

3. Every sleeping room below the fourth story shall have at least one exterior opening for rescue purposes. The opening shall be a minimum of 5.7 square feet, and 20 inches wide by 24 inches high. The finished sill height shall be no higher than 44 inches from the floor. Ladder access shall be provided for buildings over the first floor.

Water Division

1. Easements shall be provided for all water system improvements installed outside the public right-of-way:
 - a. Fifteen feet wide (minimum) for water mains.
 - b. Ten feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
2. Each unit or building structure shall be metered separately.
3. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code, including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.

Vallejo Sanitation and Flood Control District

1. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.
2. The following permits are identified as being required from other agencies prior to construction: Building Permit from the City of Vallejo. Additional permits may be required. It is the responsibility of the applicant to determine any and all permits that are required.
3. After the plans are approved, submit a Construction Permit Application (SSI) Form for connection fee calculation (\$20 Submittal Fee). Non-residential developments shall also submit a Pre-treatment Questionnaire for review by VSFCD Pollution Control Department.
4. Direct roof drainage across non-paved areas prior to entering storm drain inlets and gutter, when feasible.

5. All individual parcels shall drain and sewer directly to the public system.
6. Non-VSFCD facilities serving more than one lot will not be allowed.
7. VSFCD's sanitary sewer or storm drains shall not be installed in the rear of any of the lots.
8. All storm drainage shall be collected onsite and conveyed underground to the public storm drain system.

GENERAL REQUIREMENTS

1. All contractors and subcontractors working on the project shall have City of Vallejo business licenses.
2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
5. All applicable requirements of any law or agency of the State, City of Vallejo and any other governmental entity at the time of the recording of the Final Map shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
6. The subdivider shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, the approval of this subdivision by the City. The City shall promptly notify the subdivider of any action. The City may elect, in its discretion, to participate in the defense of any action.

EXPIRATION

This Planned Development permit shall expire automatically 24 months after its approval unless authorized construction has commenced or unless this permit is extended by the City prior to the expiration date.

This Tentative Map shall expire 36 months after the date of approval unless a final map has been filed prior to the expiration date.


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

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

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

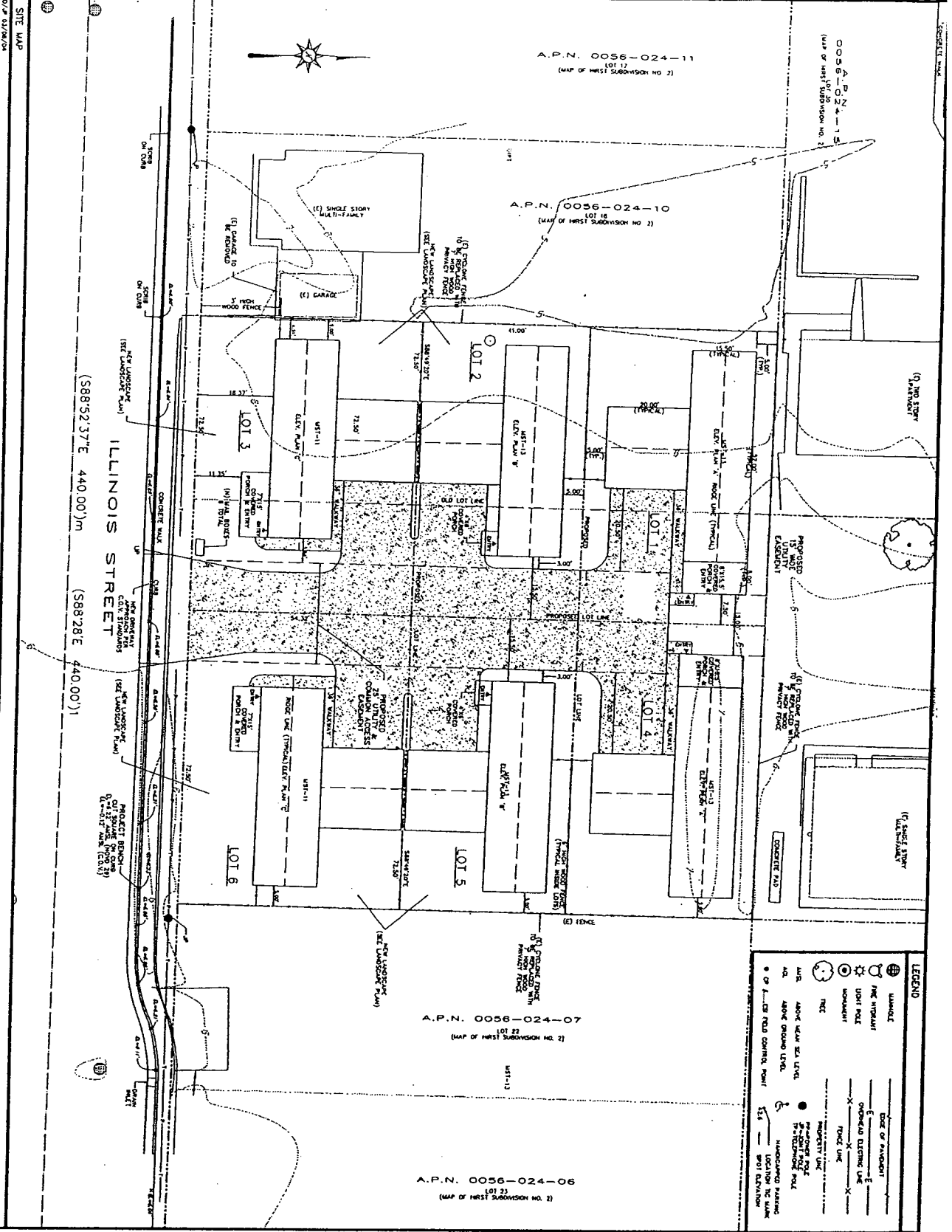
Recommended by: 
Darren Goon, Assistant Planner

Approved based on the Findings and subject to the Conditions stated above:

 Date 2/20/07
Don Hazen, Planning Manager

ATTACHMENTS

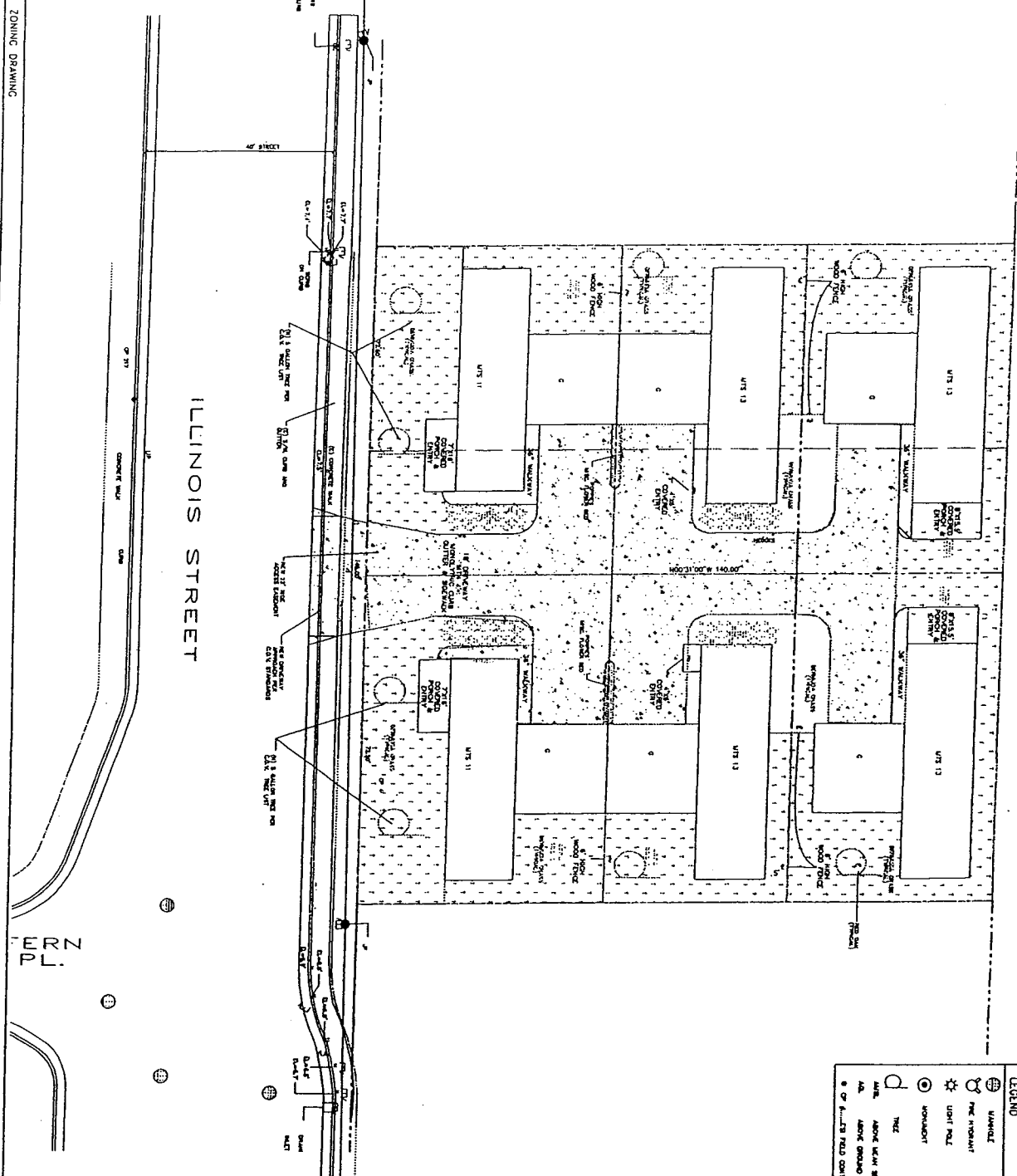
- A. Plans
- B. Tentative Map
- C. Proposed Rezoning
- D. Mitigate Negative Declaration
- E. Initial Study
- F. Conflict of Interest Map



LEGEND

	UNADULT
	FIRE METER
	LOT POLE
	MONUMENT
	FENCE
	ABOVE GROUND UTIL.
	ABOVE GROUND UTIL. (2)
	PROPOSED FENCE
	PROPOSED FENCE (2)
	PROPOSED FENCE (3)
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<p>SURVEYOR: Earth Surveys Inc. 1400 AVENUE WOODLAND, CALIFORNIA 95694 TEL: (707) 938-1100 FAX: (707) 938-1100</p>	<p>OWNER/DEVELOPER: CLW PARTNERSHIP 2743 MARKS CORNER RD. SUSSION VALLEY 94534 (707) 372-0580</p>	<p>ARCHITECT: SILVERCREST WESTERN HOMES CORP. 109 PIONEER ST. WOODLAND, CA 95776 (530) 658-9126</p>	<p>TENTATIVE MAP-MS-XXXX ILLINOIS ST. MINOR SUBDIVISION SOLANO COUNTY, CA</p>	<p>ILLINOIS ST. HOMES A 6 LOT SINGLE FAMILY PLANNED DEVELOPMENT</p>	<p>SHEET TITLE: SITE PLAN</p>	<p>SHEET NUMBER: C-2</p>	<p>DATE SUBMITTED: 04/04/06 DATE EXAMINED: 04-07</p>
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ILLINOIS STREET

VERZ

SCALE: 1" = 20'

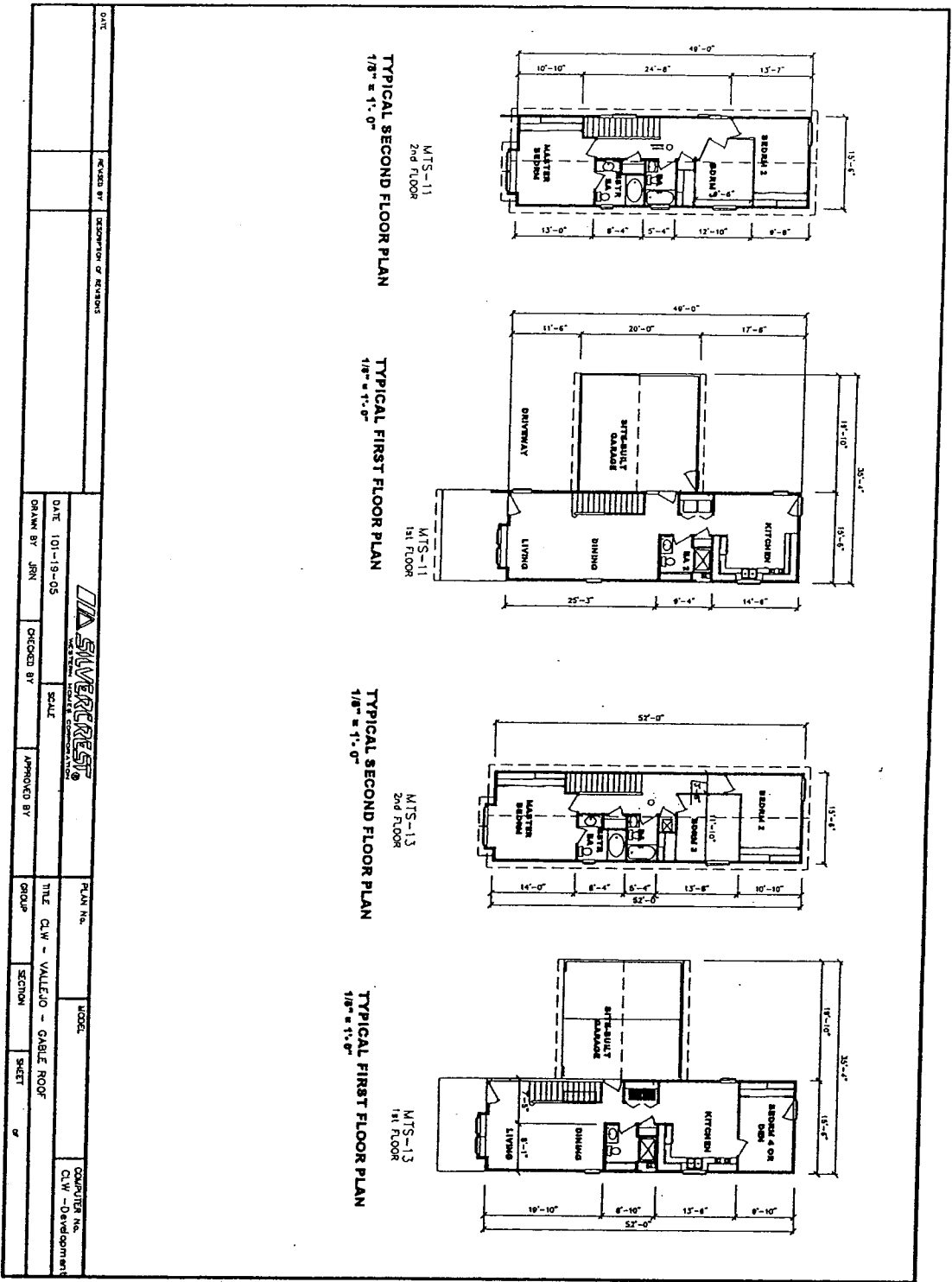


LEGEND	
	SURVEY POINT
	EASEMENT
	UTILITY LINE
	PROPERTY LINE
	ELEVATION
	FIELD CONTROL POINT
	EASEMENT
	UTILITY LINE
	PROPERTY LINE
	ELEVATION
	FIELD CONTROL POINT

LANDSCAPE NOTES
 1. ALL PLANTING TO BE INSTALLED BY CONTRACTOR.
 2. ALL PLANTING TO BE INSTALLED WITHIN 30 DAYS OF COMPLETION.
 3. ALL PLANTING TO BE INSTALLED WITHIN 30 DAYS OF COMPLETION.
 4. ALL PLANTING TO BE INSTALLED WITHIN 30 DAYS OF COMPLETION.
 5. ALL PLANTING TO BE INSTALLED WITHIN 30 DAYS OF COMPLETION.

<p>Surveyors Inc. 2743 YANIKS CORNER RD. SUSTUN VALLEY 94534 (707) 372-0580</p>		<p>OWNER/DEVELOPER CIW PARTNERSHIP 2743 YANIKS CORNER RD. SUSTUN VALLEY 94534 (707) 372-0580</p>	
<p>ARCHITECT SILVERCREST WESTERN HOMES CORP. 109 PIONEER ST. WOODLAND, CA 95776 (530) 867-3135</p>		<p>PAEISNO VILLAGE 6 SINGLE FAMILY DWELLINGS ILLINOIS ST., VALLEJO CA SOLANO COUNTY, CA</p>	
<p>PROJECT NO. 04-07 DRAWN BY: CS DDD DDD CHECKED BY: C. E. NO. DATE ISSUE</p>		<p>SHEET TITLE LANDSCAPE PLAN SHEET NUMBER L-1</p>	
<p>1st SUBMITTAL: 10/23/03 2nd SUBMITTAL: 03/15/06 CS JOB NO. 04-07</p>		<p>DATE OF SUBMITTAL: 03/15/06 CS JOB NO. 04-07</p>	

ZONING DRAWING



DATE	10-19-05	CHECKED BY	SOUL	APPROVED BY		PLAN No.		MODEL		COMPUTER No.	CLW - Development
DRAWN BY	JRN					TITLE	CLW - VALLEJO - GABLE ROOF				
						GROUP	SECTION	SHEET			

SURVEYOR:
Evans Surveyors Inc.
 1400 S. GARDNER STREET
 FAYETTEVILLE, CALIFORNIA 95630
 TEL: (925) 456-1100
 FAX: (925) 456-1101

OWNER/DEVELOPER:
 CLW PARTNERSHIP
 2743 LAMAR CORNER RD.
 SUJUN VALLEY 94534
 (707) 372-0560

ARCHITECT:
 SILVERCREST WESTERN
 HOME CONCEPTS
 109 PIONEER ST.
 WOODLAND, CA 95776
 (530) 682-9156

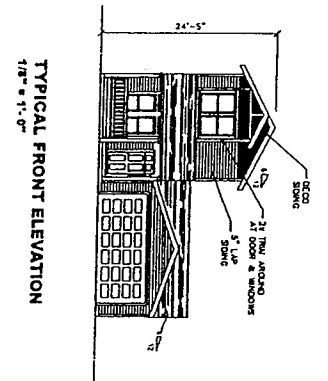
PAEISNO VILLAGE
 6 SINGLE FAMILY DWELLINGS
 ILLINOIS ST., VALLEJO CA
 SOLANO COUNTY, CA

PROJECT NO.	04-07
DRAWN BY	ES CAD DEPT
CHECKED BY	G. E.
NO.	
DATE	ISSUE
SHEET NUMBER	A-1
BUILDING PLANS	
SHEET TITLE	

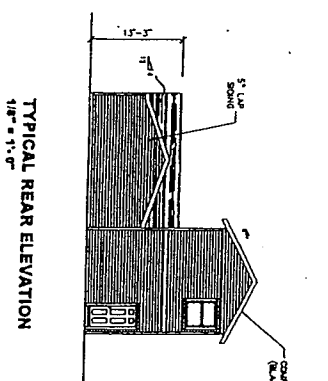
1st SUBMITTAL: 10/28/05
 2nd SUBMITTAL: 01/19/06
 ES JOB NO. 04-07

THIS DRAWING IS THE PROPERTY OF SILVERCREST WESTERN HOME CONCEPTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, 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 SILVERCREST WESTERN HOME CONCEPTS.

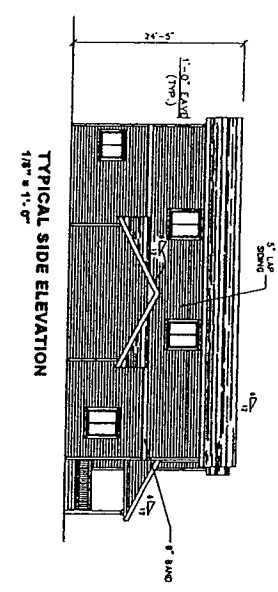
ZONING DRAWING



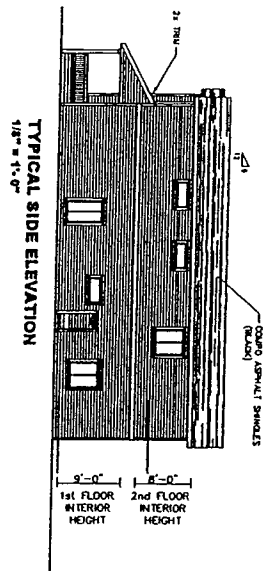
TYPICAL FRONT ELEVATION
1/8" = 1'-0"



TYPICAL REAR ELEVATION
1/8" = 1'-0"



TYPICAL SIDE ELEVATION
1/8" = 1'-0"



TYPICAL SIDE ELEVATION
1/8" = 1'-0"

DATE	REVISION BY	DESCRIPTION OF REVISIONS	DATE 10-1-19-05	SCALE	APPROVED BY	PLAN No.	NO. OF SHEETS	COMPUTER No.
			DRAWN BY JRN	CHECKED BY		CLW - VALLEJO - PLAN A (GARBE ROOF)	GROUP	CLW - Development
						SECTION	SHEET	

<p>EVANS SURVEYS INC. 2743 LINDSAY CORNER RD. SUISUN VALLEY 94534 (707) 372-0580</p>	<p>ARCHITECT SILVERCREST WESTERN HOMES CORP. 100 WOODLAND CENTER WOODLAND, CA 95776 (530) 862-8158</p>	<p>OWNER/DEVELOPER CLW PARTNERSHIP 2743 LINDSAY CORNER RD. SUISUN VALLEY 94534 (707) 372-0580</p>	<p>SUPERVISOR: Evans Surveys Inc. 2743 Lindsay Corner Rd. Suisun Valley, CA 94534 Tel: (707) 372-0580 Fax: (707) 458-1844</p>
<p>PAEISNO VILLAGE 6 SINGLE FAMILY DWELLINGS ILLINOIS ST., VALLEJO CA SOLANO COUNTY, CA</p>			
<p>PROJECT NO. 04-07</p>	<p>DRAWN BY: ESI CAD DEPT.</p>	<p>CHECKED BY: G. E.</p>	<p>NO. DATE ISSUED</p>
<p>SHEET TITLE</p>	<p>BUILDING ELEVATIONS 'A'</p>	<p>SHEET NUMBER</p>	<p>A-4.1</p>
<p>1st SUBMITTAL: 10/23/05</p>	<p>2nd SUBMITTAL: 03/13/06</p>	<p>ES JOB NO. 04-07</p>	

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ZONING DRAWING

TYPICAL FRONT ELEVATION
1/8" = 1'-0"

TYPICAL REAR ELEVATION
1/8" = 1'-0"

TYPICAL SIDE ELEVATION
1/8" = 1'-0"

TYPICAL SIDE ELEVATION
1/8" = 1'-0"

DATE	REVISION BY	DESCRIPTION OF REVISIONS			
DATE	DRAWN BY	CHECKED BY	APPROVED BY	PLAN No.	MODEL
10-19-05	JRN			CLW - VALLEJO - PLAN B (GABLE ROOF)	
				GROUP	SECTION
				SHEET	
				COMPUTER No.	CLW - Development

SUBRECTOR:		OWNER/DEVELOPER:	CLW PARTNERSHIP 2743 WANKS CORNER RD. SUNSHINE VALLEY 94534 (707) 572-0560
ARCHITECT:	SILVERCREST WESTERN HOMES CORP. 109 PIONEER ST. WOODLAND, CA 95776 (530) 662-9156	DATE:	04-07
PROJECT NO:	04-07	DRAWN BY:	ES CAD DEPT
CHECKED BY:	G. E.	DATE:	ISSUE
SHEET TITLE:	PAISNO VILLAGE 6 SINGLE FAMILY DWELLINGS ILLINOIS ST., VALLEJO CA SOLANO COUNTY, CA		
BUILDING ELEVATION 'B'			
SHEET NUMBER:	A-4.2		
1st SUBMITTAL:	10/28/05	2nd SUBMITTAL:	03/15/06
REV JOB NO:	04-07		

FOUNDING DRAWING

TYPICAL FRONT ELEVATION
1/8" = 1'-0"

TYPICAL REAR ELEVATION
1/8" = 1'-0"

TYPICAL SIDE ELEVATION
1/8" = 1'-0"

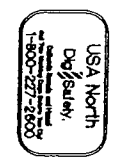
TYPICAL SIDE ELEVATION
1/8" = 1'-0"

DATE	REVISED BY	DESCRIPTION OF REVISIONS			
10/19/05	JRN				

SILVERCREST	PLAN No.	MODEL	
WESTERN VALLEY CORPORATION	TITLE	GROUP	SHEET
SCALE	CLW - VALLEJO - PLAN C (GABLE ROOF)	SECTION	A-4.3
DATE	APPROVED BY	COMPUTER No.	CLW - Development
DRAWN BY	ORDERED BY	GROUP	SHEET
JRN			A

<p>SURVEYOR: Everts Survey's Inc. 10000 S. AVENUE FALLENBURG, CALIFORNIA 95024 Tel: (707) 468-1900 Fax: (707) 468-0000</p>	<p>OWNER/DEVELOPER: CLW PARTNERSHIP 2743 LAMAS CORNER RD. SUSUN VALLEY 94534 (707) 572-0560</p>	<p>ARCHITECT: SILVERCREST WESTERN HOMES CORP. 109 PIONEER ST. WOODLAND, CA 95776 (530) 862-9156</p>	<p>PAEISNO VILLAGE 6 SINGLE FAMILY DWELLINGS ILLINOIS ST., VALLEJO CA SOLANO COUNTY, CA</p>
<p>SHEET NUMBER A-4.3</p>	<p>BUILDING ELEVATION 'C'</p>	<p>PROJECT NO. 04-07 DRAWN BY ES CAD DEPT CHECKED BY G. E. DATE ISSUED</p>	<p>1st SUBMITTAL 10/23/05 2nd SUBMITTAL 03/15/06 ES JOB NO. 04-07</p>

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MINOR 6 LOT SUBDIVISION BY CLW PARTNERSHIP

508 ILLINOIS STREET VALLEJO, CALIFORNIA

CITY TENMAP # 15-0004

SHEET INDEX:

- DESIGN DRAWINGS:**
- 1 - COVER SHEET
 - 2 - PROJECT GENERAL NOTES
 - 3 - ON-SITE GRADING PLAN
 - 4 - ON-SITE UTILITY PLAN
 - 5 - EROSION CONTROL

SIZE ADDRESS:

508 KILBOS ST.
VALLEJO, CA 94580
APN# 56-021-080, AND 090

CLIENT:

JOHN MCCOOL-MORILL
C/O CLW PARTNERSHIP
2743 BANKAS CORNER RD
SUNSHINE VALLEY, CA 94534
H (707) 422-0854
(707) 323-0560

ARCHITECT:

SILVERCREST WESTERN HOMES CORPORATION
C/O MARK WOODMANCE
205 SOUTHWEST GARDENS ST.
MOUNTAINVIEW, OR 97128
(503) 560-1971
FAX-(800)457-8838

SURVEYOR:

EVANS SURVEYS INC.
420 UNION AVENUE
FAIRFIELD, CA 94533
(707)436-1709

BENCHMARK:

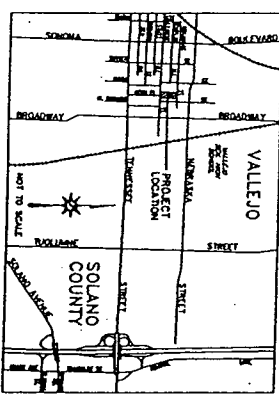
TOP OF FIRE HYDRANT EL. 2.708' CITY OF VALLEJO DATUM
EL. 9.045' THEN CONVERTED TO NAD 83 DATUM

COMPARAT	MARKET	FRONT	REAR	DEPTH	AREA	PERCENT	OF TOTAL	BASE	GOOD	EXCESS
NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.
0800374	17/27/183	C	17/27/183	A-1	8.0					

ENGINEER'S CERTIFICATION:
I, THE ENGINEER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAN WAS OBTAINED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMPLIES WITH ALL CITY AND STATE REQUIREMENTS AND REGULATIONS AND IS ACCURATE AND COMPLETE.

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CONSTRUCTION**



VALLEJO SANITATION AND FLOOD CONTROL DISTRICT

THIS PLAN HAS BEEN REVIEWED AND COMPLIANT WITH LOCAL ORDINANCES AND IS APPROVED FOR CONSTRUCTION AS INDICATED.

BY: _____ DATE: _____

RECORD DRAWING

DATE: _____

CITY OF VALLEJO UTILITIES DEPARTMENT

THIS PLAN HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY UTILITIES DEPARTMENT ORDINANCES AND IS APPROVED FOR CONSTRUCTION AS INDICATED.

BY: _____ DATE: _____

CITY OF VALLEJO PLANNING DEPARTMENT

THIS PLAN HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY PLANNING DEPARTMENT ORDINANCES AND IS APPROVED FOR CONSTRUCTION AS INDICATED.

BY: _____ DATE: _____

SOLANO ENGINEERING NOTE:

THIS PLAN HAS BEEN REVIEWED BY THE SOLANO ENGINEERING DEPARTMENT AND IS APPROVED FOR CONSTRUCTION AS INDICATED. THE ENGINEER'S CERTIFICATION IS THE BASIS FOR THE ENGINEER'S LIABILITY. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS PLAN. THE ENGINEER'S LIABILITY DOES NOT EXTEND TO THE DESIGN AND CONSTRUCTION OF ANY OTHER PROJECTS OR TO THE DESIGN AND CONSTRUCTION OF ANY OTHER PROJECTS THAT MAY BE AFFECTED BY THIS PROJECT.

DATE: _____

PLANS REVIEWED FOR CONSTRUCTION

DEPARTMENT OF PUBLIC WORKS - ENGINEERING DIVISION

BY: _____ DATE: _____

PLANS REVIEWED FOR CONSTRUCTION

DEPARTMENT OF PUBLIC WORKS - PLANNING DIVISION

BY: _____ DATE: _____

CITY OF VALLEJO

PLANNING DEPARTMENT

BY: _____ DATE: _____

C:\Users\ADMINISTRATOR\Desktop\15-0004\15-0004.dwg

<p>DESIGNED BY: C.C.</p> <p>DRAWN BY: AH</p> <p>CHECKED BY: C.C.</p>	<p>SCALE: N/A</p> <p>DRAWING: -</p> <p>REV. NO.: -</p>	<p>PROJECT: ILLINOIS ST. MINOR SUBDIVISION</p> <p>COVER SHEET</p> <p>508 KILBOS ST., VALLEJO, CA</p>
		<p>OWNER: CLW PARTNERSHIP</p> <p>DEVELOPER: JOHN MCCOOL-MORILL</p>
		<p>DATE: MARCH 11, 2008</p> <p>SHEET: 1 OF 5</p>

PRELIMINARY
NOT FOR
CONSTRUCTION

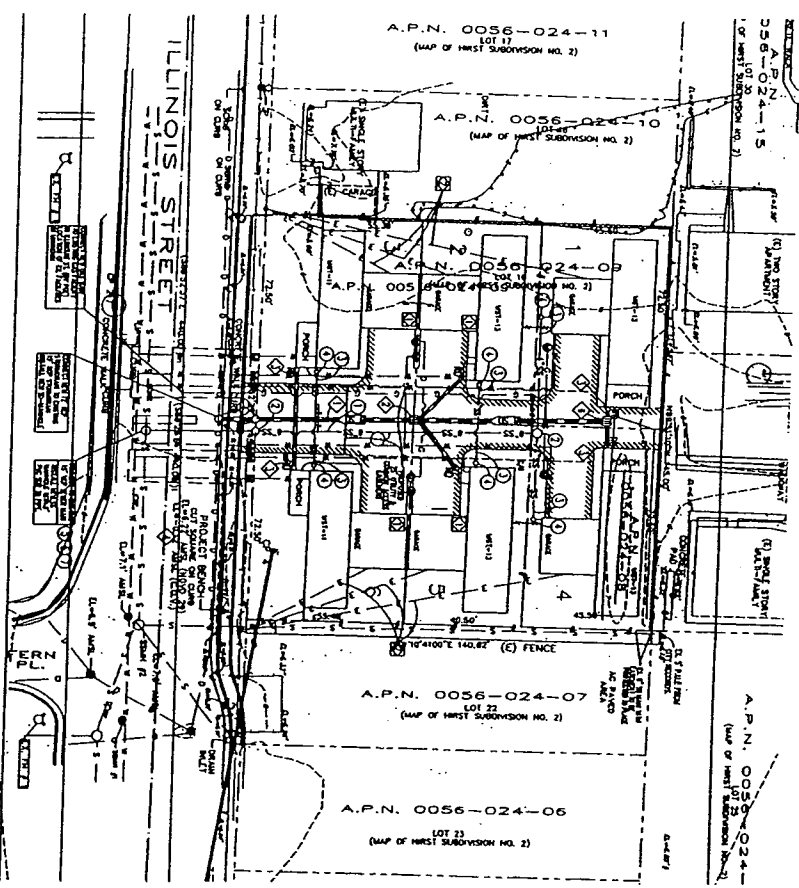
**ILLINOIS ST. MINOR SUBDIVISION
CONCEPTUAL ON-SITE UTILITY PLAN**
VALLEJO, CALIFORNIA

LEGEND

1	Proposed 12" Water Main
2	Proposed 12" Sewer Main
3	Proposed 12" Storm Drain
4	Proposed 12" Gas Main
5	Proposed 12" Electric Conduit
6	Proposed 12" Fire Main
7	Proposed 12" Telephone Conduit
8	Proposed 12" Cable TV Conduit
9	Proposed 12" Fiber Optic Conduit
10	Proposed 12" Other Conduit
11	Proposed 12" Catch Basin
12	Proposed 12" Manhole
13	Proposed 12" Valve
14	Proposed 12" Meter
15	Proposed 12" Service
16	Proposed 12" Connection
17	Proposed 12" Repair
18	Proposed 12" Replacement
19	Proposed 12" Removal
20	Proposed 12" Abandonment
21	Proposed 12" Relocation
22	Proposed 12" Extension
23	Proposed 12" Termination
24	Proposed 12" Intersection
25	Proposed 12" Crossing
26	Proposed 12" Underpass
27	Proposed 12" Overpass
28	Proposed 12" Tunnel
29	Proposed 12" Bridge
30	Proposed 12" Viaduct
31	Proposed 12" Culvert
32	Proposed 12" Ditch
33	Proposed 12" Canal
34	Proposed 12" Pipeline
35	Proposed 12" Trench
36	Proposed 12" Excavation
37	Proposed 12" Embankment
38	Proposed 12" Retention Wall
39	Proposed 12" Foundation
40	Proposed 12" Structure
41	Proposed 12" Building
42	Proposed 12" Vehicle
43	Proposed 12" Pedestrian
44	Proposed 12" Bicycle
45	Proposed 12" Other

EFFECTS

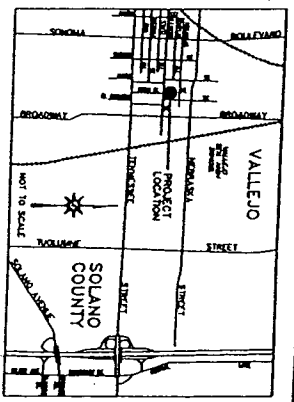
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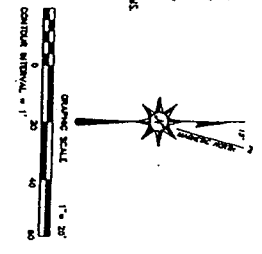
- NOTES**
1. ALL GAS MAINS SHALL BE DESIGNED AND INSTALLED BY THE GAS SERVICE BUREAU AND INSTALLED BY THE GAS SERVICE BUREAU.
 2. ALL ELECTRICAL SERVICES SHALL BE PROVIDED AS PER CITY OF VALLEJO SPECIFICATIONS AND STANDARDS SUBJECT TO THE INTERFERENCES AT THIS TIME.
 3. ALL ELECTRICAL SERVICES SHALL BE PROVIDED AS PER CITY OF VALLEJO SPECIFICATIONS AND STANDARDS SUBJECT TO THE INTERFERENCES AT THIS TIME.
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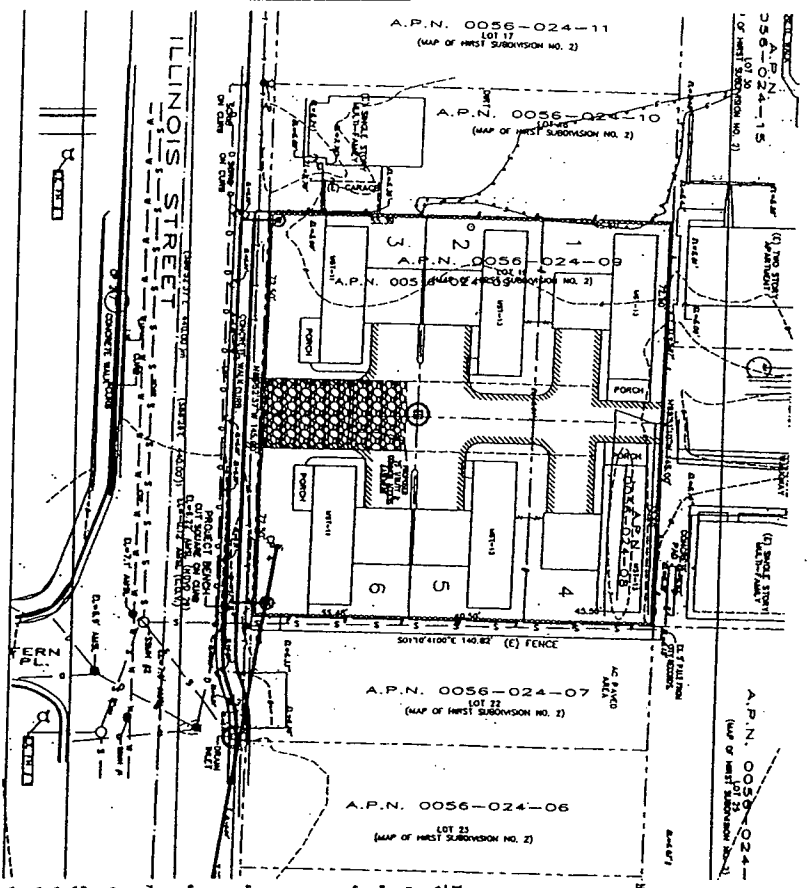
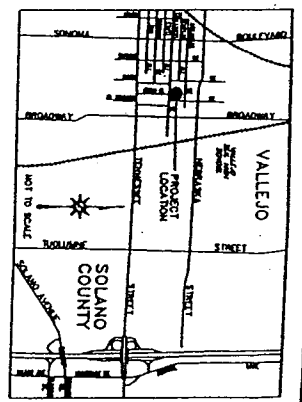
- NOTES**
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<p>DESIGNED BY: CC</p> <p>DRAWN BY: AH</p> <p>CHECKED BY: CC</p>	<p>SCALE: 1" = 20'</p> <p>DRAWING: 0</p> <p>REV. NO.: 0</p>	<p>PROJECT: ILLINOIS ST. MINOR SUBDIVISION ON-SITE UTILITY PLAN VALLEJO, CALIFORNIA</p>	<p>DATE: 11/17/2008</p> <p>JOB NO: 2008-101</p> <p>SHEET: 4 OF 5</p>	<p>DEVELOPER:</p>	<p>ENGINEER:</p> <p>WATERFRONT ENGINEERING</p>
				<p>LOCAL RECORDING:</p>	<p>DATE:</p>

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CONSTRUCTION

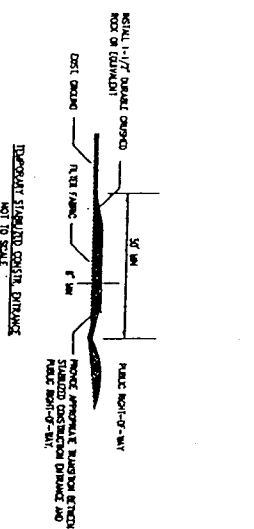
ILLINOIS ST. MINOR SUBDIVISION
SWPPP AND EROSION CONTROL PLAN
VALLEJO, CALIFORNIA



LEGEND

○	EXISTING SANITARY SEWER
○	EXISTING CITY SEWER
○	EXISTING FIRE HYDRANT
○	EXISTING GATE VALVE
○	EXISTING STREET LIGHT
○	EXISTING CATCH BASIN
○	PROPOSED FIRE BOLL
○	PROPOSED CATCH BASIN
○	PROPOSED TEMPORARY CATCH BASIN
○	CENTER LINE OF ROAD
○	PROPERTY LINE
○	EX. WATER MAIN
○	EX. SANITARY SEWER
○	EX. STORM SEWER
○	PROPOSED STORM SEWER
○	WALL FOOT
○	TOP PORTABLE TOILET AREA
○	TOP PAINT VAPOR AREA
○	TOP ODC VAPOR AREA
○	TOP EXISTING STORAGE BUILDING

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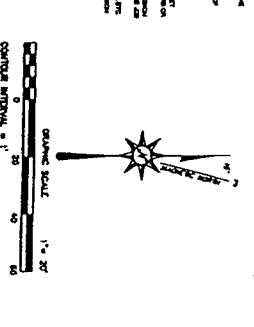


EROSION CONTROL NOTES

1. WORK ALL STORM DRAIN WITH UNFINISHED SPREADS.
2. POLYURETHANE FLEXIBLE JOINTS MUST BE USED AT ALL JOINTS.
3. THE GROUND SURFACE SHALL BE MAINTAINED AS CLOSE AS POSSIBLE TO ORIGINAL GRADE THROUGHOUT THE CONSTRUCTION PERIOD.
4. THE GROUND SURFACE SHALL BE MAINTAINED AS CLOSE AS POSSIBLE TO ORIGINAL GRADE THROUGHOUT THE CONSTRUCTION PERIOD.
5. THE GROUND SURFACE SHALL BE MAINTAINED AS CLOSE AS POSSIBLE TO ORIGINAL GRADE THROUGHOUT THE CONSTRUCTION PERIOD.

SEED SPECIFICATIONS AND EROSION CONTROL NOTES

1. A CONSTRUCTION DISTRICT WILL BE ASSIGNED TO MAINTAIN THE CONSTRUCTION DISTRICT THROUGHOUT THE CONSTRUCTION PERIOD.
2. THE DISTRICT WILL BE ASSIGNED TO MAINTAIN THE CONSTRUCTION DISTRICT THROUGHOUT THE CONSTRUCTION PERIOD.
3. THE DISTRICT WILL BE ASSIGNED TO MAINTAIN THE CONSTRUCTION DISTRICT THROUGHOUT THE CONSTRUCTION PERIOD.



<p>DATE: MARCH 17, 2008</p> <p>SCALE: 1"=20'</p> <p>PROJECT: ILLINOIS ST. MINOR SUBDIVISION SWPPP AND EROSION CONTROL PLAN VALLEJO, CALIFORNIA</p>	<p>DESIGNED BY: CC</p> <p>DRAWN BY: A.H.</p> <p>CHECKED BY: CC</p>	<p>SCALE: 1"=20'</p> <p>DRAWING: 6</p> <p>REV. NO.: 8</p>	<p>PROJECT: ILLINOIS ST. MINOR SUBDIVISION SWPPP AND EROSION CONTROL PLAN VALLEJO, CALIFORNIA</p>
	<p>DEVELOPER: R.F.R.</p> <p>OWNER: R.F.R.</p>	<p>DATE: MARCH 17, 2008</p> <p>SCALE: 1"=20'</p> <p>PROJECT: ILLINOIS ST. MINOR SUBDIVISION SWPPP AND EROSION CONTROL PLAN VALLEJO, CALIFORNIA</p>	<p>DESIGNED BY: CC</p> <p>DRAWN BY: A.H.</p> <p>CHECKED BY: CC</p>

LEGEND

- MANHOLE
- FIRE HYDRANT
- LIGHT POLE
- MONUMENT
- TREE
- AGE
- ADJ.
- OR FENCED FIELD CONTROL POINT

VICINITY MAP

PROJECT DATA

EXISTING USE:	LOT	LOT SIZES
VACANT	1	32,98.75
EXISTING ZONE:	2	32,98.75
U-L (INTENSIVE USE LIMITED)	3	32,98.75
	4	32,98.75
	5	32,98.75
	6	32,98.75

PROPOSED PROJECT:
 THERE ARE TWO UNIT TYPES: MST-11 AND MST-13
 EACH UNIT IS A 2-STORY, 3 BEDROOM, 2.5 BATH,
 MST-11: 1,943 SQ. FT. - SINGLE FAMILY DWELLING
 MST-13: 1,835 SQ. FT. - SINGLE FAMILY DWELLING
 LOT AREA:
 20,300 SQUARE FOOT = 0.47 ACRES

CUT/FILL:
 NONE < 50 C.Y.

CHARLES L. EVANS
 15 3700
 EXP. 06/30/08

A.P.N. 0056-024-11
 LOT 17
 (MAP OF HRST SUBDIVISION NO. 2)

A.P.N. 0056-024-10
 LOT 16
 (MAP OF HRST SUBDIVISION NO. 2)

A.P.N. 0056-024-09
 LOT 15
 (MAP OF HRST SUBDIVISION NO. 2)

A.P.N. 0056-024-07
 LOT 22
 (MAP OF HRST SUBDIVISION NO. 2)

A.P.N. 0056-024-06
 LOT 21
 (MAP OF HRST SUBDIVISION NO. 2)

ILLINOIS STREET

TENTATIVE MAP

BEING A SMALL LOT SUBDIVISION
 OF LOT 19 AND LOT 20 AS SHOWN
 ON THE MAP OF HRST SUBDIVISION NO. 2
 VALLEJO, SOLANO COUNTY, CALIFORNIA
 SCALE: 1"=20'
 SHEET 1 OF 1 10/17/05

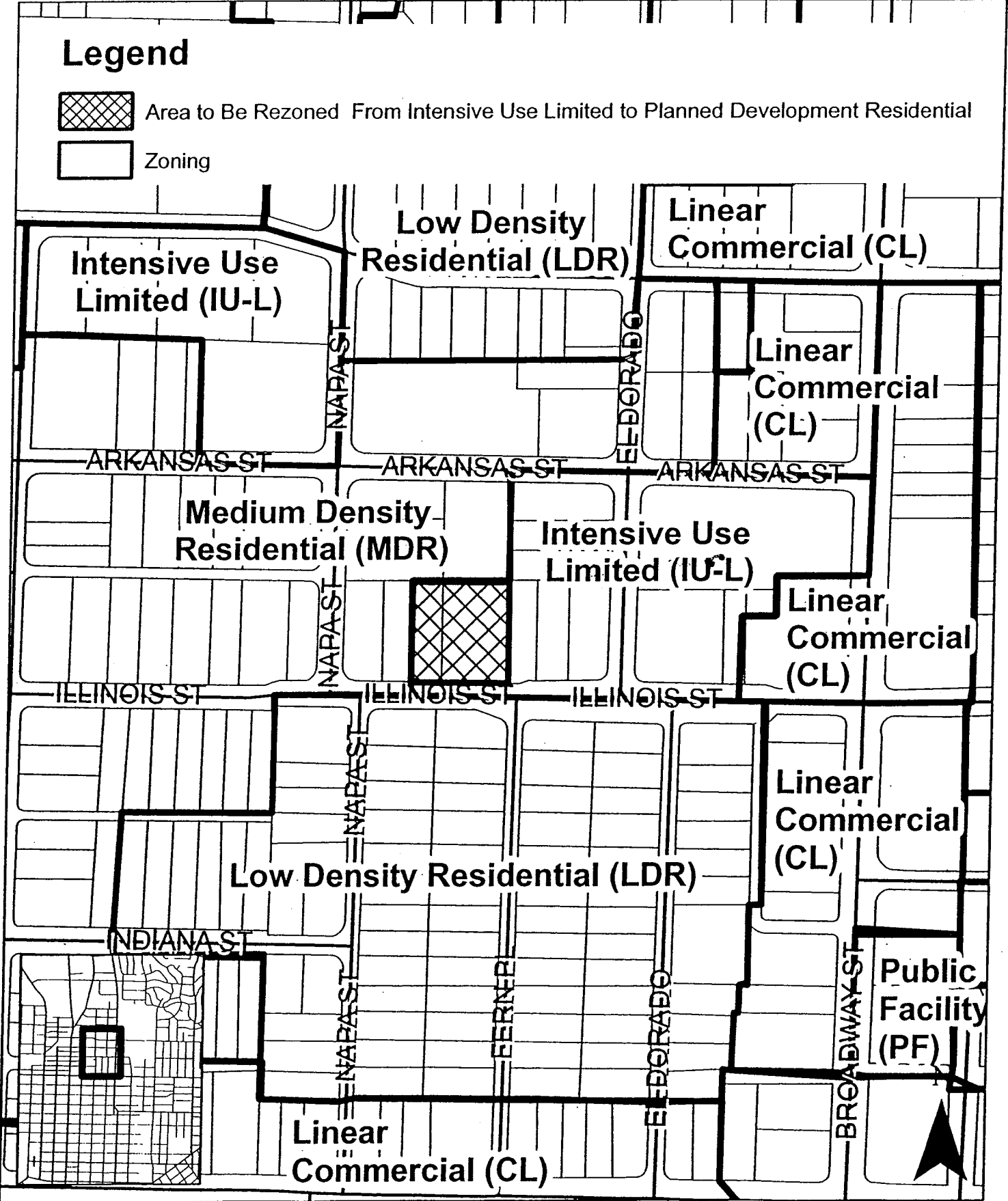
Frans Surveys Inc.
 400 DUNDEE AVENUE
 ASTORIA, OREGON 97103
 Tel: (503) 486-1700
 Fax: (503) 486-0044

OWNER/DEVELOPER
 CLW PARTNERSHIP
 2745 WANKS CORNER RD.
 SUISUN VALLEY 94534
 (707) 572-0560

ARCHITECT
 SILVERCREST WESTERN
 HOMES CORP.
 109 PIONEER ST.
 WOODLAND, CA 95776
 (530) 662-9158

Proposed Zone Change

(Intensive Use Limited to Planned Development Residential)



CITY OF VALLEJO

PROPOSED MITIGATED NEGATIVE DECLARATION

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

PROJECT ACTIONS: Zoning Map Amendment #05-0002
 Planned Development #05-0012
 Tentative Map #05-0013

LOCATION: The project is consists of two vacant Lots on the north side of Illinois Street approximately 500 feet west of Broadway and approximately 1,050 feet east of Sonoma Boulevard on Illinois Street; APN 0056-024-080 and 0056-024-090

PROJECT DESCRIPTION: The project is for a Zoning Map Amendment to rezone the subject parcels from Intensive Use Limited (IU-L) to Planned Development Residential (PDR). The applicant is also requesting a Planned Development Application for a Master Plan/Unit Plan because the proposed lot sizes are less than the 5,000 square foot minimum lot size and to construct one dwelling unit on each of the six proposed lots. A Tentative Map application is required to divide the two existing parcels totaling 0.47 acres into six lots and with a proposed parcel size ranging from 2,936 square feet to 3,915 square feet. The size of the units would include: two units that would be 1,542 square feet and the remaining four units would be 1,634 square feet. Each unit would contain four bedrooms, three bathrooms, kitchen, dining room, optional den, and a two car garage

PROPONENT: CLW Partnership
 2743 Mankas Corner Road
 Suisun Valley, CA 94534

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

REASON TO SUPPORT FINDING:

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

MITIGATION MEASURES

AIR QUALITY

Construction Phase:

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

CULTURAL RESOURCES

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

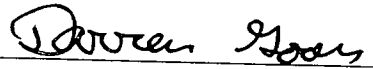
HYDROLOGY AND WATER QUALITY

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

NOISE

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

Date Prepared: October 16, 2006



DARREN GOON
Assistant Planner

Environmental Checklist

Paissano Village – Six Single Family Dwellings

1. Project title: Paissano Village Planned Development, Tentative Map and Zoning Map Amendment

2. Lead agency name and address:

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

3. Contact person and phone number:
Darren Goon, Assistant Planner – (707)-649-3409

4. Project location:
The project is consists of two vacant Lots on the north side of Illinois Street approximately 500 feet west of Broadway and approximately 1,050 feet east of Sonoma Boulevard on Illinois Street; APN 0056-024-080 and 0056-024-090

5. Project sponsor's name and address:
CLW Partnership
2743 Mankas Corner Road
Suisun Valley, CA 94534

6. General plan designation: High Density Residential 7. Zoning: Intensive Use Limited

8. Description of project:

The project is for a Zoning Map Amendment to rezone the subject parcels from Intensive Use Limited (IU-L) to Planned Development Residential (PDR). The applicant is also requesting a Planned Development Application for a Master Plan/Unit Plan to construct six dwelling units. Two of the units would be 1,542 square feet and the remaining four units would be 1,634 square feet. Each unit would contain four bedrooms, three bathrooms, kitchen, dining room, optional den, and a two car garage. A Tentative Map application is required to divide the two existing parcels with a combined square footage of 20,473 square feet into six smaller parcels with a proposed lot size ranging from 2,936 square feet to 3,915 square feet per lot.

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

The project is located on Illinois Street. Existing single family homes are located to the west and south of the subject property. To the north are two multi-family residential properties. Located

to the east of the subject property is a legal non-conforming truck storage and maintenance facility.

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

The project would require approval of the City of Vallejo Planning Commission and City Council with respect to the rezoning, tentative map and planned development unit plan.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

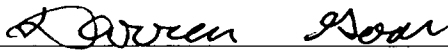
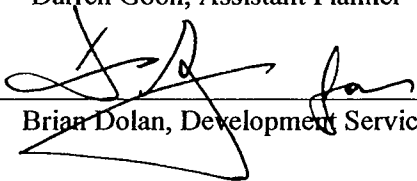
I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

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

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

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

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


 Signature Darren Goon, Assistant Planner Date 10/16/06

 Signature Brian Dolan, Development Services Director Date 10/16/06

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

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

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

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

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

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

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>The project would not create a new source of substantial light or glare. Street lights would be shielded and any other lighting would be typical of single-family development.</i>				X
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: <i>The site does not contain agricultural resources.</i>				X
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>The site does not include any Farmland.</i>				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The site is not zoned for agricultural use and does not have a Williamson Act contract.</i>				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>See (a) and (b) above.</i>				X
III. AIR QUALITY -- Where available, the significance criteria established by the				

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

X

The project would ultimately enable the construction of up to six single-family homes, which would add to the number of vehicle trips per day. The Bay Area CEQA Guidelines indicate that single-family residential projects of less than 320 units are not likely to generate 80 LB/day NOx, the threshold for significant impacts.

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

X

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

- *Water all active construction sites at least twice daily.*
- *Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.*
- *Pave, apply water three times daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.*
- *Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.*
- *Sweep streets daily (with water*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p><i>sweepers) if visible soil material is carried onto adjacent public streets.</i></p> <ul style="list-style-type: none"> • <i>Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</i> • <i>Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles (dirt, sand, etc.).</i> • <i>Limit traffic speeds on unpaved roads to 15 mph.</i> • <i>Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</i> • <i>Replant vegetation in disturbed areas as quickly as possible.</i> 				
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> <p><i>The size of the project would preclude it from resulting in a cumulatively considerable net increase in criteria pollutant.</i></p>			X	
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p><i>The project would not result in substantial pollutant concentrations and, therefore, would not expose sensitive receptors to such.</i></p>			X	
<p>e) Create objectionable odors affecting a substantial number of people?</p> <p><i>The project is a tentative map for single-family homes. No objectionable odors are associated with this use.</i></p>				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? <i>The project site is surrounded by existing development. No known special status species exist on the site. Animal species in the vicinity are those that are well-adapted to human disturbance.</i>			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? <i>The site does not include any riparian habitat or other known sensitive natural community.</i>			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? <i>The project would not adversely affect any federally protected wetlands.</i>				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i>The site does not support any native resident</i>				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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or migratory fish or other special status wildlife species.

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

X

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

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

X

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

V. CULTURAL RESOURCES -- Would the project:

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

X

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

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified.

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

X

See (a) above.

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

X

See (a), above.

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

X

See (a), above.

VI. GEOLOGY AND SOILS -- Would the project:

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

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

X

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

ii) Strong seismic ground shaking?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>See (i) above</i>				
iii) Seismic-related ground failure, including liquefaction? <i>See (i) above.</i>			X	
iv) Landslides? <i>The subject lot is flat and there are no known landslides.</i>				X
b) Result in substantial soil erosion or the loss of topsoil? <i>The site is flat and located within an urban infill area. The site is not known to be highly susceptible to ground failure, liquefaction, landslides, and erosion. Standard geotechnical investigations/soils reports will be required prior to review of construction drawings to ensure that any soils and slope stability issues are addressed in the project design.</i>			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>See (b) above.</i>			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>See (b) above.</i>			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? <i>The project would be served by the City sewer system. No septic tanks or alternative waste water disposal systems would be used</i>				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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for the project.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

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

X

The project would not include the routine transportation, use, or disposal of hazardous materials.

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

X

There are no hazardous materials involved in this project.

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

X

The project does not involve hazardous materials.

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

X

The project is not on a site listed as a hazardous materials site.

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

X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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The project is not located within an airport land use plan or within two miles of an airport.

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

X

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

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

X

The project would not impair implement of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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

X

The project is not located adjacent to an area subject to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

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

X

The project is a small residential project that is less than one acre. Projects sites greater than one acre are subject to a Storm Water Pollution Prevention Plan. Conditions imposed by Vallejo Sanitation and Flood Control District will be sufficient.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net

X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

The project will result in a greater impervious surface but, the amount of surface area is not of sufficient size to result in significant reductions in groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The site is an urban infill site and there are no streams, rivers or other water courses on the site. The project would not increase erosion or siltation..

X

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The project is a small residential project that is less than one acre. All site drainage will be directed to the City's storm drain system and conditions implemented by the Vallejo Sanitation and Flood Control District will prevent the project from having any significant drainage, flooding, or water quality impacts.

X

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>polluted runoff? <i>See (d) above.</i></p>				
<p>f) Otherwise substantially degrade water quality? <i>See (d) above.</i></p>				X
<p>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>The project is within a 100-year flood hazard area per FIRM #060374. Implementation of the mitigation proposed by Waterfront Engineering in their letter dated February 16, 2006 will prevent the project from having any significant impacts.</i></p>		X		
<p>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>See (g) above.</i></p>				X
<p>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <i>There are no dams or levees in the project vicinity.</i></p>				X
<p>j) Inundation by seiche, tsunami, or mudflow? <i>The project site is not subject to seiche, tsunami, or mudflows.</i></p>				X
<p>IX. LAND USE AND PLANNING - Would the project:</p>				
<p>a) Physically divide an established community? <i>The project is an infill site and would not divide an established community.</i></p>				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p><i>The project would not conflict with any applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect.</i></p>				X
<p>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</p> <p><i>There are no habitat or natural community conservation plans within the vicinity of the project site.</i></p>				X
<p>X. MINERAL RESOURCES -- Would the project:</p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p> <p><i>There are no known mineral resources in the vicinity of the project site.</i></p>				X
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</p> <p><i>See (a) above.</i></p>				X
<p>XI. NOISE B Would the project result in:</p>				
<p>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p> <p><i>Short-term construction-related noise levels</i></p>		X		

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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may be in excess of the standards established in the General Plan; however, short-term noise impacts are not considered to be significant. Nevertheless, the following mitigation measures shall be implemented to lessen construction-related noise impacts:

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

The site is not located in an area known to exceed General Plan Standards for residential uses.

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

X

See (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See (a) above.</i>				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See a) above.</i>		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? <i>The project is not located with an airport land use plans or within two miles of an airport.</i>				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? <i>The project is not located within the vicinity of a private airstrip.</i>				X
XII. POPULATION AND HOUSING --				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>The project would provide 6 developable lots, which is within the anticipated growth in the City's General Plan. A project of this size would not indirectly induce substantial growth.</i>				X
b) Displace substantial numbers of existing				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
housing, necessitating the construction of replacement housing elsewhere? <i>The project would not displace any existing housing.</i>				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>The project would not displace any people.</i>				X
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection? <i>The project would result in six buildable lots, which is included in growth anticipated in the City's General Plan. The project would not result in any substantial adverse physical impacts associated with the provision of governmental facilities or services.</i>				X
Police protection? <i>See above.</i>				X
Schools? <i>See above.</i>				X
Parks? <i>See above.</i>				X
Other public facilities?				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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See above.

XIV. RECREATION --

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

X

The project would create 6 buildable lots. Residents would likely use Washington Park located eight blocks to the south. As a condition of the approval of the final subdivision map, the subdivider or owner shall dedicate land or pay a fee in lieu thereof, or both, at the option of the City, for park, recreation, or open space purposes according to the standards and formula contained in Chapter 3 of the Vallejo Municipal Code.

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

X

The project does not include recreational facilities or require the construction or expansion of recreational facilities. There is a neighborhood park, Washington Park, located eight blocks to the south. Existing traffic signalization and crosswalks are sufficient.

XV. TRANSPORTATION/TRAFFIC --

Would the project:

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

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
intersections)? <i>The project would generate approximately 60 trips per day. The level of increase in traffic is not substantial in relation to the existing traffic level and capacity of the street system.</i>				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? <i>See (a) above.</i>				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks? <i>The limited size of the project precludes any impacts to air traffic.</i>				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>The intersection of Illinois Street and the new private street for the subdivision has been designed to minimize any hazards.</i>				X
e) Result in inadequate emergency access? <i>The project has been designed to meet the standards for emergency access.</i>				X
f) Result in inadequate parking capacity? <i>The project includes parking that is consistent with the Vallejo Municipal Code requirements.</i>				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>The project would not conflict with adopted</i>				X

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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policies, plans, or programs supporting alternative transportation. The closest bus stops are located on Broadway Street to the east and Sonoma Boulevard to the west.

XVI. UTILITIES AND SERVICE SYSTEMS B Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

X

The project is within the development anticipated in the General Plan and would not exceed wastewater treatment requirements of the BAWQCB.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

X

The project is within the development anticipated in the General plan and would not require or result in the construction or expansion of new water or wastewater treatment facilities.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

X

Existing storm water collection facilities are adequate to serve the project.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

X

Sufficient water supplies are available to serve the project from existing entitlements and resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p> <p><i>The project would not exceed the capacity of the wastewater treatment provider (VSFCD).</i></p>				X
<p>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</p> <p><i>The project is within development anticipated in the Vallejo General Plan and would be served by a landfill with sufficient capacity to accommodate the project's solid waste disposal needs.</i></p>				X
<p>g) Comply with federal, state, and local statutes and regulations related to solid waste?</p> <p><i>The project complies with federal, state, and local statutes and regulations related to solid waste as a condition of project approval.</i></p>				X
<p>XVII. MANDATORY FINDINGS OF SIGNIFICANCE --</p>				
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>With implementation of proposed mitigations, the project has no potentially significant impacts.</i></p>				X
<p>b) Does the project have impacts that are</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? <i>The proposed project would not have any impacts that are individually limited, but cumulatively considerable.</i>				X

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? <i>With implementation of proposed mitigation, the project has no environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.</i>		X		
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SUPPORTING INFORMATION SOURCES

1. Project Specific Factor/Project Design
2. City of Vallejo General Plan, July 1999
3. City of Vallejo Municipal Code (as adopted)
4. State of California, Subdivision Map Act (Government Code Sections 66410 to 66499.58)
5. Vallejo Citywide Traffic Study, June 1994
6. BAAQMD CEQA Guidelines Assessing the Air Quality Impacts of Projects and Plans, Bay Area Air Quality Management District, April 1996, revised December 1999.
7. City of Vallejo, Regulations and Specifications for Public Improvements (as adopted)
8. City of Vallejo, Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers, as updated by Brown & Caldwell, 1996.
9. City of Vallejo, 1995 Urban Water Management Plan
10. Vallejo Sanitation and Flood Control District, Wastewater Facilities Master Plan, 1992.
11. Vallejo Sanitation and Flood Control District, Storm Drainage Master Plan, 1992.
12. Greater Vallejo Recreation District Master Plan, May 1986.
13. Greater Vallejo Recreation District and City of Vallejo, Vallejo Trails Master Plan, June 1988
14. Uniform Building Code (as adopted)
15. Uniform Fire Code (as adopted)
16. Vallejo Fire Prevention Standards.
17. Verbal and/or written comments from Vallejo Department of Public Works (Engineering Division)
18. Verbal and/or written comments from Vallejo Water Division
19. Verbal and/or written comments from Vallejo Fire Prevention Division
20. Verbal and/or written comments from Vallejo Police Department
21. Verbal and/or written comments from Vallejo Sanitation and Flood Control District
22. California Archeological Inventory, Northwest Information Center, Sonoma State University
23. Federal Emergency Management Agency, Flood Insurance Program
24. California Department of Conservation, *Special Report 166 - Mineral Land Classification: Aggregate Materials in the San Francisco - Monterey Bay Area*
25. Office of Planning and Research, Hazardous Waste and Substance Sites List
26. City of Vallejo, Emergency Operations Plan, September 1998
27. Solano County Integrated Waste Management Plan
28. Letter, Waterfront Engineering, February 16, 2006

**City of Vallejo Mitigation Monitoring and Reporting Program
Six Detached Two – Story Single Family Dwellings on Illinois Street
(APN#s 0056-024-080 & 090)
November 20, 2006**

Impact	Mitigation Measure(s)	Implementation Procedure	Monitoring Responsibility
<p>Air Quality</p> <p>Construction related activities will most likely impact air quality as anticipated with any construction project.</p>	<ul style="list-style-type: none"> • Water all active construction sites at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites. 	<p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p> <p>Require as a condition of project approval.</p>	<p>Building Division</p> <p>Building Division</p> <p>Building Division</p> <p>Building Division</p>

<p>Cultural Resources</p> <p>There are no known historical, archaeological, or paleontological resources in the project vicinity; however, as with any construction project there is a possibility of discovering new historical, archaeological or paleontological resources during any phase of the project.</p>	<ul style="list-style-type: none"> In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified. 	<p>Require as a condition of project approval.</p>	<p>Planning Division</p>
<p>Discovery of new historical, archaeological or paleontological resources may cause a substantial adverse change in the significance of an archaeological resource.</p>	<ul style="list-style-type: none"> In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate 	<p>Require as a condition of project approval.</p>	<p>Planning Division</p>

	<p>management plan as necessary. If human remains are discovered, the County Coroner shall also be notified.</p>		
<p>As with any construction project there is a possibility of directly or indirectly destroying of a unique paleontological resource or site or unique geologic feature.</p>	<ul style="list-style-type: none"> In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified. 	<p>Require as a condition of project approval.</p>	<p>Planning Division</p>
<p>As with any construction project there is a possibility of disturbing human remains, including those interred outside of formal cemeteries.</p>	<ul style="list-style-type: none"> In the event unsuspected historical, archaeological, or paleontological resources or human remains are discovered during any phase of the project, land alteration work within 50 feet of the find shall be halted, the Planning Division 	<p>Require as a condition of project approval.</p>	<p>Planning Division</p>

	<p>notified, and a qualified professional consulted to evaluate the resource and suggest an appropriate management plan as necessary. If human remains are discovered, the County Coroner shall also be notified.</p>		
<p>Hydrology & Water Quality</p> <p>Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map</p>	<ul style="list-style-type: none"> The project is within a 100-year flood hazard area per FIRM #060374. Implementation of the mitigation proposed by Waterfront Engineering in their letter dated February 16, 2006 will prevent the project from having any significant impacts. 	<p>Require as a condition of project approval.</p>	<p>Building Division</p>
<p>Noise</p> <p>Short-term construction-related noise levels may be in excess of the standards established in the General Plan.</p>	<ul style="list-style-type: none"> Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and 	<p>Require as a condition of project approval.</p>	<p>Building Division</p>

use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).

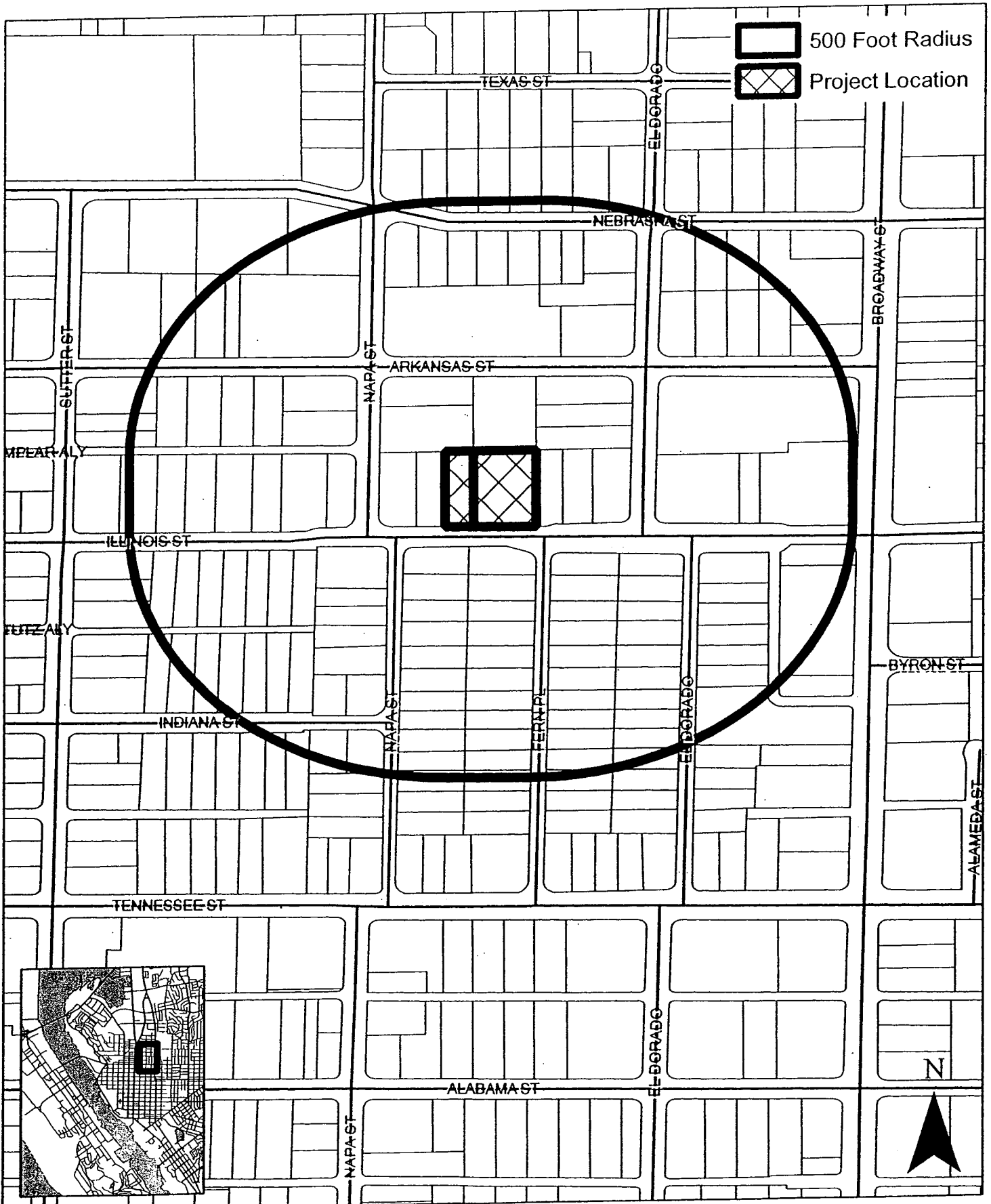
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction.
- During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be

<p>The project may cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels during the construction phase.</p>	<p>allowed on Sundays and public holidays.</p> <ul style="list-style-type: none"> • Equipment and trucks used for the project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, and use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). • The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction related noise sources and noise sensitive receptors nearest the project site during all project construction. 	<p>Require as a condition of project approval.</p>	<p>Building Division</p>
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<p>Mandatory Findings of Significance</p> <p>The project has a potential to cause substantial adverse effects on human beings, either directly or indirectly</p>	<ul style="list-style-type: none"> • During all project site construction, the construction contractor shall limit all construction-related activities to the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays. 		
	<ul style="list-style-type: none"> • With implementation of proposed mitigation, the project has no environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. 	<p>Require as a condition of approval.</p>	<p>Planning, Building and Public Works</p>

Conflict of Interest Map

Zoning Map Amendment #05-0002, Planned Development #05-0012,
Tentative Map #05-0004, and a Mitigated Negative Declaration
Vacant Parcels on Illinois Street - (APN# 0056-024-080 and 090)





City of Vallejo Memo

To: Planning Commission
From: Laura Simpson, Housing and Community Development Manager
Date: April 16, 2007
Re: Schedule of Workshops to form stakeholder recommendations on
Inclusionary Zoning

BACKGROUND:

Staff presented a draft inclusionary zoning ordinance to the Planning Commission on February 21, 2007. Staff received feedback and incorporated changes into a revised draft ordinance for consideration on March 20, 2007. The report was submitted in the March 19, 2007, Planning Commission packet. On March 19th, the Planning Commission directed staff to establish a work schedule of upcoming meetings to allow further discussion and the development of recommendations from stakeholders on the draft inclusionary ordinance. A schedule, described below, has been developed with input from stakeholders.

PROPOSED SCHEDULE:

The following dates have been scheduled to allow additional discussion on the topic of inclusionary zoning and to allow time for stakeholders to formulate recommendations for staff and Planning Commission consideration for an inclusionary zoning ordinance. Meetings will be noticed via the Vallejo Times Herald, the City website, local cable access, and direct mailing to interested parties.

Wednesday, April 25, 2007- 4:00 p.m. to 7:00 p.m., Solano Association of Realtors, 1302 Springs Road: Steve Sanders from the Institute for Local Government will provide a general overview of best practices in inclusionary, with particular focus on incentives and income-targeting. Rick Jacobus from Burlington Associates will present an overview of Resale restrictions and equity share models and facilitate group discussion and recommendations.

Wednesday, May 9, 2007- 4:00 p.m. to 6:00 p.m., Joseph Room, Vallejo Library: Betty Pagett from the Non-Profit Housing Association (NPH) to facilitate discussion and help stakeholders finalize draft recommendations.

Friday, **May 18, 2007**- 9:00 a.m. to 12:00 noon, Joseph Room, Vallejo Library: NPH Report released on Inclusionary Best Practices in California. Opportunity for further discussion around inclusionary zoning.

Monday, **May 21, 2007**- Planning Commission meeting to present revised ordinance and stakeholder recommendations.

June 5, 2007- City Council meeting to present draft inclusionary ordinance.

Back-up date: (If more time is needed) **Monday, June 18, 2007**, Planning Commission meeting to present revised ordinance and recommendations.

Back up date: Tuesday, **July 10, 2007**, City Council meeting to present draft inclusionary ordinance, and **July 24, 2007**, public hearing and recommendation to adopt.



STAFF REPORT

CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing: April 16, 2007 **Agenda Item:** K 2

Application Number: Use Permit #07-0002 as governed by Section 16.82 of the Vallejo Municipal Code (V.M.C.)

Recommendation: Recommend **Approval** of Use Permit #07-0002 subject to the findings and conditions contained in the staff report.

1. **PROJECT DESCRIPTION:** The applicant is proposing a tow storage yard with capacity for 30 vehicles. Access to the yard would be from Couch Street only. No structures are proposed for the yard which is enclosed by a chain link fence with vinyl slats. The applicant operates a towing storage yard on Maine Street and the current proposed yard would serve as an over-flow yard for the Maine Street lot. The project is illustrated on a site plan submitted by the applicant (see Attachment B)

2. **LOCATION:** **107 Couch Street** **APN: 0054-172-280**

3. **APPLICANT:** Arrow Tow Service
924 Maine Street
Vallejo, CA 94590

4. **PROPERTY OWNER:** Joe Saqueton
P.O. Box 1796
Vallejo, CA 94590

5. **EXISTING LAND USE:** The property is currently being operated as a tow storage yard as a temporary use under Administrative Permit #07-0001.

6. **SURROUNDING LAND USES:** The subject property is encompassed by a paint and body shop to the north, a restaurant to the south, a transmission shop to the east, and Sonoma Boulevard to the west.

7. **CONSISTENCY WITH THE GENERAL PLAN:** The General Plan Land Use designation for this site is "Employment." The proposed tow storage yard is an allowed use in Intensive Use zoning districts and is defined as clearly compatible with the General Plan land use designation.

8. **ENVIRONMENTAL REVIEW:** The project meets the requirements for Section 15332, Class 32 Categorical Exemption, “In-Fill Development” of the California Environmental Quality Act because the proposed project meets the following conditions:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

9. **CONFORMANCE WITH APPLICABLE ZONING REGULATIONS:**

ZONING. The property is zoned Intensive Use (IU). Towing services uses with storage area are allowed in IU districts, subject to conditional use permit approval.

The following zoning ordinance development standards are applicable:

LANDSCAPING- Section 16.70.070(C)(1-4)V.M.C.

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

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

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

Trees. At least one street tree is required for each 50’ of street frontage or fraction thereof.

The applicant’s site plan does not propose any landscaping for the site. Staff recommends as a condition of approval that the required boundary landscaping be increased by one foot (four to five) along Couch Street and that five feet of perimeter landscaping (excluding rear gate area accessing VSFCO pump station) along with two street trees (one on each side of the Couch Street entrance gate) be required, subject to Planning Division approval.

10. NOTICING AND PUBLIC COMMENTS: Notice of the proposed project was sent to: property owners within 500 feet of the subject property, the Vallejo Times Herald and the applicant on March 22, 2007.

Staff did receive three inquiries regarding the project, two with stated opposition. The two individuals opposed to the project, one a neighboring property owner, stated to staff that a “towing yard” which is visible from both Couch and Sonoma Boulevard should not be type of use the City would allow on the site, based on the operating characteristics of such a use.

11. DEPARTMENT AND AGENCY REVIEW: Notice of the application was sent to the City & Traffic Engineer, Vallejo Sanitation and Flood Control District, Fire Prevention, Crime Prevention and the Community Development Department. Comments from these departments are incorporated in the staff analysis and conditions of approval.

12. STAFF ANALYSIS: The tow storage yard currently operating at the subject site was approved for temporary operation January 3, 2007 with the condition that the temporary use would expire on January 17th or that the operator of the tow yard apply for a conditional use permit to continue operating. Prior to Arrow Tow Service occupying the site, the lot had been vacant. The subject site housed a car wash in the late 1970’s and 1980’s.

Although the site is highly visible to vehicles traveling southbound on Sonoma Boulevard and partially visible to those traveling northbound, the IU zoning of the site is appropriate as the light and heavy industrial uses continue to transition north on Couch Street. While staff would have preferred a use that would better implement the General Plan land use designation of “Employment,” staff views this use as an interim use until property values increase to a point that a higher and better use of the property is requested.

As noted in Section 10 of this report (Public Comments) staff has received comments in opposition to the proposed permanent use of the lot for a tow service. The main points of opposition expressed related to visual blight and day-to-day operating characteristics of tow storage yards. Based on staff’s experience with other tow storage yards in the city, staff shares these same concerns; however, staff believes that with appropriate boundary and perimeter landscaping, and strict adherence to the Planning Division’s conditions of approval related to the day-to-day operation of the yard, undesirable visual and physical impacts from the proposed use can be minimized. To ensure that vehicles are not seen from public streets, staff will recommend as a condition of approval that an eight foot masonry wall (or wood fence with stucco facing) be constructed around the perimeter of the property and that vehicles exceeding eight feet in height be prohibited from being stored on the lot.

The Vallejo Sanitation and Flood Control District (VSFCD) have requested that they be provided a minimum ten foot easement through the site to access their pump station which abuts the rear of the subject site. Currently, VSFCD accesses their pump station from Sonoma Boulevard but Caltrans has informed VSFCD that the encroachment to the pump station from Sonoma Boulevard cannot continue indefinitely. Because the desired easement is on private property, staff believes that the issue should be worked out between the property owner and VSFCD.

13. STAFF RECOMMENDATION:

Staff recommends the Planning Commission **ADOPT** a Resolution approving Use Permit #07-0002 subject to findings and conditions found in the attached Resolution.

EXPIRATION


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


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.

GROUND FOR REVOCATION OR SUSPENSION

The planning commission shall have the power to revoke or suspend a use permit in any case where the permit was obtained by fraud; or where the conditions of such use permit have not been or are not complied with; or in any case where a person, firm, partnership, association, or corporation holding a use permit, directly or indirectly, conducts or carries on the use in a manner as to materially and adversely affect the health, safety, or welfare of persons residing or working in the vicinity or neighborhood of the property subject to such use permit; or directly or indirectly conducts or carries on the use in a manner that is materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity of the neighborhood of the property subject to such use permit. (VMC Section 16.82.110)

Prepared by: 
Marcus Adams, Associate Planner

Reviewed by: 
Don Hazen, Planning Manager

- Attachment A: Resolution and conditions of approval
- Attachment B: Site plan and parcel map
- Attachment C: Conflict of Interest Map

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CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A CONDITIONAL USE PERMIT APPLICATION
USE PERMIT #07-0004**

Arrow Tow Service Storage Yard

The proposed project is located at the intersection of Sonoma Boulevard and Couch Street.

APN# 0072-160-830

WHEREAS an application was filed by Keith Oberman of Arrow Tow Service seeking approval for a conditional use permit to allow permanent use of a temporary tow storage yard; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on April 16, 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:

I. 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 15332, Class 32 Categorical Exemption, "In-Fill Development" of the California Environmental Quality Act.

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

Section 1. The Planning Commission finds that the applicant submitted a Major Use Permit application for a towing storage yard pursuant to the City of Vallejo Municipal Code Chapters 16.30 and 16.82 Conditional Use Permit Procedure.

Section 2. Planning Commission finds, based on the facts contained in sections 1-12 of the staff report attached herein and incorporated herein by this reference, 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.

**III. RESOLUTION APPROVING THE CONDITIONAL USE PERMIT
APPLICATION FOR A TOWING STORAGE YARD AT 107 COUCH STREET**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Conditional Use Permit application (UP# 07-0002) for the towing storage yard, based on all the evidence before it and the findings contained in this resolution and in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

IV. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 16th day of April, 2007, by the following vote to-wit:

AYES:

NOES:

ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

CONDITIONS OF APPROVAL
MAJOR USE PERMIT #07-0002
(APN# 0054-172-280)

CONDITION COMPLIANCE PRIOR TO BUILDING PERMIT SUBMITTAL:

Planning Division

1. Prior to building permit submittal, the applicant shall submit a numbered list to the Planning Division stating how all conditions of project approval will be satisfied.
2. Prior to building permit submittal, the applicant shall submit revised plans drawn by an experienced drafter or architect and landscape architect illustrating the following:
 - a) Lighting for the site as required by the Police Department. The plan shall illustrate the light standard (pole) and housing as well as proposed height and locations.
 - b) A fence/gate plan which illustrates an eight foot masonry wall (or wood fence with stucco facing) around the perimeter of the property.
 - c) A landscape and irrigation plan which illustrates five feet of perimeter landscaping which shall serve to screen the site from public view. Plants shall be drought tolerant.
3. 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.

Public Works

1. Prior to building permit application, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project. (PW1)
2. Prior to building permit issuance, obtain an encroachment permit from Public Works for all work proposed within the public right-of-way. (PW11)
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 ordinance. (PW15)

4. Submit a plan showing the following required improvements for review and approval:
 - a) Install minimum sixteen feet wide commercial standard drive approach fronting the property along Couch Street that is aligned with existing gate.
 - b) Place sixteen feet wide asphalt concrete from back of new driveway approach up to fifty feet deep into the lot.
 - c) Place minimum two inches of compacted aggregated base class II over the remainder of the lot.

Vallejo Sanitation and Flood Control District (VSFCD)

1. Prior to building permit submittal, a VSFCD Connection Permit is required. Pay all applicable review and connection fees.
2. Storm drain fees will apply if the lot is to be paved.
3. VSFCD request a minimum 10' wide access easement from Couch Street to the rear of the lot in order to access their pump station.

CONDITION COMPLIANCE PRIOR TO FINAL BUILDING INSPECTION:

Planning Division

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

Public Works

1. Remove and replace broken curb, gutter and sidewalk fronting the property as determined in the field by City Engineer. (VMC, Section 10.04).
2. Install minimum sixteen feet wide commercial standard drive approach fronting the property along Couch Street that is aligned with existing gate.
3. Place sixteen feet wide asphalt concrete from back of new driveway approach up to fifty feet deep into the lot.
4. Place minimum two inches of compacted aggregated base class II over the remainder of the lot.

5. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities.

STANDARD CONDITIONS

Planning Division

1. Development sites shall be maintained weed free during construction.
2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.

Public Works

1. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (PW2)
2. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (PW9)
3. Obtain a street excavation permit from Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (PW10)

Crime Prevention

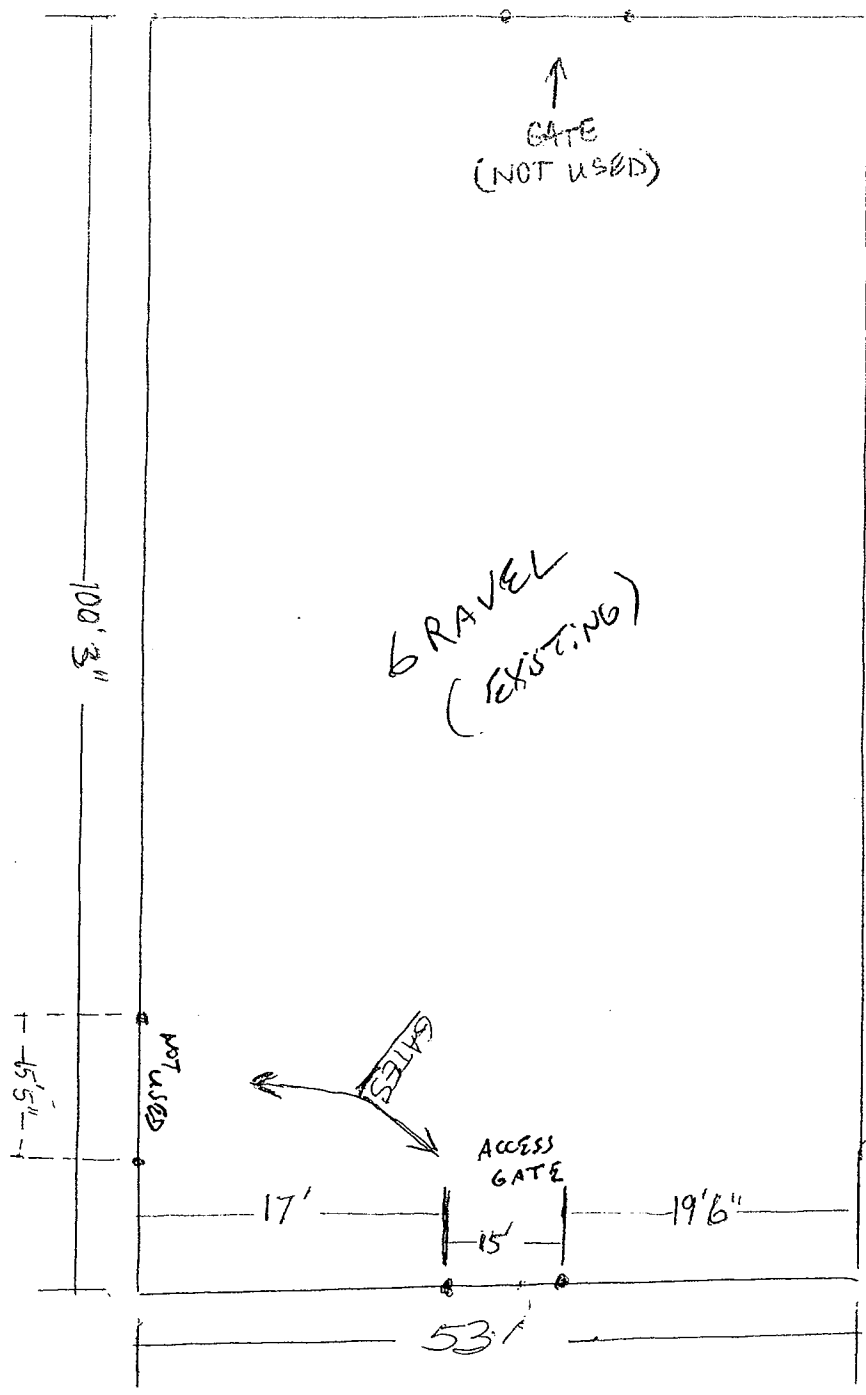
1. Property should be marked on all four sides by signage noting No Trespassing and providing business name, business contact number, and Vallejo Police Dept. contact information (Non-Emergency Number, 648-4321), see provided example.
2. Property should be well lit in order to allow officers/citizens outside the fencing to see activity occurring inside the fenced area at night to help prevent vandalism/break-ins. Suggested lighting is Metal-Halide, however at the very least High Pressure Sodium should be utilized.

3. Fencing should not be obstructed in such a way that prevents officers/citizens from noting activity inside.
4. Fencing, lighting, and signage should be properly maintained.
5. Properly display business name and street address at entry/exit points. This information will show property ownership and allow for contact regarding issues.

GENERAL CONDITIONS

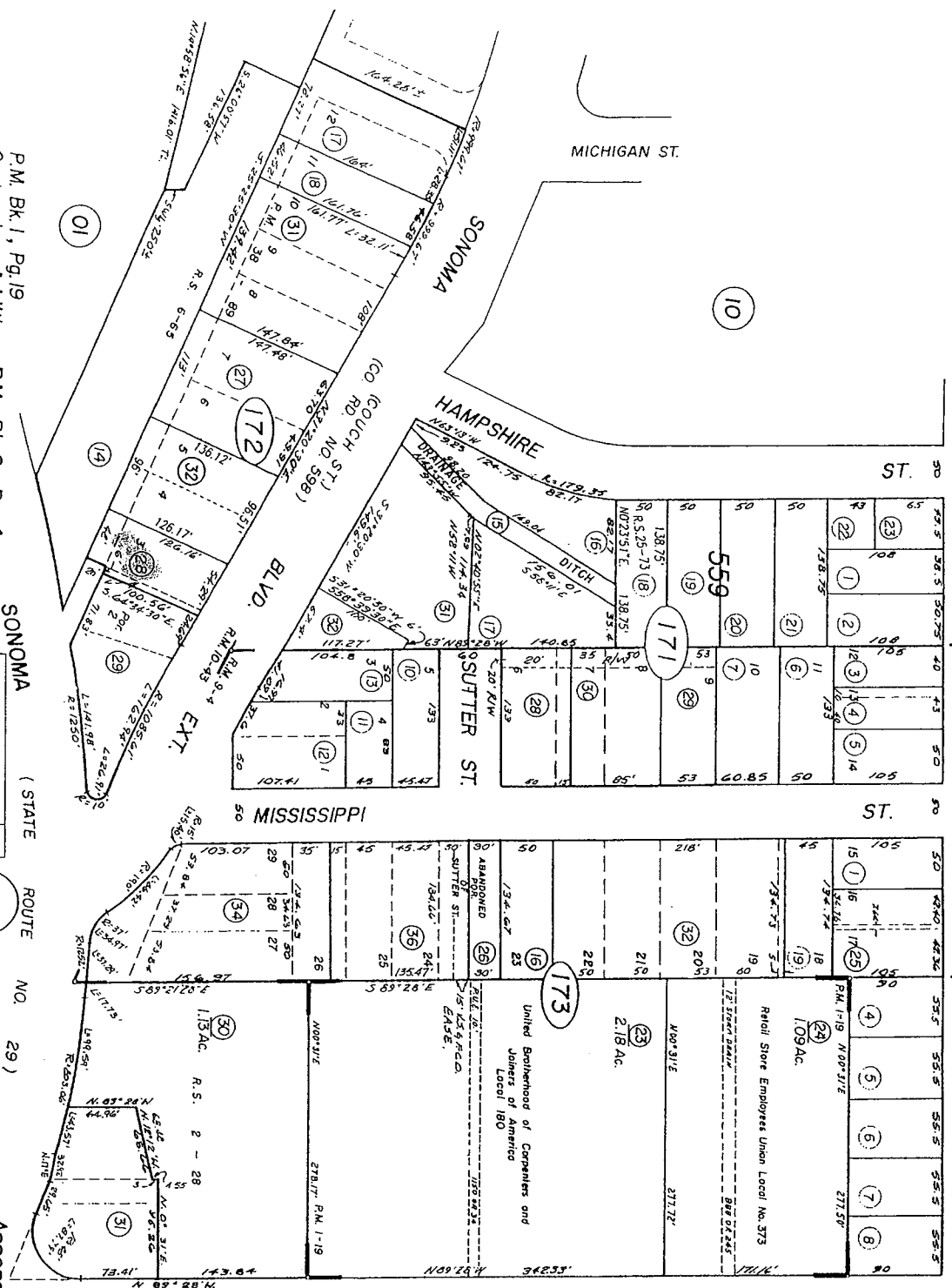
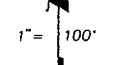
1. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at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

SENOGONIA



107 COUCH STREET

EAST



P.M. Bk. 1, Pg. 19
 Castanola Addition, R.M. Bk. 9, Pg. 4
 Couch Subdivision, R.M. Bk. 10, Pg. 43

MISSOURI ST.

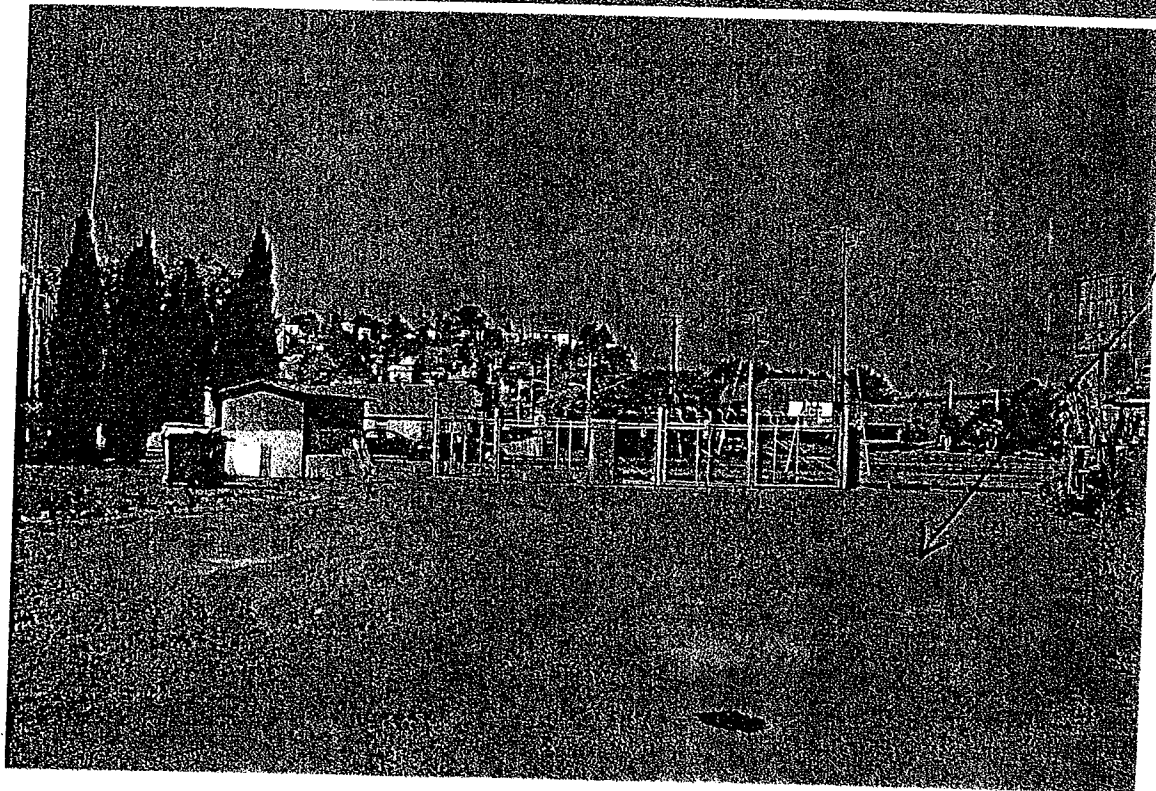
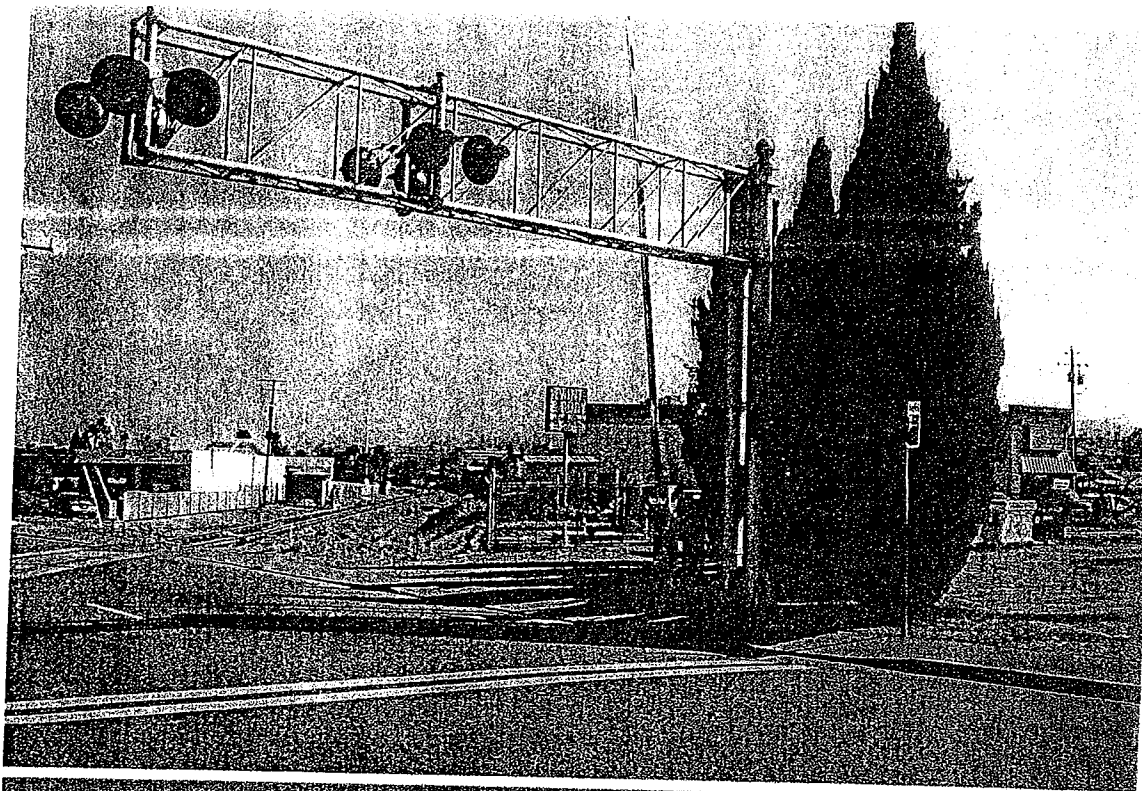
REVISION	DATE	BY
171-18 (88)	1-16-03	SF
172-32 (00)	10-30-00	TS
172-31	9-16-94	SW
172-30	2-28-94	PA
172-28&29	6-30-92	SS

SONOMA (STATE ROUTE NO. 29)
 Bk. 51

BLVD. Assessor's Block Numbers Shown in Ellipses
 County of Solano, Calif.
 Bk. 54 Pg. 17

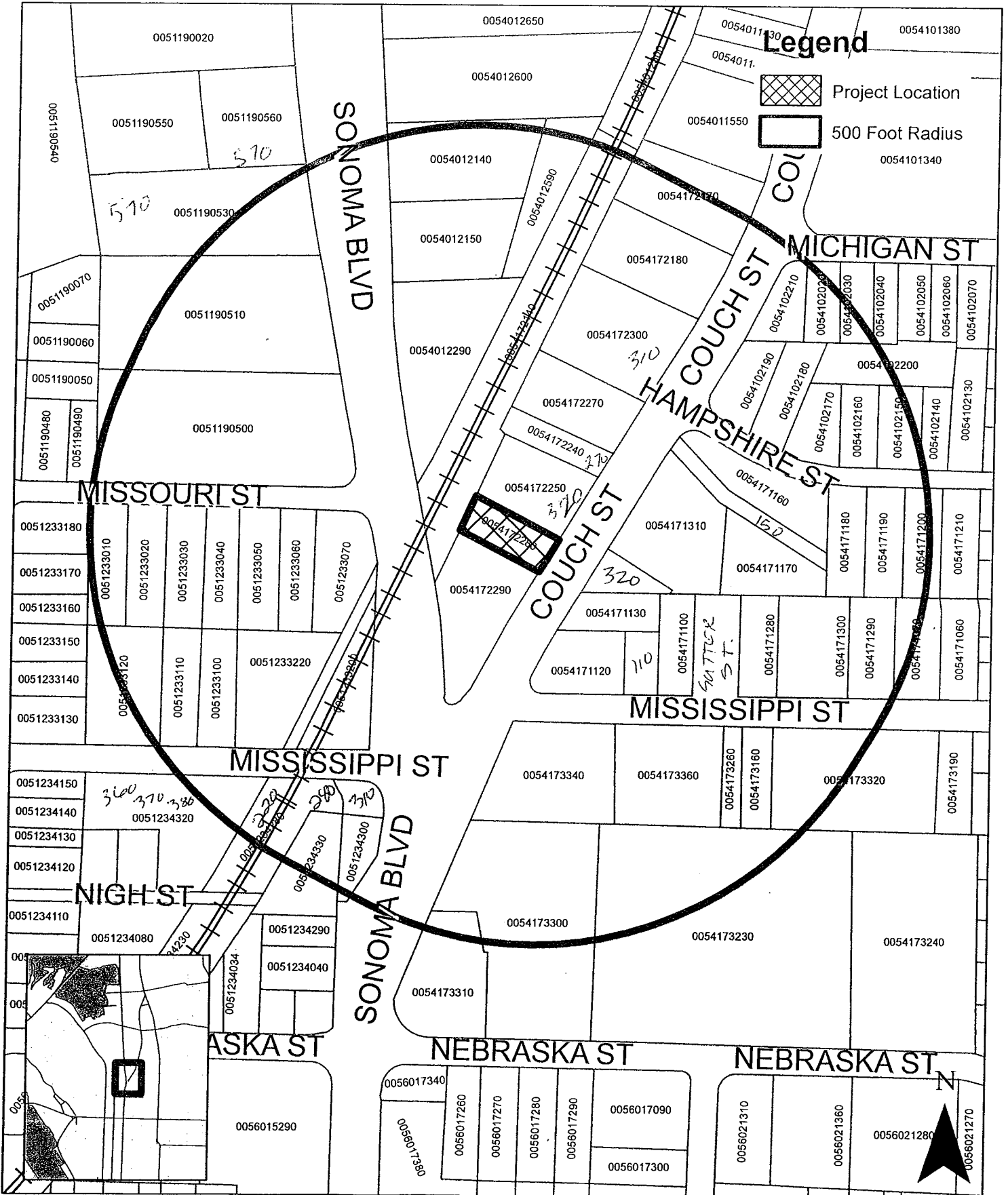
NOTE: Assessor's Parcel Numbers Shown in Circles
 Copyright © 1986, Solano County Assessor/Recorder, All rights Reserved

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.



PROJECT SITE

500 Foot Notification Map



STAFF REPORT

CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing: April 16, 2007

Agenda Item: K-3

Application Number(s): Minor Use Permit #07-0003 as governed by Section 16.82 of the Vallejo Municipal Code.

Recommendation: **Approve** Minor Use Permit #07-0003 subject to the findings and conditions contained in the attached resolution.

Project Description: The proposal is to expand an existing residential treatment facility from six residents to eight residents. The existing house is a four bedroom two and one half bathroom 2,629 square-foot home with an attached two car garage located on a 14,374 square foot lot.

Location: The proposed expansion of the residential treatment facility (Emani House) is located at 200 Peppercorn Court. (APN# 0079-151-440)

Applicant: June Cummings
2002 Florida Street
Vallejo, CA 94590

Property Owner: Stephen Wiel
985 Euclid Avenue
Berkeley, CA 94708

Project Sponsor Emani Incorporated
PO Box 4156
Vallejo, CA 94590

Environmental Review: The project meets the requirements for Class 1 Categorical Exemption, "Existing Facilities (Section 15301)," because the project proposal involves no increase in square footage.

General Plan: Low Density Residential

Zoning: Low Density Residential

Surrounding Land Use: The project is located on Peppercorn Court. Interstate 780 is located to the north of the subject property. To the south, east and west are single family homes.

Public Notice: Notice of the proposed use permit application was sent to property owners within 200 feet of the subject property and the applicant on March 29, 2007 and the home owners association on April 2, 2007. At the time this report was prepared, staff received one comment in person opposing the project.

1. PROJECT DESCRIPTION:

Emani House is a residential treatment facility that is licensed to provide alcohol and drug recovery services, treatment planning, educational, individual and group training in a residential environment. The facility will not administer any medications to residents. Rather residents administer their own medications and the facility keeps these medications in a locked and secure area until the residents need them. The applicant is proposing to expand the existing residential treatment facility from six female residents to eight female residents. The existing residence is an approximately 2,600-square-foot four bedroom and two and one half bathrooms and a two-car garage. The facility will have one onsite residential manager and one to two full-time staff members during the day. The proposed residential treatment facility would be located at 200 Peppercorn Court.

The proposed project is further described and illustrated on materials provided by the applicant received on January 23, 2007 (Attachment B). The materials include a Emani House Policies, description of the program, existing license from the State of California, facility floor plans and photos of the home.

2. CONSISTENCY WITH THE GENERAL PLAN:

The General Plan Land Use designation for this site is Low Density Residential, defined as less than 8.7 units per acre. The proposed use would not change the density of the property, and is compatible with the Low Density land use designation.

3. ENVIRONMENTAL REVIEW:

The proposed project qualifies for a Class 1 categorical exemption from the requirements of the California Environmental Quality Act because the proposal is for an existing facility, as described in section 15301 of the CEQA Guidelines.

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private

structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

Staff considers the proposal to expand from six residents to eight residents as a minor alteration to a private structure that will not have a negligible expansion of the existing use.

4. CONFORMANCE WITH ZONING REGULATIONS:

ZONING. The site is currently zoned Low Density Residential (LDR). The purpose of this district is to provide areas conducive to owner occupancy that offer a high degree of environmental and aesthetic amenities, including separate yards, separation from heavy traffic, and buffering from higher density residential land uses.

The proposed residential care facility is classified as “Group Care” in the zoning use category of the zoning ordinance. The “group care” use type refers to services provided in residential facilities licensed by the State Department of Social Services to serve seven to twelve persons. This use is permitted in LDR districts subject to approval of a minor use permit.

Typically minor use permits are not required to have Planning Commission approval. However, since one neighbor has voiced opposition to the project, and the possibility of an appeal exists, staff has decided to forward this application to the Planning Commission for a determination.

PARKING. According to the applicant, residents living at the facility would not have vehicles and transportation would be provided by the facility or resident would use public transportation. Although the proposed facility would not typically allow residents to have cars, that policy may change or another facility may acquire the property in the future. Currently, the property has two parking spaces in the existing garage, two parking spaces in the driveway and two parking in front of the home.

- 5. DEPARTMENT REVIEW AND COMMENTS:** Notice of the application was sent to the Building Division, City Engineer, Vallejo Sanitation and Flood Control, Fire Prevention, Water Department, and the Vallejo Police Department.

6. REFERENCES:

- Vallejo General Plan
- Vallejo Zoning Ordinance
- §16.14 Low Density Residential District Regulations
- §16.62 Off-street Parking and Loading Regulations
- §16.57 Limitations on Permitted Uses
- §16.82 Conditional Use Permit Procedure

7. STAFF ANALYSIS:

Licensed residential treatment facilities are closely regulated by the State of California Department of Alcohol and Drug Programs, require standards for staffing ratios and supervision and abstinence from alcohol and drug use. Local jurisdictions only have control over the over-concentration of such facilities and over facilities for more than six residents. Local jurisdictions may prevent additional facilities within 300 feet of an existing facility and may deny facilities for more than six residents. However, according to Planning Division records there are no other residential care facilities within 300 feet of the proposed project. Therefore, City has authority on this proposal to expand to a maximum of eight residents, with one or two staff persons on the premises at all times.

The Glen Cove Unit 1 Subdivision is a single-family residential neighborhood. In single-family neighborhoods, the general expectation is that each dwelling unit will be occupied by some variation of a family unit. Common exceptions include singles living alone or small groups of adults choosing to live together. Staff considers a residential treatment facility with eight residents and one to two full-time staff members to be comparable to a large family.

Since the residents are not expected to have vehicles the parking impacts to the surrounding neighborhood would be minimal. The typical household in this subdivision may have 2 to 3 vehicles. Transportation is provided by the facility for the first thirty days of stay to and from appointments. After the initial thirty day reception period residents will take public transit located approximately one quarter of a mile from the facility on Glen Cove Parkway. However, staff has added Planning Condition of approval number two (Attachment A Exhibit 1) to address the number of vehicles associated with the facility to the two covered parking spaces in the garage, the two spaces in the driveway and the two on-street parking spaces directly in front of 200 Peppercorn Court.

However, staff received one comment in person from a neighbor who expressed concern that the proposed facility would have a detrimental impact to the community related to public safety, property values, noise and parking. The applicant has indicated to staff that twenty four hour phone numbers for the facility were distributed to neighbors who attended a community meeting in January of 2007 letting them know that they could contact the facility staff to discuss any suspicious activity. In addition that applicant has indicated that facility rules prohibit violence (Attachment B). The Vallejo Police Department has stated in a conversation with staff that the existing facility has not created problems in the neighborhood. In addition, staff has added conditions of approval that will minimize neighborhood concerns related to parking, maintenance of landscaping, noise, and loitering (Attachment A Exhibit 1).

Staff concludes that the proposed expansion to eight residents from six residents as conditioned will not have an adverse impact to the surrounding neighborhood as an increase in two additional residents will be negligible because the project does not propose any new construction, will not have an adverse impact on parking in the neighborhood and the existing facility has not been a problem in the neighborhood.

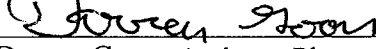
7. STAFF RECOMMENDATION


Staff recommends that the Planning Commission **APPROVE** Minor Use Permit #07-0003.

The applicant or any party adversely affected by a decision of the Planning Division may appeal the decision by filing an appeal to the Planning Commission. Such appeal must be filed in writing with the Secretary of the Planning Division within ten calendar days after the Planning Division's action. The Commission may affirm, reverse, or modify any decision of the Planning Division that is appealed.

EXPIRATION

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

Prepared by: 
Darren Goon, Assistant Planner

Reviewed by: 
Don Hazen, Planning Manager

- Attachment – A Resolution and Conditions of Approval
- Attachment – B Emani House Policies and Rules, Floor Plans, Program Description, Letter from Received from Neighborhood Meeting and Photos
- Attachment – C Letter of Support from the Property Owner
- Attachment – D Staff Photos
- Attachment – E Petition of Support from Surrounding Neighbors
- Attachment – F Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-

A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A MINOR USE PERMIT APPLICATION
MINOR USE PERMIT #07-0003

Emani House

Emani House is an existing residential treatment facility located at 200 Peppercorn Court.

APN# 0079-151-440

WHEREAS an application was filed by June Cummings of Emani House seeking approval to expand an existing residential treatment facility from six residents to eight residents and,

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Minor Use Permit on April 16, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission,

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

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

Section 1. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 1301 "Existing Facilities" as there is no new construction proposed as part of this project.

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

Section 1. The Planning Commission finds that applicant submitted Minor Use Permit application to expand an existing residential treatment facility to eight residents that currently contains six residents in the Low Density Residential Zoning District pursuant to the City of Vallejo Municipal Code sections 16.14 Low Density Residential Regulations and 16.82 Conditional Use Permit Procedure. Use Permit approval is governed by Chapter 16.82 of City of Vallejo Municipal Code.

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

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

III. RESOLUTION APPROVING THE MINOR USE PERMIT APPLICATION FOR EMANI HOUSE, SUBJECT TO CONDITIONS OF APPROVAL, AND MITIGATED NEGATIVE DECLARATION AND MONITORING PROGRAM

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Minor Use Permit application (MUP# 07-0003) to expand an existing six-resident residential treatment facility to a maximum of eight residents, based on all the evidence presented at the hearing and all the findings contained in this resolution and in the staff report attached hereto and incorporated herein and subject to the Conditions of Approval attached to this resolution.

IV. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 19th day of March, 2007, by the following vote to-wit:

AYES:
NOES:
ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

PROJECT CONDITIONS FOR MINOR USE PERMIT #07-0003

CONDITION COMPLIANCE REQUIRED PRIOR TO MINOR USE PERMIT APPROVAL:

Planning Division

1. Prior to minor use permit approval, submit a numbered list to the Planning Division stating how each project requirement contained in this exhibit will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. The number of vehicles (inclusive of all occupants) for this use shall be limited to the two parking spaces in the existing garage, two uncovered parking spaces in the driveway, and the two adjacent parking spaces in front of the home.
3. All landscaping and fencing surrounding the proposed use shall be maintained in a clean, attractive, and well kept condition and any dead or dying material shall be replaced promptly. The applicant and or property owner shall repair or replace all broken fencing surrounding the property.
4. The residential treatment facility shall be responsible for ensuring that their guests and residents comply with all facility rules and regulations so as not to create a disturbance in the neighborhood.
5. Prior to minor use permit approval, submit a detailed plan on how neighborhood concerns will be addressed, should problems arise between neighbors and the facility.
6. There is to be no loitering of any kind near or in front of the home.
7. The treatment facility shall maintain a valid State of California License and Certification for eight residents.
8. A copy of the conditions of approval of the conditional use permit must be kept on the premises of the establishment and presented to any police officer or any authorized city official upon request.

Building Division

1. Additional building and fire regulations apply when the occupancy level is over six residents. Prior to minor use permit approval, submit plans and details to the Planning and Building Divisions on how these regulations will be satisfied review and approval..

Public Works Department

1. Prior to minor use permit approval, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project. (PW1)
2. Prior to minor use permit approval, remove and replace one block of sidewalk at the southeast corner of the property that has been lifted up and is hazardous to pedestrians. Obtain a sidewalk permit from the Public Works Department to perform this work.

Fire Prevention

1. Prior to minor use permit approval, submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.
2. Prior to minor use permit approval, the project shall conform to all applicable requirements of Title 19 (2001 CFC and all VMC Amendments)
3. In Residential (Group R) Occupancies, single station smoke detectors shall be installed prior to occupancy/final building inspection in each sleeping area and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit is of more than one story (including basement) there shall be a smoke detector on each story. When a story is split into more than one level, the smoke detector shall be installed on the upper level. (2001 CBC Section 310.9.1.1).
4. Prior to minor use permit approval, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Residential buildings shall have numerals or letters not less than 3 inches in height, and approved color that contrasts the background. (2001 CFRC Section 901.4.4; added VMC Section 12.28.170)
5. Prior to minor use permit approval, 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.
6. Prior to minor use permit approval, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (2001 CFC Standard 10-1; NFPA 10)

7. Development sites shall be maintained weed free during construction. (2001 CFC Section 1103.2.4)
8. Prior to minor use permit approval, every sleeping room below the fourth story shall have at least one exterior opening for rescue purposes. The opening shall be a minimum of 5.7 square feet, and 20 inches wide by 24 inches high. The finished sill height shall be no higher than 44 inches from the floor. Ladder access shall be provided for buildings over the first floor.

GENERAL REQUIREMENTS

1. The Planning Commission shall have the power to revoke or suspend a use permit in any case where the permit was obtained by fraud; or where the conditions of such use permit have not been or are not complied with; or in any case where a person, firm, partnership, association, or corporation holding a use permit, directly or indirectly, conducts or carries on the use in a manner as to materially and adversely affect the health, safety, or welfare of persons residing or working in the vicinity or neighborhood of the property subject to such use permit; or directly or indirectly conducts or carries on the use in a manner that is materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity of the neighborhood of the property subject to such use permit. (Ord. 558 N.C.(2d) § 2 (part), 1980.)
2. All contractors and subcontractors working on the project shall have City of Vallejo business licenses.
3. 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.
4. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
5. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
6. The applicant shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack,

EXHIBIT 1

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.

EMANI HOUSE

Intention

Emani House was created in an attempt to provide compassionate and encouraging residential treatment and concrete assistance to a population that has been historically underserved. The formal goals are to:

1. Increase abstinence from alcohol and illegal substances
2. Increase post-jail use of medical and social services
3. Increase medical adherence (if a client is on medication)
4. Reduce recidivism (return to jail)
5. Increase safer sex among participants

Our more heartfelt intention is to provide a safe, warm, and supportive clean & sober environment in the community in which you can recover from substance use and practice being who you want to be by taking small and giant steps toward positive change. We strive to bring innovation and creativity to expand resources available to you.

Eligibility

To become a client of Emani Inc., you must:

1. Client must be a single adult female at least eighteen years of age.
2. Client must have a medical clearance, and TB clearance before entering the program.
3. Client must be substance free for 72 hours before entering the program.
4. Client must participate in a face-to-face interview to complete a Comprehensive Assessment with the Deputy Director.
5. Client must be mandated from a referring agency for services (Probation, Parole, CPS, Mental Health, Health and Social Services etc.)
6. Clients may innate their own referrals, however supportive documentation will be required.
7. Clients may or may not have an Axis 1 diagnosis per DSM-IV criteria.
8. Clients taking prescribed medication must come in with complete med orders for all medication they are taking. They must turn in all medication including Over the Counter medication to staff upon entering the program. They must take all medication as prescribed and remain medication compliant for the length of treatment

9. Clients must demonstrate motivation for treatment by attending both individual and group counseling.

Clients taking prescribed medication must come in with complete med orders for all medication they are taking. They must turn in all medication including Over the Counter medication to staff upon entering the program. You must stay medication compliant during your whole treatment stay at the program.

Confidentiality

We will make every effort to keep your information confidential. This means that we will need to get your written permission to share your personal or medical information with anyone outside of the program. This is done to protect your privacy. This also means that we cannot discuss another client's information with you just as they will not discuss your information with another client. **Please read Participants Rights Form**

Our Role(s)

Our staff is available to assist you in several ways. Generally, all staff is dedicated to advocating on your behalf whenever it is appropriate to do so. Everyone at the program wants you to live the best life possible and is committed to working with you to the best of our ability. The staff people who will be working with you are called Recovery Specialist and the Program Director of Emani Inc. Programs:

- ***Recovery Specialist:*** You will be assigned one primary case manager who will work with you for at least one hour a week individually. Your case managers will work with you to create a treatment plan that will identify areas in your life in which you would like to make improvement. Then the two of you will come up with tasks to help you begin to make those changes.
- ***Program Director:*** The Program Director is responsible for making sure House of Namaste staff is providing appropriate care and services. She will oversee all aspects of the program and will make any decisions regarding emergency money withdrawals. In addition, it is the Program Director's along with other staff's responsibility to remove a participant from the program for inappropriate behavior.

Your Role

You have the most important role in making change happen for you. Without you full participation and commitment we cannot help you make you life better. We hope that you will work with us as a team member. This means being honest with us and letting us know when something does not feel right for you, or when there are changes to your situation or plans. It is our intention that all clients be treated with respect and compassion. It is also expected that clients treat staff and each other with similar consideration.

Emani House

When you are released from jail or come into the program, you will be eligible to live and receive treatment from program for up to six months. The house has a community kitchen, laundry facilities, large television room and a quiet retreat and two community bathrooms. You will share a room with one or two other clients, which is furnished with a bed, a dresser, and a nightstand. Your bed will have sheets, a pillow and blankets; towels and meals will also be included.

You program fees for treatment will be assessed by a sliding scale, determined by income. Program fees are due by the 5th of every month that you are a resident of the program unless we have other agreements with a third party who is paying for your treatment. If you fail to pay your program fees by the 5th of every month you will be asked to leave the program. Any clients who leave the program voluntarily must give a two-week notice in order to be refunded any unused program fees. If you are asked to leave the program due to a relapse or due to client behavior you will not receive a refund of any unused program fees. Throughout your time with us, staff will be working with you in an attempt to prepare you to find appropriate housing after leaving the program.

Program Rules

Everyone has the right to a safe place to live and work. To insure that the program has a safe environment for both clients and staff, we have established some basic program rules. In the event that discipline is necessary, the Program Director will convene a staff meeting to discuss the incident. The Program Director will then make the decision regarding what level of discipline is appropriate for the situation. The client will be notified of any program discipline as soon as possible.

The following are specific behaviors that will result in immediate program and/or housing expulsion:

- Violence against staff
- Violence against another client
- Threat of violence against staff
- Threat of violence against another client
- Alcohol or illegal drug use.
- Malicious damages to property of residence, staff or Emani House
- Inappropriate sexual behavior with another client or staff
- Theft of property from residence, staff, or Emani House.
- Unapproved overnights from the program.

HOUSE RULES

Chores

- Residents will be required to do chores each day. Staff will schedule and post on the client board weekly.

Cell phones

- Cell phones will only be allowed after successfully completing the 30 days black out period. Misuse of cell phones will result in them being taken and held until discharge from the program.

Curfew

- Monday, and Wednesday curfew is 7:00pm (phase level 2 and 3)
- Friday and Saturday night curfew is 9:30pm for phase 2 and 11:00pm for phase 3

Food and Beverages

- All food must be consumed at the dinning room table or in the backyard.
- No eating or storing food in the bedrooms.
- All personal food or beverages should be marked.

Decaffeinated beverages

- Effective immediately, all beverages consumed on the grounds of the program are to be decaffeinated. You are able to drink caffeinated beverages at outside meetings and on passes only.

Vehicles

- Personal vehicles are not allowed on the premises while a resident of Emani House.

Guest

- Visiting day is Saturday from 2:00pm until 9:00pm, each visit last only two hours. During the black out period only your children may visit.

- Guest is only allowed in the common areas; living room, back yard, and the dining room, **at no time should a guest be in a client's bedroom for any reason, all guest must use hall bathroom.**
- Anyone that looks like they have been using or is acting inappropriately will be asked to leave.
- Guest will not be allowed to assist with the cooking.

Movies and TV

- Clients need to vote on programs and can only watch movies and TV during free time. There is to be no TV during group times unless it is an educational video being used for the group.
- TV time is 5:00pm – 10pm Monday - Thursday, 10am – 12am on Saturdays, and 10:00am – 7:00pm on Sundays
- Clients cannot bring in personal TV's from home, no exceptions.

Medication

- Clients are required to stay medication compliant during their stay at the program. If a client decides to stop taking their meds for more than two days they will be asked to leave the program.
- Clients can only take the meds they are prescribed.
- All meds, including over the counter meds will be kept locked up, no exceptions.

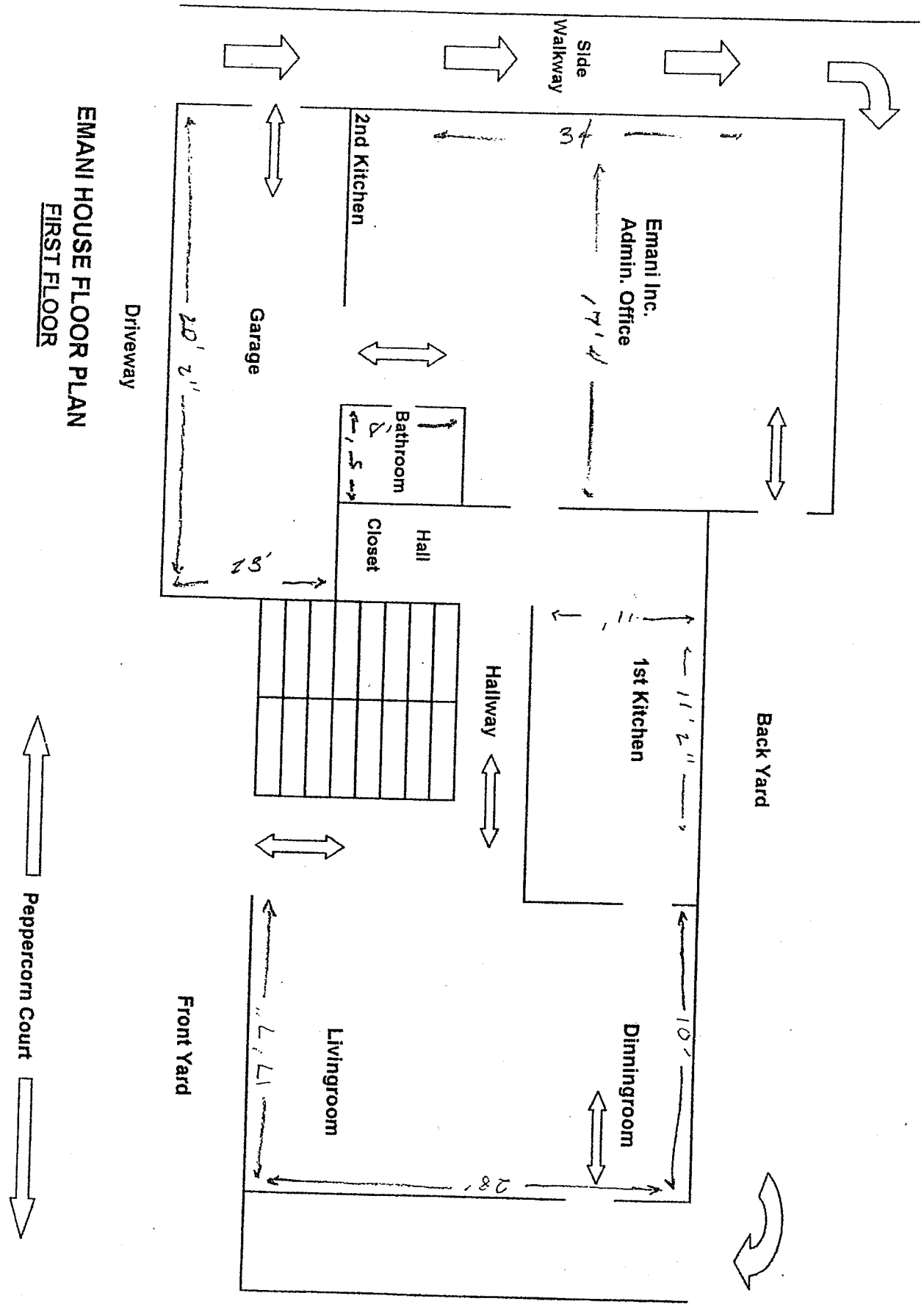
Personal Radios

- Clients who have personal radios must also have headphones. Headphones are to be worn after 10pm every night or when your radio is disturbing other roommates.

Emani House Relapse Policies and Procedures

All residents agree to refrain from alcohol and un-prescribed drug use while participating in the Emani House Treatment Program. Any violation of this policy is considered a safety risk to the other residents, as well as a violation of the housing contract. If a resident has a substance abuse relapse while participating in the Program, the procedures to be followed are:

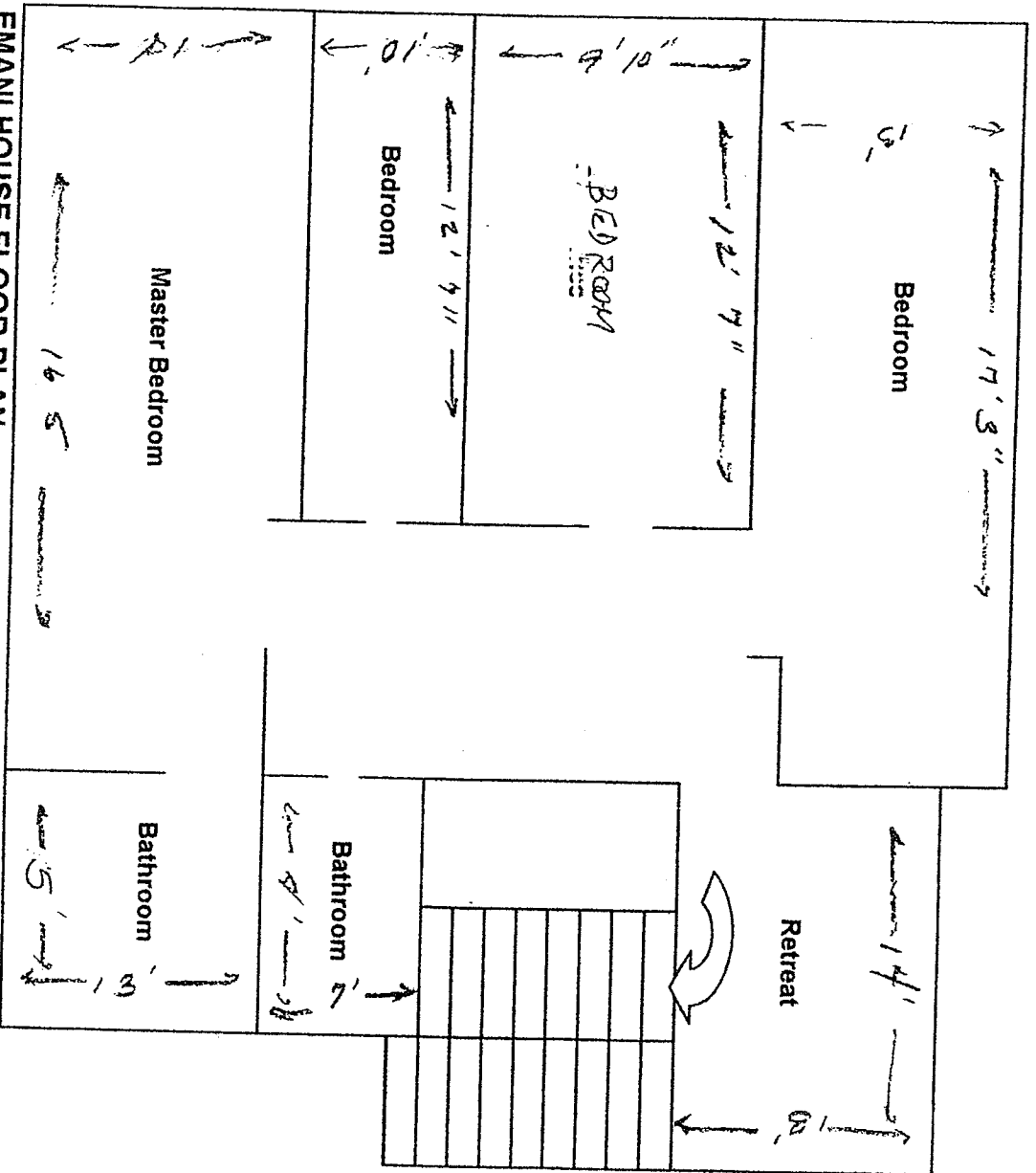
1. Intoxication: Any residents assessed, as being under the influence of alcohol or an un-prescribed drug, while participating in the program will be required to leave the program and undergo a 72-hour Detox program. A case conference with the client's probation officer, parole agent, or another outside entity will be required to assess for possible readmission.
2. The counselor will then contact the clients probation officer, parole officer, mental health worker or case manager; informing them of the incident, and requesting a case conference if the resident is to return to the program.
3. If the resident refuses to go to a Detox program, or there are no Detox beds available, staff will provide shelter program resources; In the event that a client refuses to leave the house, the police will be called to involuntarily remove any resident that presents a threat.
4. If the resident voluntarily reports a relapse, it will be taken into consideration during the case conference, which will occur during the 72 hours the resident is absent from the program.
5. Upon return from Detox or suspension residents will be required to start at day one again in the program. This pertains to house restriction and limited privileges.
6. The program will provide random UA testing. If you refuse to test it will mean an automatic dirty and you will be asked to leave the program.



EMANI HOUSE FLOOR PLAN
FIRST FLOOR

Peppercorn Court

Back Yard



EMAMI HOUSE FLOOR PLAN
SECOND FLOOR



MISSION STATEMENT

The mission of Emani Inc. is to empower and honor the lives of people living on the margins of society with substance abuse issues, mental health disabilities, and possible life threatening illnesses, by providing innovative support services that prevent institutionalization, decrease harm, create interaction and facilitate community.

Emani House for women and House of Namaste has been made possible in part by grants from the following

sponsors:

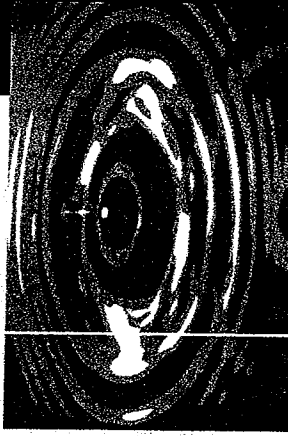
California Endowment

VanLobenSel/RemBeRock
Foundation

The Horizons Foundation

&
Private Donations

EMANI INC.
Innovative Residential
Treatment Programs



Emani House
Licensed & Certified
Residential Treatment
Facility for Women

Services Provided
Drug Treatment
Dual Diagnosis Groups
Self-parenting
Anger Control
Stress Management
Domestic Violence
Education & Prevention
&
HIV/STD's
Education, Prevention &
Testing

P.O. Box 4156
Vallejo, CA 94590
Office (707) 557-5200
Fax (707) 642-4704

Emani Incorporated



Place
Stamp
Here

An African Proverb states:

"It takes a village to raise a child"

Well it takes a whole community to change a life on the wrong path

Emani House is soon to be an 8 bed licensed & certified residential treatment facility for adult women struggling with substance abuse, mental health issues and possible life threatening illnesses. Emani House is the first residential program of its kind in the City Vallejo designed to prioritize women suffering from the above health disparities.

Emani House will facilitate in filling the gap in services by providing stable, safe, and clean drug treatment services with appropriate referrals to medical and mental health providers for additional care.

During a woman's stay at Emani House she will be required to participate for twenty six hours per week in Emani's treatment curriculum that will support a lifestyle of recovery and improved mental and physical health. Clients will prepare meals, and perform other chores required for the upkeep of the facility while learning or enhancing their independent living skills. Weekly residential council meetings are held to address housing issues. With 24-hour staff support clients will learn how to live in a community that promotes connection.

While residing at Emani House staff will perform a comprehensive needs assessment that will determine specific treatment methods necessary to empower the client in setting and achieving their goals. Staff will help the client identify her strengths and weaknesses and support her in building her confidence level.

Staff will document client's progress through progress notes, random urinalysis, and records and reports from outside agencies that share responsibility for the client's well-being and positive outcome.

Emani's staff will work in collaboration with outside organizations to build stronger communities for the clients we serve.

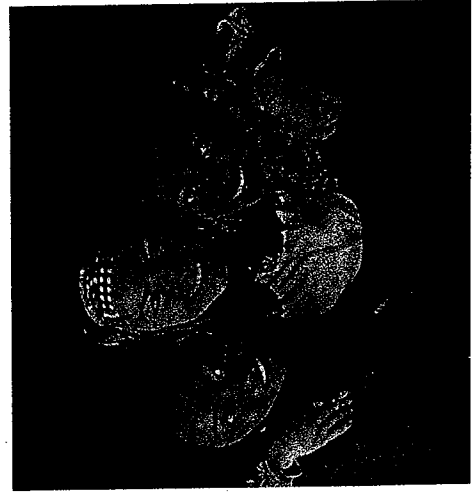
For more information contact

Monique Davis: Deputy Director

**Monday – Friday
9:00am to 5:00pm**

Office: (707) 557-5200 Fax: (707) 642-4704

Email: emaninc@sbcglobal.net



State of California

Department of Alcohol and Drug Programs

License and Certification

In accordance with applicable provisions of the Health and Safety Code of California and its rules and regulations, and standards, the Department of Alcohol and Drug Programs hereby licenses and certifies:

EMANI INCORPORATED

to operate and maintain an adult residential alcohol and/or drug abuse/recovery or treatment facility using the following name and location:

**EMANI HOUSE
200 PEPPERCORN COURT
VALLEJO, CALIFORNIA 94591**

This license and certification extends to the following services:

**RESIDENTIAL ALCOHOL AND/OR OTHER DRUG SERVICES;
RECOVERY OR TREATMENT PLANNING; INDIVIDUAL SESSIONS;
EDUCATIONAL SESSIONS; AND GROUP SESSIONS**

Limitations or conditions are listed as follows:

Treatment/Recovery Capacity: 6

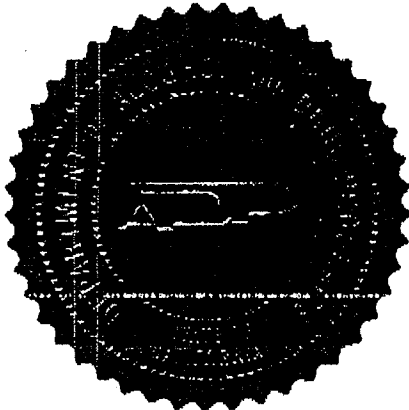
FEMALES ONLY

License/Certification Number:

480029AN

Effective Date : 10/12/2005

Expiration Date : 03/31/2007



Kirsha Bradley

Authorized Representative

*Complaints regarding services provided in this facility should be directed to:
Complaint Coordinator, Residential and Outpatient Programs Compliance Branch
1700 K Street, Sacramento, CA 95814-4037
(916) 322-2911 FAX (916) 322-2658 E-mail: LCBcomp@adp.state.ca.us*

Post in a prominent location. This License and Certification is not transferable.

EMANI HOUSE

200 Peppercorn Court
Vallejo, CA 94591

Phone Number: (707) 642-6147
Fax Number: (707) 642-4704

Email: emaniinc@sbcglobal.net

FAX TRANSMITTAL FORM

To: <i>Marcus</i>	From: <i>Monique</i>
Name:	Date Sent:
CC:	
Phone:	Number of Pages:
Fax: <i>649-3540</i>	<i>3</i>

Message:

Marcus,

here is a letter from one of our neighbors who is opposing area expanding, and our reply to that letter. How long will be before we know if we can expand. Could you call me

*Monique Davis
Deputy Director*

January 13, 2007

EMANI INC
P.O. Box 4156
Vallejo, CA 94590

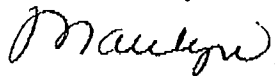
Dear June & Monique,

It was nice to meet you today. I know from talking to you that you are proud of your program. It is a worthwhile program but I'm not in favor for expansion in this neighborhood. The more I think about the meeting the more uncomfortable I am with expanding. I think the more clients you have the more chances there are of problem in the future.

A little while after the meeting my husband and I were talking and he wanted to meet you and tell you he is adamantly opposed to expansion. We walked over and you had already left. A few neighbors who were not able to attend today have asked that I let them know your intent.

I think it's only fair that I let you know how I feel now that I've had time come home and think about the issues.

Sincerely,



Marilyn Silverstein

Dear Mrs. Silverstein,

I appreciate your coming to Emani House for the informational meeting it was a pleasure to meet you and talk to you. It is unfortunate that you and your husband are opposed to our plans for expansion of Emani House from a six-bed facility to an eight-bed facility.

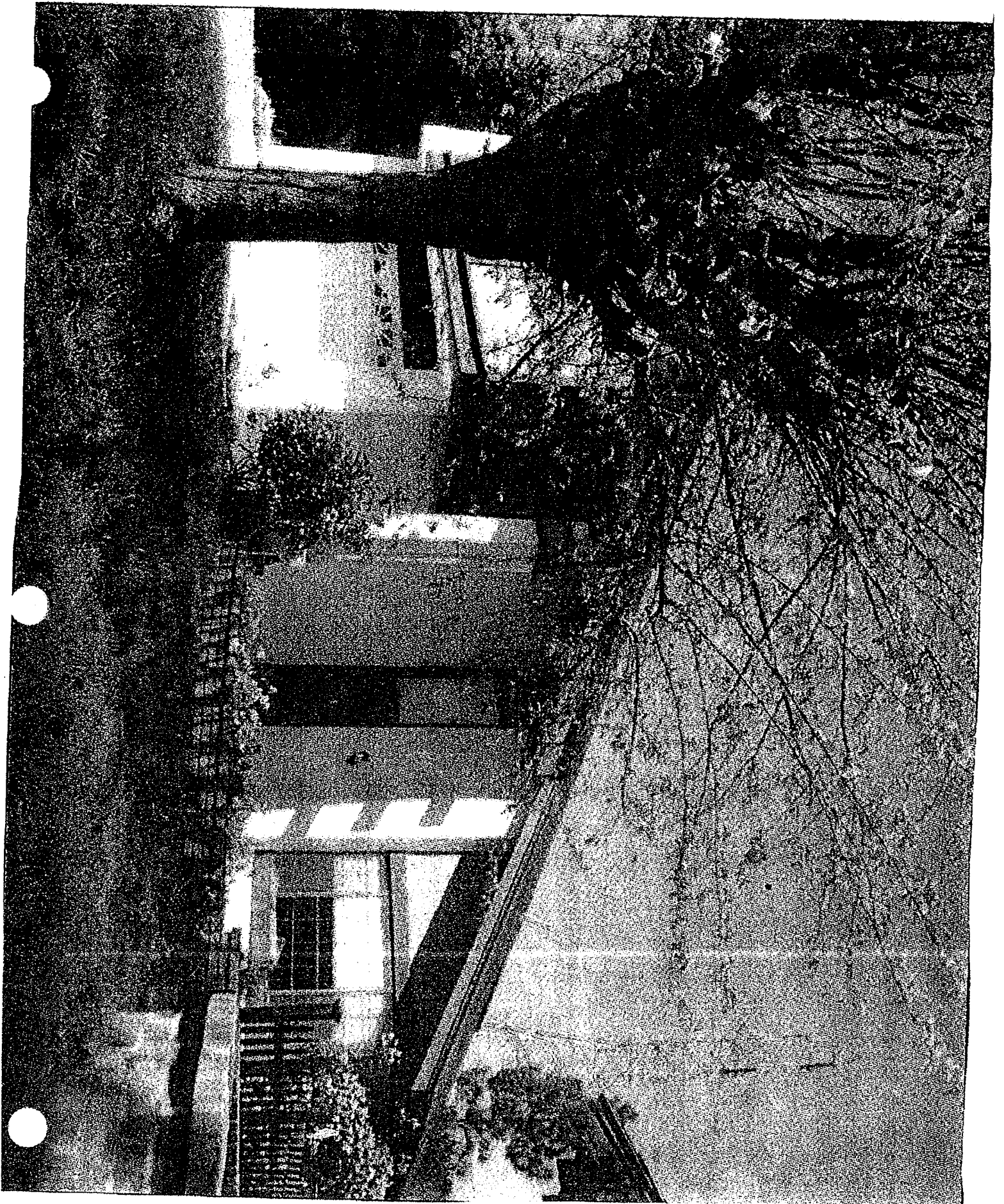
Monique Davis and I have done all that we can in the almost three years that we have occupied 200 Peppercorn to ensure our neighbors that our residents are respectful and mindful of our neighbors and their property. We make sure that our lawn is manicured, and that our front area is swept. We do not permit our residents to loiter or smoke in the front of the building, nor do we permit our residents guests to disrupt the neighborhood in any way; these are all grounds for dismissal. As we explained to you when we met, Emani House has zero tolerance for violence, or threats of violence, we do not provide treatment to arsonists, sex offenders or violent offenders. All of these things are done to ensure the safety of our neighbors and the staff and other residents of the house. We have staff on duty 24 hours; if there are clients here there is always someone here to oversee the program. We are proud that in the nearly three years that we have occupied this residence we have never had an incident where the police have been called for any disturbance. In fact the one other neighbor that attended the informational meeting stated that she was unaware of our presence in the neighborhood.

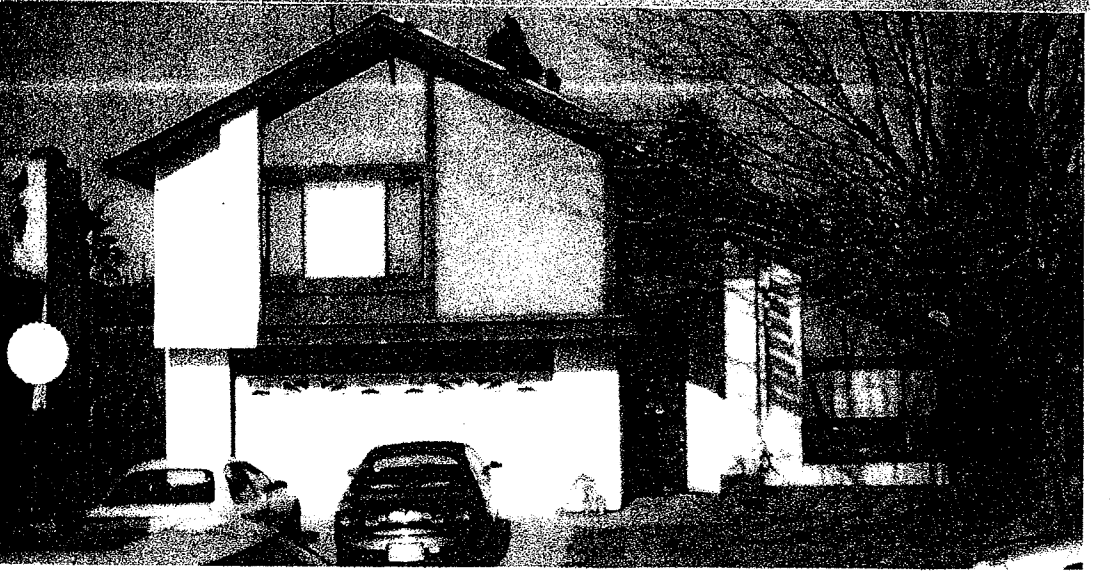
It is unfortunate that Monique and I were not here when you and your husband came to voice your concerns, but Monique and I also provided you with our personal cell phone numbers in the event that you might need to contact us. It is also unfortunate that the other neighbors you referred to, who were also notified of our meeting, were unable to attend so that we could address their questions and concerns. If approached in the future we would appreciate it if you would direct them to us or you may also give them our personal cell phone numbers.

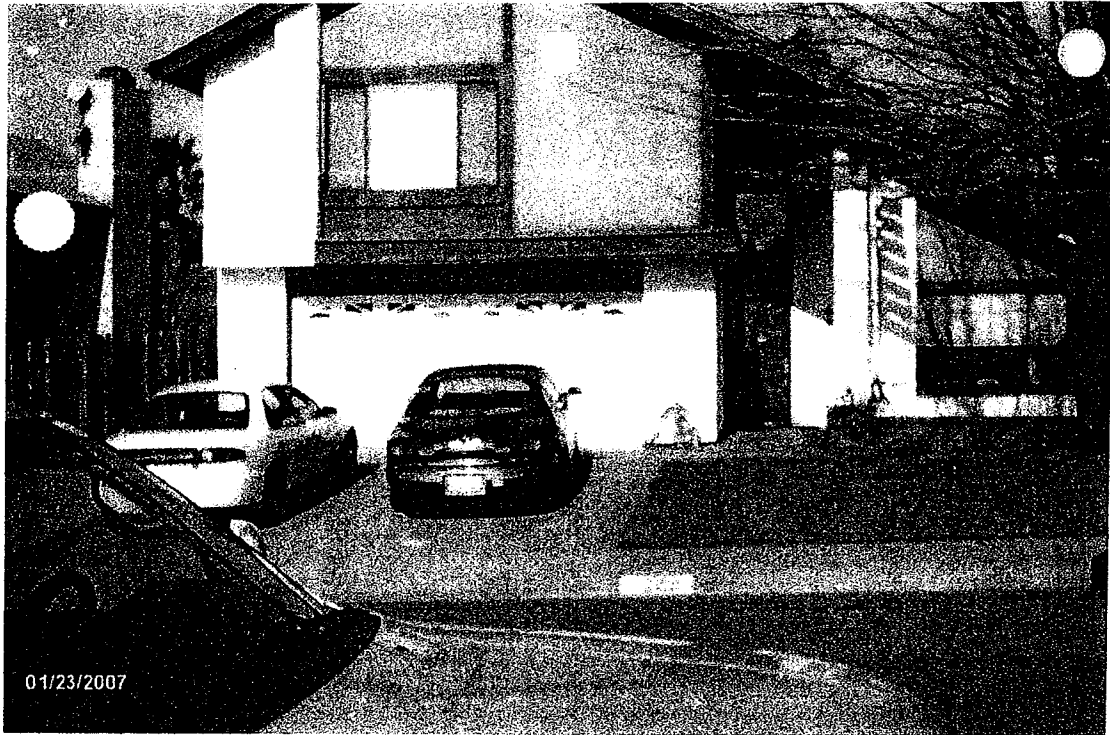
Although we understand that you are opposed, we must inform you that our intention is to move forward with our plans. We have been good neighbors and will continue to be good neighbors.

Sincerely,

June Cummings
Executive Director







STEPHEN AND KAREN T. WIEL

March 23, 2007

June Cummings, Executive Director
Emani House
200 Peppercorn Court
Vallejo, CA 94591

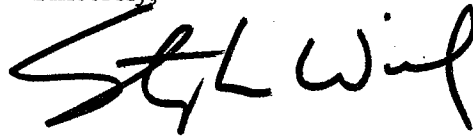
Dear June:

As the owners of the building in which you operate Emani House, my wife and I would like to congratulate you on the fine service you provide to the community and enthusiastically endorse your proposed expansion from six beds to eight. Heaven knows that Emani House fills only a small portion of the community's needs for shelter of our most needy citizens. Every little bit more you can do is welcome.

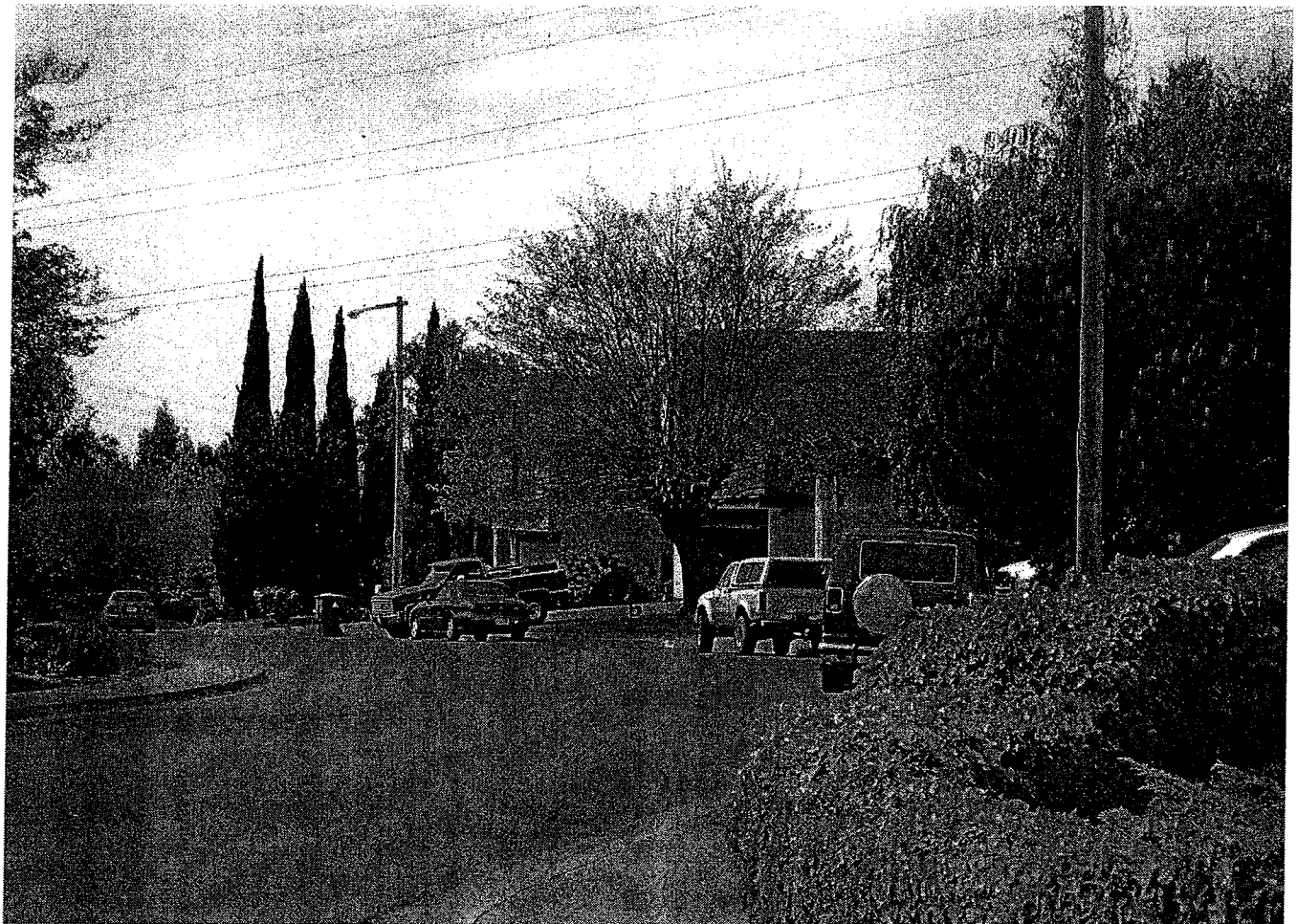
The Emani model of integrating a shelter like yours into a conventional residential neighborhood provides benefits to both the women you serve and the community at large. For the women at Emani House, it provides what is often their first exposure to middle class America. For the community at large, it offers a model of how to better accommodate all of its citizens into an integrated land use.

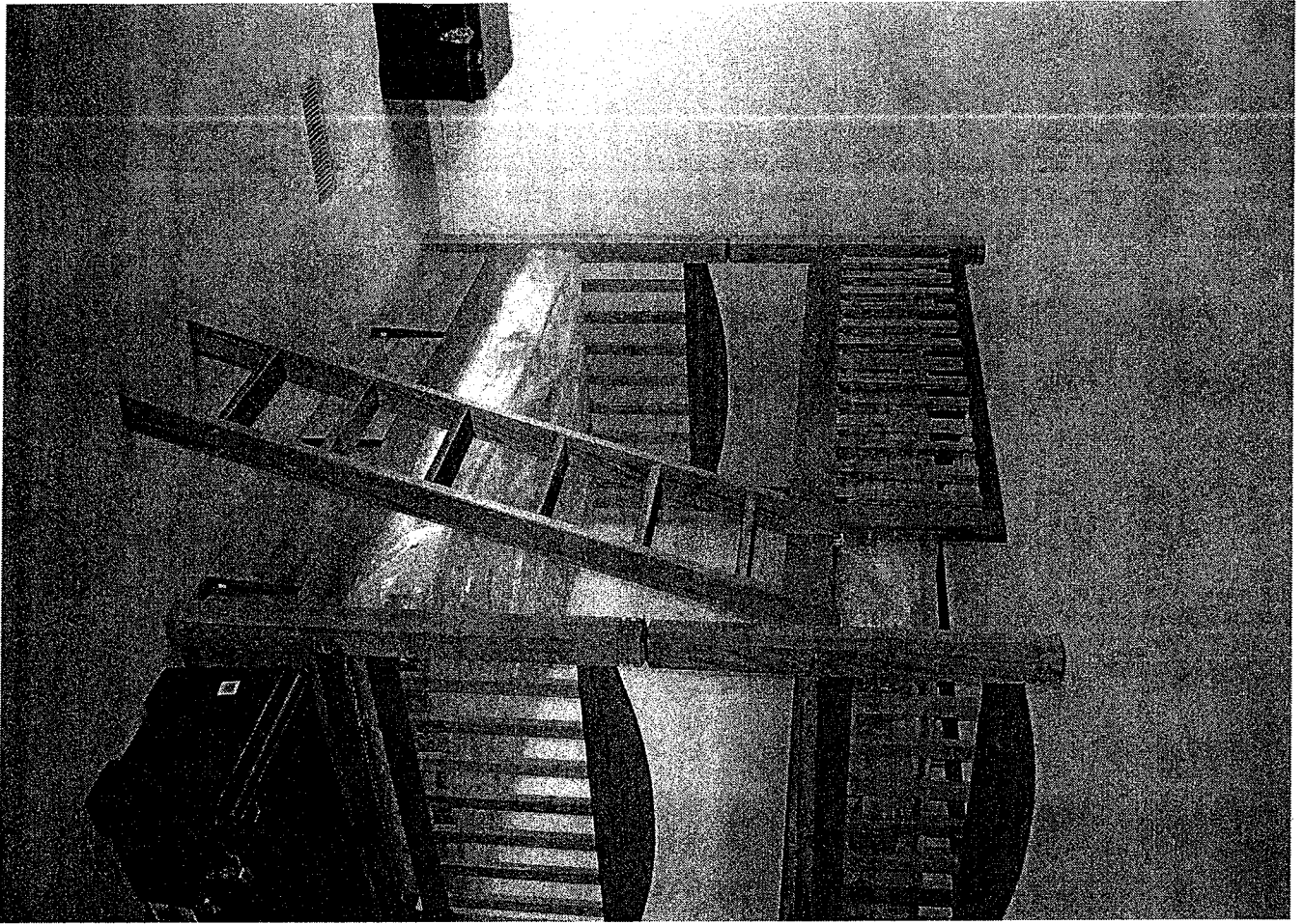
We applaud your efforts.

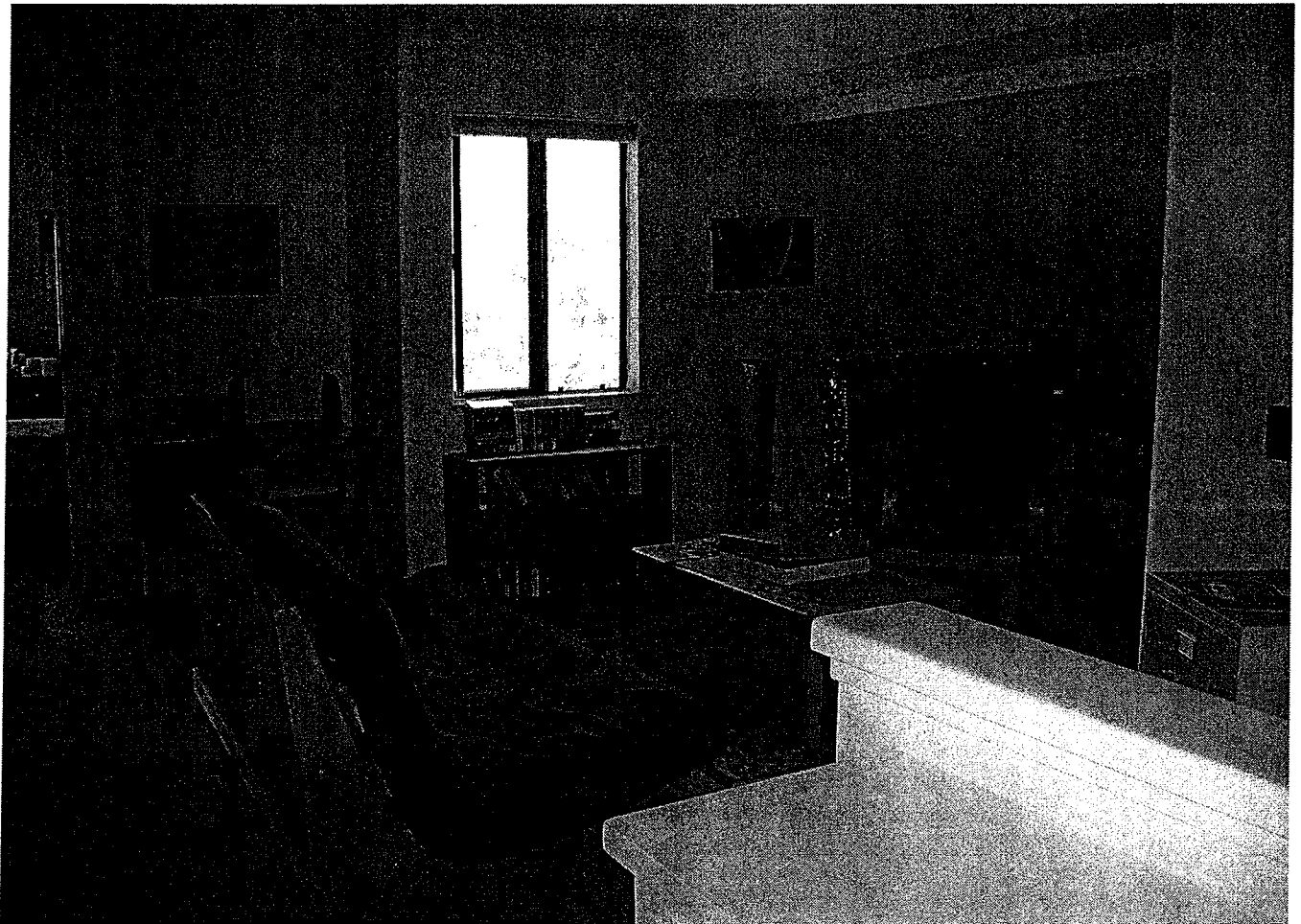
Sincerely,

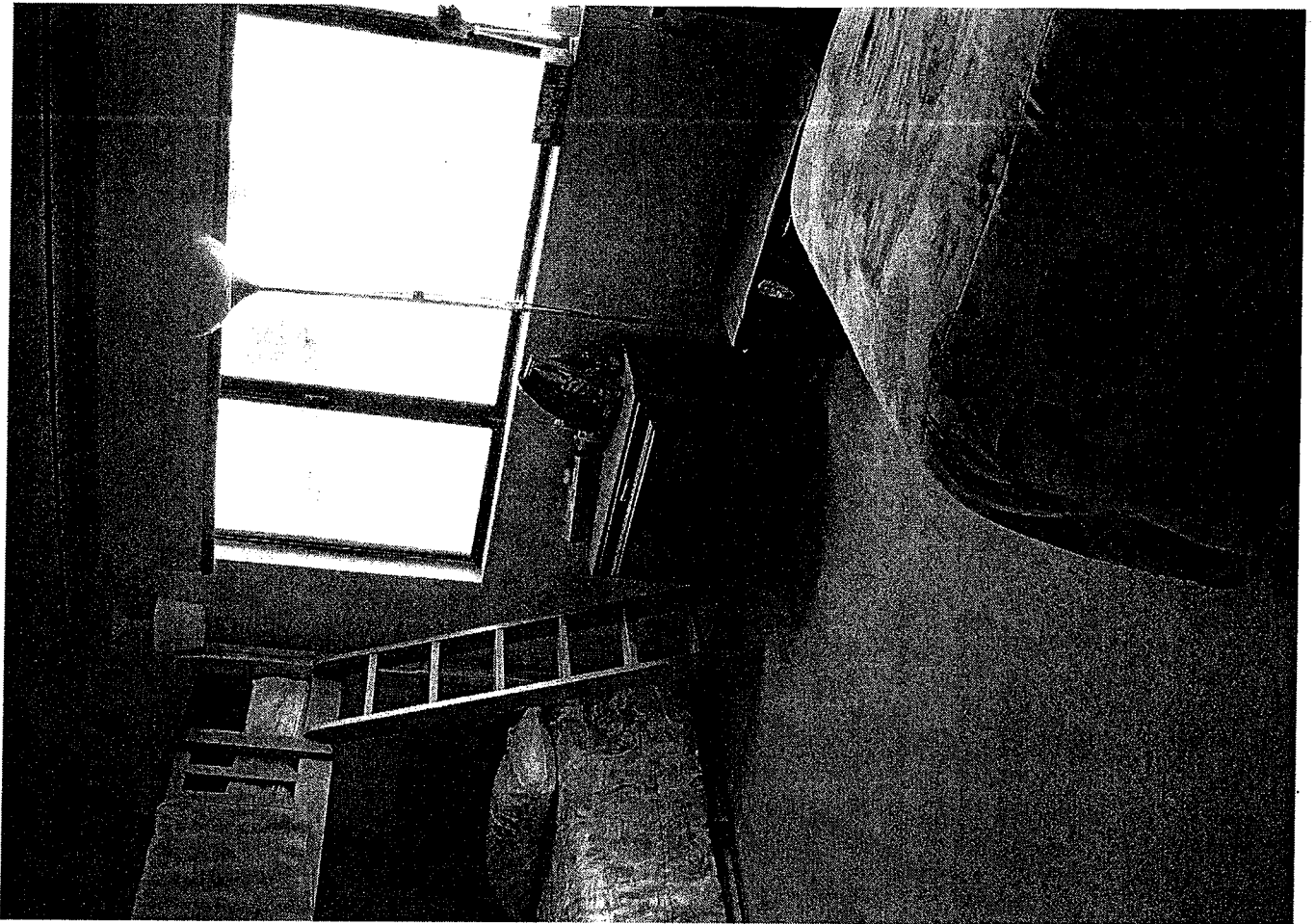
A handwritten signature in black ink, appearing to read "S. L. Wiel". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

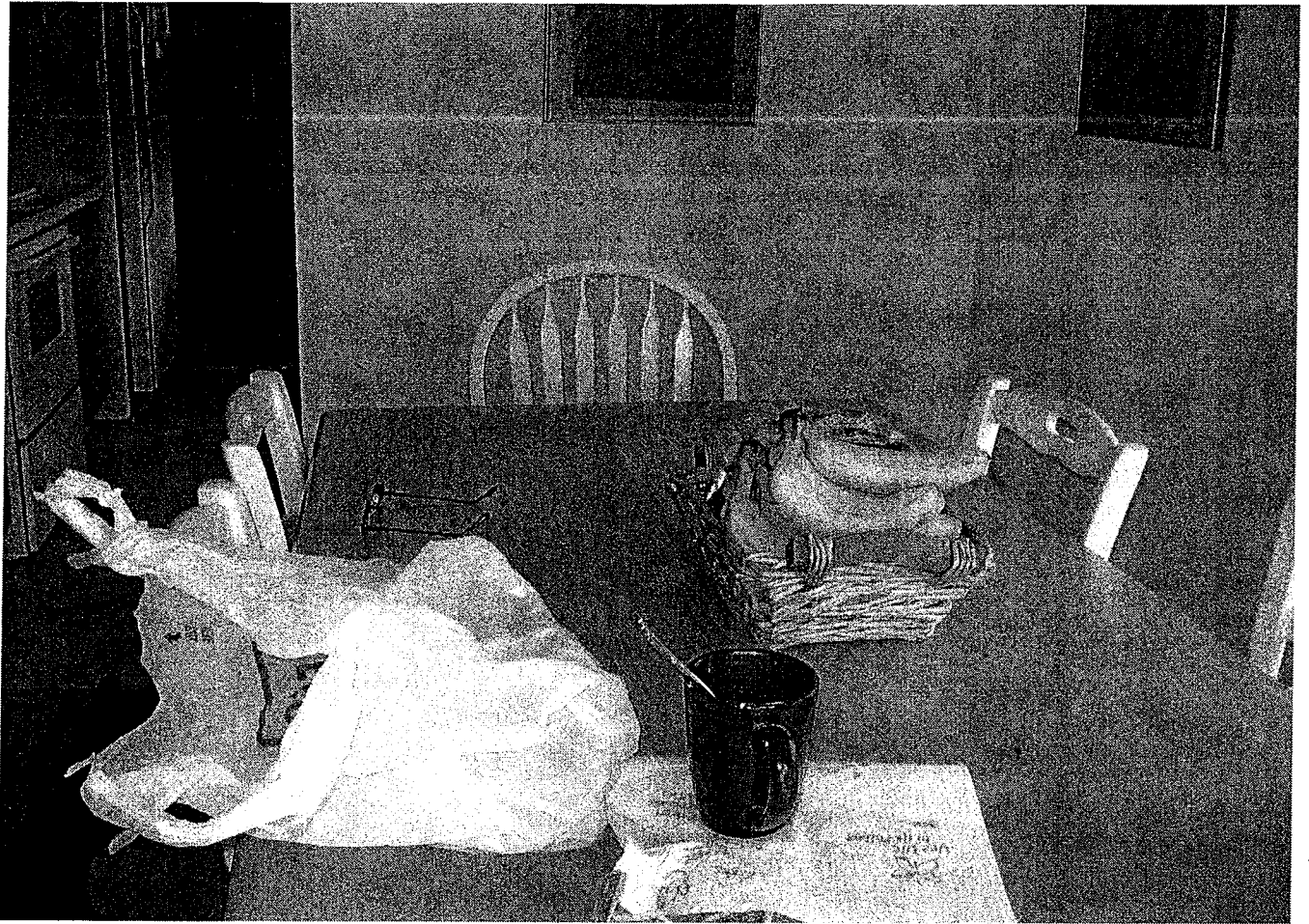
Stephen Wiel

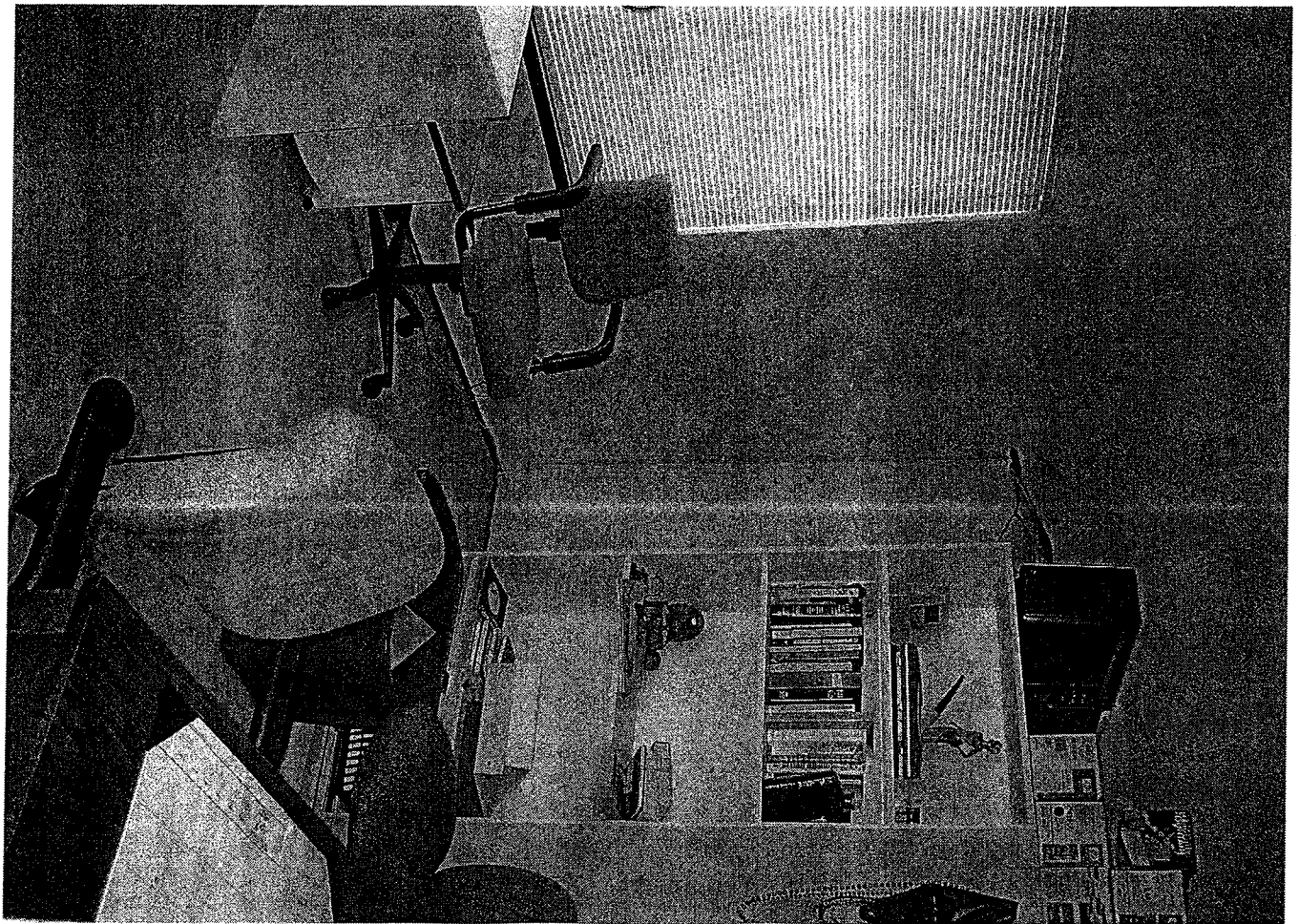
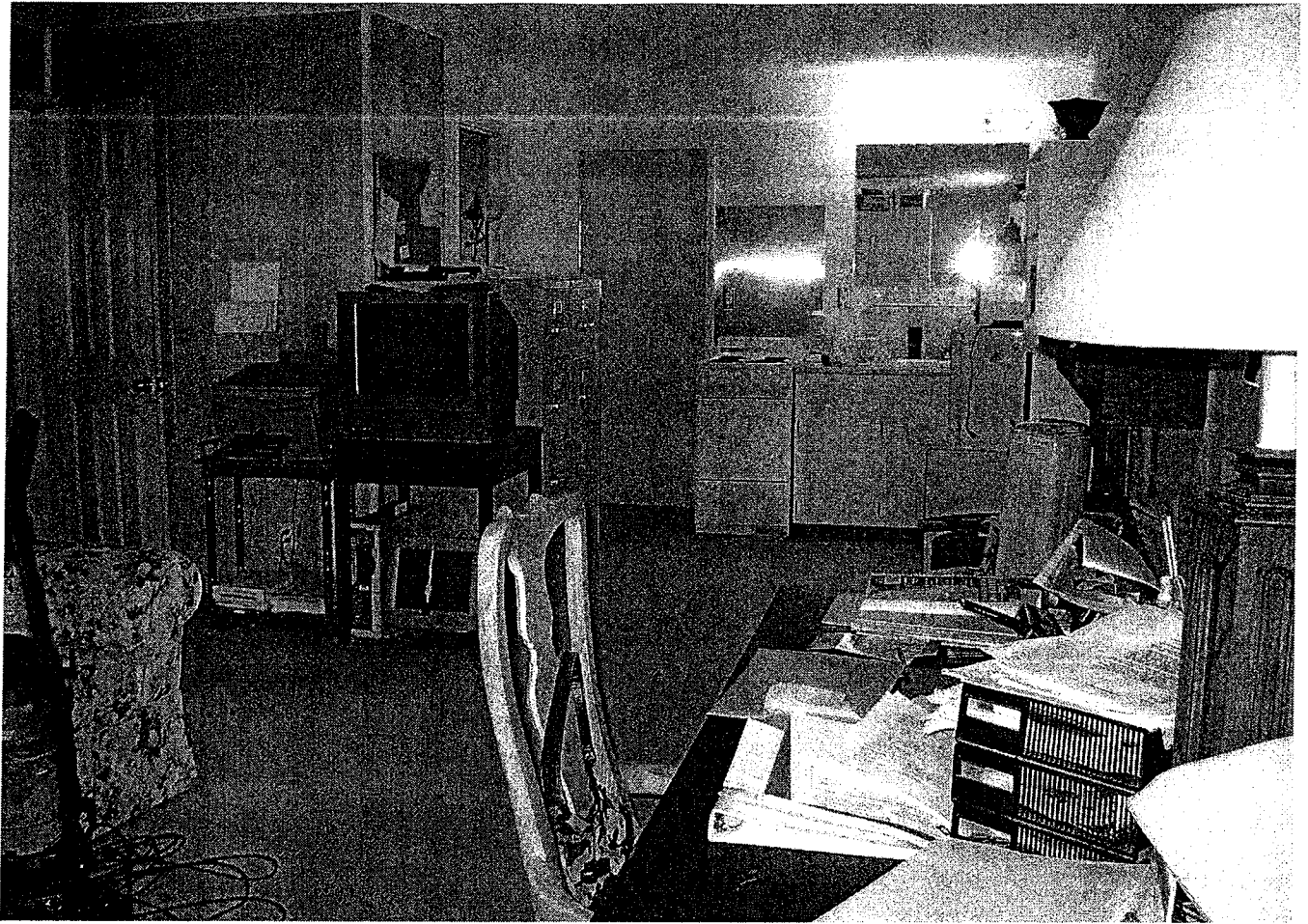


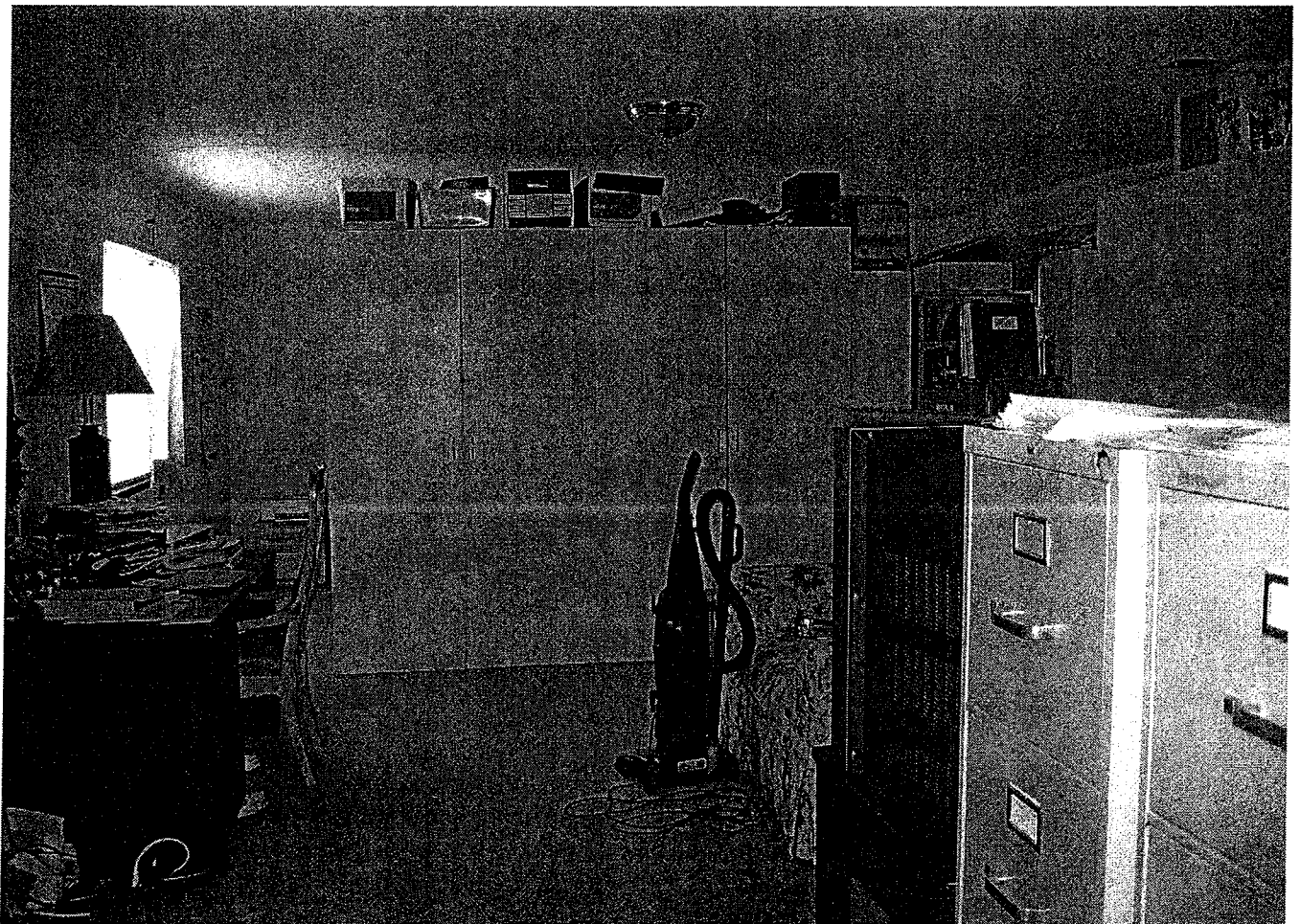
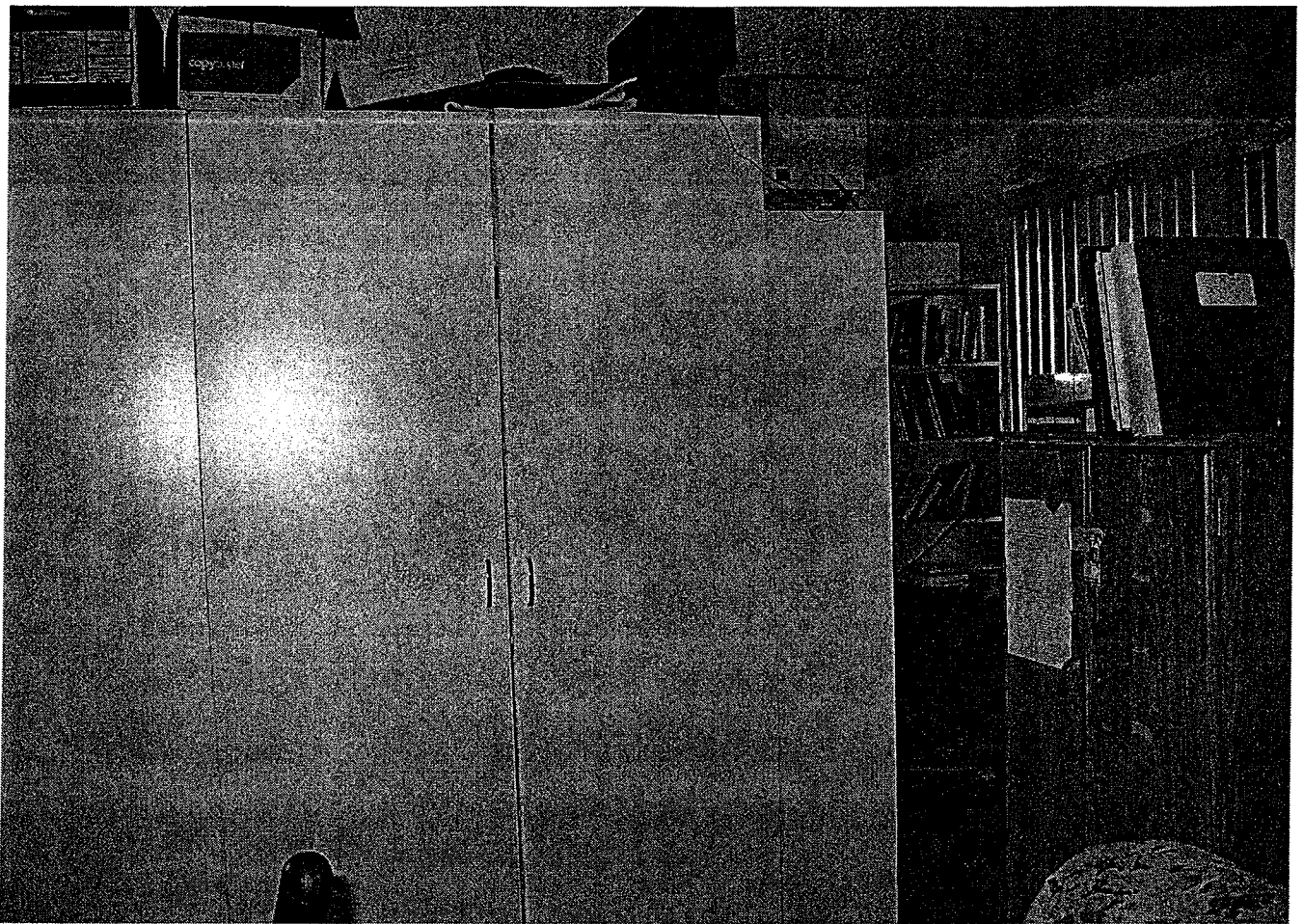


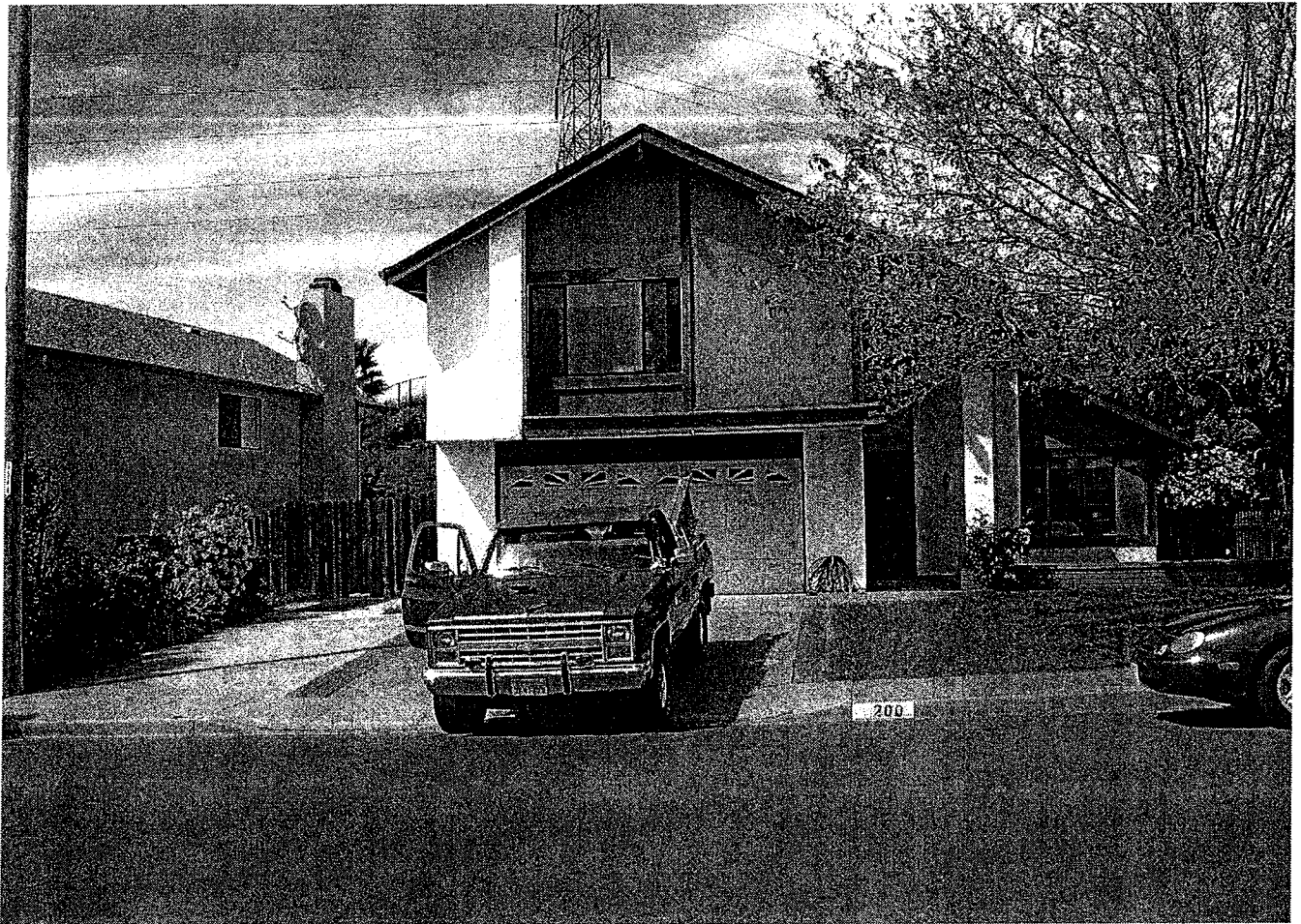












To whom it may concern,

I am a neighbor of Emani House located at 200 Peppercorn Court. June Cummings and Monique Davis have operated a program for women with substance abuse, mental health, and life threatening illnesses since May 2004. During that time, they have been responsible, quiet, and kept their property clean and neatly manicured. I understand that the work that June and Monique provide is important to the women they serve their families, and the entire Vallejo community.

My signature below indicates that I have no objections to Emani House increasing their services to include two more women thereby serving eight rather than six women.

Signature Brenda McGinnis address 210 Peppercorn Ct.

Signature M. B. Sinder Sidhu address 124 Peppercorn Ct

Signature R. Carlson address 205 PEPPER CORN CT.

Signature Beverly Wilson address 125 Wildberry Ct

Signature J. C. C. address 165 Wildberry Ct.

Signature S.D. Wilson address 205 Peppercorn Ct

Signature Eleanora H. Meiri address 171 Wildberry Ct.

Signature Barbra VanAhn address 100 Peppercorn Ct

To whom it may concern,

I am a neighbor of Emani House located at 200 Peppercorn Court. June Cummings and Monique Davis have operated a program for women with substance abuse, mental health, and life threatening illnesses since May 2004. During that time, they have been responsible, quiet, and kept their property clean and neatly manicured. I understand that the work that June and Monique provide is important to the women they serve their families, and the entire Vallejo community.

My signature below indicates that I have no objections to Emani House increasing their services to include two more women thereby serving eight rather than six women.

Signature [Handwritten Signature] address 235 PEPPERCORN CT. VALLEJO, CA 94591

Signature [Handwritten Signature] address 265 PEPPERCORN CT. CA 9459

Signature Elizabeth Sosa address 265 Peppercorn Ct. Ca 94591

Signature _____ address _____

Signature _____ address _____

Signature _____ address _____

Signature _____ address _____

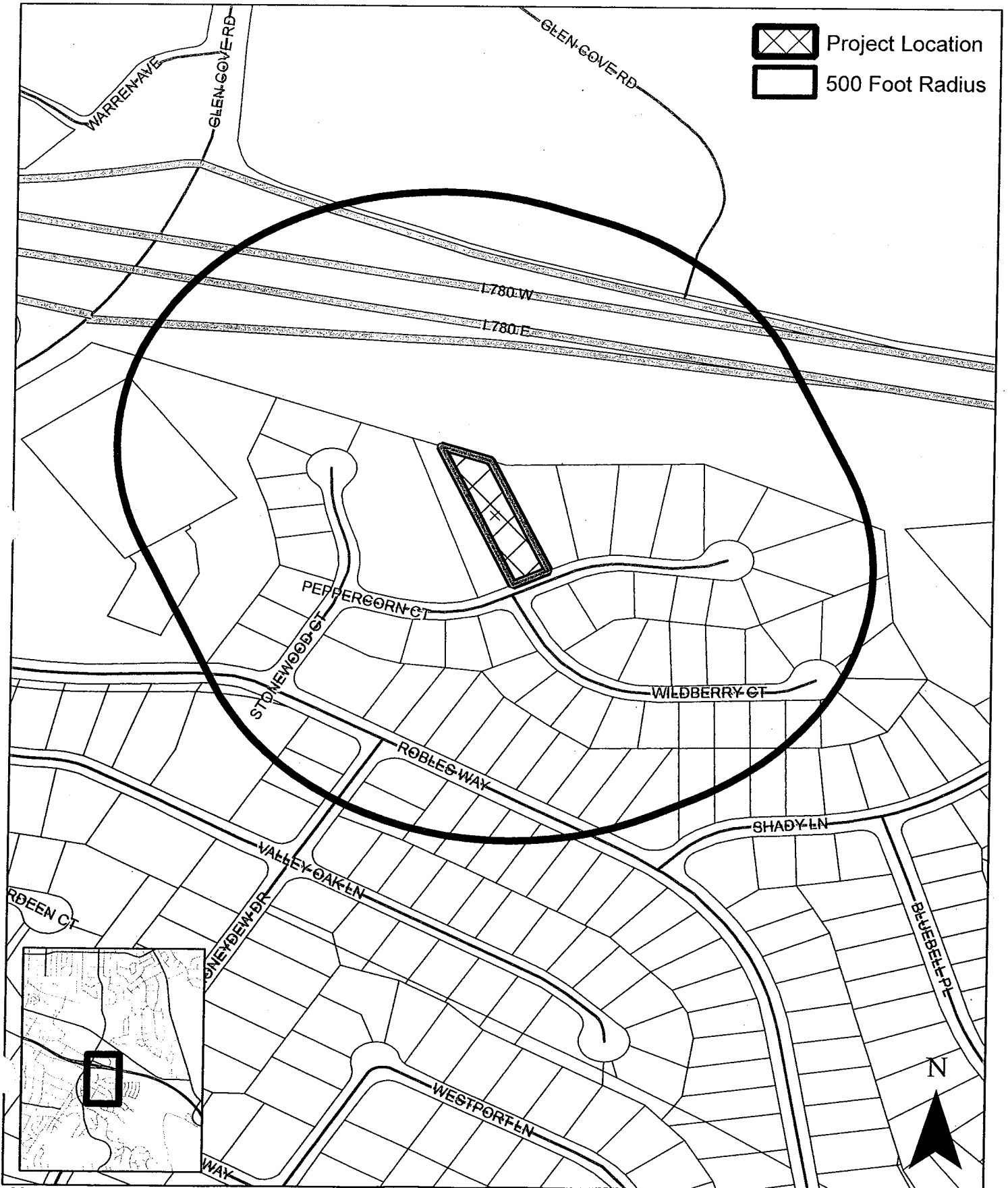
Signature _____ address _____

Conflict of Interest Map

ATTACHMENT F

Minor Use Permit #07-0003

200 Peppercorn Court - (APN# 0079-151-440)





STAFF REPORT

CITY OF VALLEJO PLANNING COMMISSION

Date of Hearing: April 16, 2007 **Agenda Item:** K 4

Application Number: Variance #06-0001 as governed by Section 16.84 of the Vallejo Municipal Code (V.M.C.)

Recommendation: Recommend **Approval** of Variance Permit #06-0001 subject to the findings and conditions contained in the staff report.

1. **PROJECT DESCRIPTION:** The applicant is proposing to modify an existing shopping center identification sign to include signage for four tenants within the Redwood Plaza shopping center. Due to the fact that the Vallejo Municipal Code does not allow shopping center tenants to be identified on the master shopping center identification sign, a variance would be required for tenant identification. The project is illustrated on conceptual sign drawing submitted by the applicant dated February 28, 2007. (see Attachment B)
2. **LOCATION:** 720 Admiral Callaghan Way **APN: 0081-030-370**
3. **APPLICANT:** JSJ Electrical Display
459 Industrial Way
Benicia, CA 94510
4. **PROPERTY OWNER:** AKT Properties
7700 College Town Drive
Sacramento, CA 95826
5. **EXISTING LAND USE:** The Redwood Plaza Shopping Center currently occupies the site.
6. **SURROUNDING LAND USES:** The subject property is encompassed by an auto dealership to the north, a gas station and multi-family residential uses to the south, commercial and multi-family residential uses to the east, and Interstate 80 to the west.
7. **CONSISTENCY WITH THE GENERAL PLAN:** The General Plan Land Use designation for this site is "Commercial-Retail." The existing shopping center use is clearly compatible the General Plan land use designation.

8. **ENVIRONMENTAL REVIEW:** The project meets the requirements for Section 15302, Class 2 Categorical Exemption, "Replacement or Reconstruction" of the California Environmental Quality Act because replacement (and/or modification) of the existing structure will have substantially the same purpose and capacity as the structure replaced.

9. **CONFORMANCE WITH APPLICABLE ZONING REGULATIONS:**

ZONING. The property is zoned Pedestrian Shopping and Service District (CP). General retail sales are a permitted use in CP districts.

The following zoning ordinance development standards are applicable:

SIGNAGE- Section 16.64.040(K) V.M.C.

"Each shopping center shall be permitted one master identification pole sign to identify the center but not any tenant located therein. Centers with secondary street frontage may be permitted an additional pole sign. Tenants or businesses in a center may be identified as part of a monument directory sign, subject to the limitations of the height and square footage of such signs for the particular zoning district."

Redwood Plaza has one shopping center identification pole sign which does not identify any tenants. The subject sign was approved prior to the City's sign ordinance being adopted in 1984.

10. **NOTICING AND PUBLIC COMMENTS:** Notice of the proposed project was sent to: property owners within 500 feet of the subject property, the Vallejo Times Herald, Hunter Ranch Neighborhood Association and the applicant on March 16, 2007. Staff did not receive any inquiries or comments related to the project.

11. **DEPARTMENT AND AGENCY REVIEW:** Notice of the application was sent to the Building Division and the Community Development Department. The two departments had no comment regarding the proposed sign modification.

12. **STAFF ANALYSIS:**

BACKGROUND

In 2005, the applicant submitted an application to revise the 1999 Redwood Plaza Sign Program. At the time of their submittal, they inquired of staff the possibility of modifying the shopping center sign at the Plaza to include tenants. Staff informed the applicant that under the existing municipal code, tenants were not allowed to be identified on shopping center identification signs and that they had two options available: 1) apply for a variance to the applicable sign ordinance section or 2) wait

for staff to bring a sign ordinance amendment to the City Council which would address shopping center identification signs.

Staff informed the applicant that other shopping center identification signs in Vallejo which identified tenants had been approved by variance and that it was their hope to in the near future to amend the sign ordinance in order for shopping center signs to be able to identify a limited amount of major tenants without the variance process.

Unfortunately, staff has not had the opportunity to craft a sign ordinance amendment due to caseload and staff levels. When approached again in 2006 about the possibility of a sign ordinance amendment staff recommended to the applicant that if his client wanted to modify the sign in 2007, the variance procedure would most likely be the most expeditious option.

In cooperation with staff, the applicant submitted a modified sign which retains the shopping center name in a prominent position; identifies the major tenant (Safeway); limits the amount of other tenants; and utilizes the latest sign display technology (halo illumination).

REQUIRED VARIANCE FINDINGS

Section 16.84.030 of the Vallejo Zoning Ordinance spells out the specific findings that must be made for the Planning Commission to approve a variance request. The following is a list of the required findings and an analysis of how the proposal relates to each.

A. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits.

Due to the configuration of Redwood Plaza, wall signs on the stores are not easily identifiable from portions of Redwood Street or the Redwood Street (east and west) Interstate 80 off-ramps. This is due to the fact that the shopping center parking lot fronts Redwood while the stores are at the rear and side perimeter of the lot.

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his neighbors.

The majority of Vallejo's shopping centers have shopping center identification signs with tenant signage included which were obtained either as part of the shopping center's original approvals or through the variance process. Granting a variance for

the applicant's proposed modified sign would not constitute a special privilege not enjoyed by other shopping centers.

C. That the granting of the variance will not be materially detrimental to the public health, safety or welfare or will not impair an adequate supply of light and air to adjacent property.

Granting of the variance amendment would not be materially detrimental to the public health, safety or welfare or would not impair an adequate supply of light and air to adjacent property as the existing structure would not expand in area. Staff believes that an argument supporting this finding could be made, and thus meet this required finding.

D. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classifications.

Other shopping centers located in Pedestrian Commercial zoning districts would generally not have the same building and parking lot configuration as Redwood Plaza in that the buildings would take advantage of public right-of-way sight lines. Those shopping centers which were unable to establish major store identification through wall signage would most likely then be identified as part of shopping center identification sign.

E. That either the variance is so insignificant that granting it will not be incompatible with the Vallejo General Plan; or the potentially adverse effects of the variance on said plan, which would be avoided by denying the variance, are exceeded by the individual hardship which would be relieved by granting the variance.

Granting of the variance could arguably be in conflict with General Plan Urban Design Goal 3, policy 2 which states, "Provide for vigorous enforcement of the Sign Ordinance," in that the sign would not be in conformance with Section 16.64.040(K) of the sign ordinance which allows shopping centers one master identification pole sign to identify the center but not any tenant located therein and one additional pole sign per secondary street frontage. Staff believes however that the lack of sufficient major tenant signage could create individual hardships to the tenants and the Plaza as a whole, thus threatening the viability of tax revenue businesses to the City of Vallejo. Staff also believes that by limiting the tenant signage on the master Plaza sign, potentially adverse effects (visual clutter) will be avoided.

CONCLUSION

Staff has determined that the five required findings can be met and that the applicant has worked patiently with staff to propose a master shopping center identification/tenant sign which meets the goal of identifying major tenants in the Plaza while still respecting the Plaza name and keeping visual sign clutter to a minimum.

13. STAFF RECOMMENDATION:


Staff recommends the Planning Commission **ADOPT** a Resolution approving Variance #06-0001 subject to findings and conditions found in the attached Resolution.


EXPIRATION

Approval of a variance shall expire automatically twenty-four months after its approval unless authorized construction has 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.

Prepared by: 
Marcus Adams, Associate Planner

Reviewed by: 
Don Hazen, Planning Manager

- Attachment A: Resolution and conditions of approval
- Attachment B: Sign drawing, example of "push through letters" & site plan
- Attachment C: PowerPoint Presentation
- Attachment D: Conflict of Interest Map

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC-07-02

A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A VARIANCE PERMIT APPLICATION
VARIANCE #06-0001

Redwood Plaza Shopping Center Identification Sign

The proposed project is located at the intersection of Admiral Callaghan Lane and Rotary Way.

APN# 0081-030-370

I. GENERAL FINDINGS

WHEREAS an application was filed by Jeffery E. Jensen of JSJ Electrical Supply seeking approval for a variance permit to allow tenant signage on the master shopping center identification sign; and

WHEREAS the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on April 16, 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 15302, Class 2 Categorical Exemption, "Replacement or Reconstruction" 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 the applicant submitted a Variance application to modify an existing shopping center identification sign pursuant to the City of Vallejo Municipal Code Chapter 16.84.

Section 3. Planning Commission finds, based on the facts contained in sections 1-12 of the staff report attached herein and incorporated herein by this reference, and given and

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

1. A hardship peculiar to the property and not created by any act of the owner exists.
2. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and granting of the variance would not constitute a special privilege of the recipient not enjoyed by his neighbors.
3. The granting of the variance will not be materially detrimental to the public health, safety or welfare or will not impair an adequate supply of light and air to adjacent property.
4. The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classifications.
5. That either the variance is so insignificant that granting it will not be incompatible with the Vallejo General Plan; or the potentially adverse effects of the variance on said plan, which would be avoided by denying the variance, are exceeded by the individual hardship which would be relieved by granting the variance

**IV. RESOLUTION APPROVING THE VARIANCE PERMIT APPLICATION
MODIFYING THE SHOPPING CENTER IDENTIFICATION SIGN AT 720
ADMIRAL CALLAGHAN LANE**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES the Conditional Use Permit application (UP# 07-0002) for the towing storage yard, 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 16th day of April, 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
VARIANCE #06-0001
(APN# 0081-030-370)

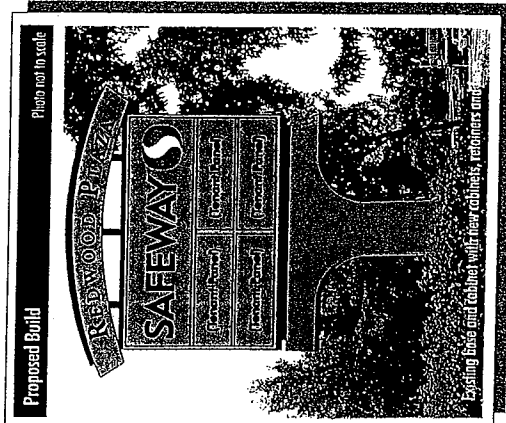
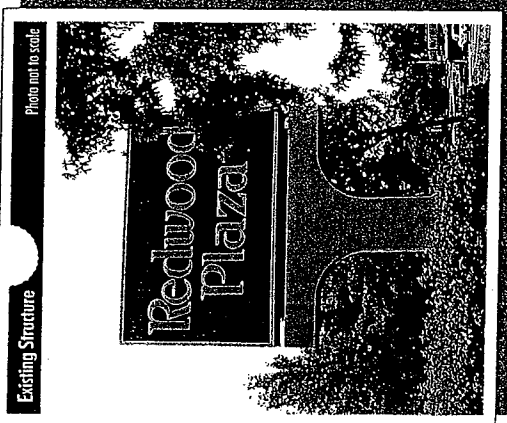
CONDITION COMPLIANCE PRIOR TO BUILDING PERMIT SUBMITTAL:

Planning Division

1. Prior to building permit submittal, the applicant shall confirm that all permanent and temporary signs within Redwood Plaza are either approved or removed.

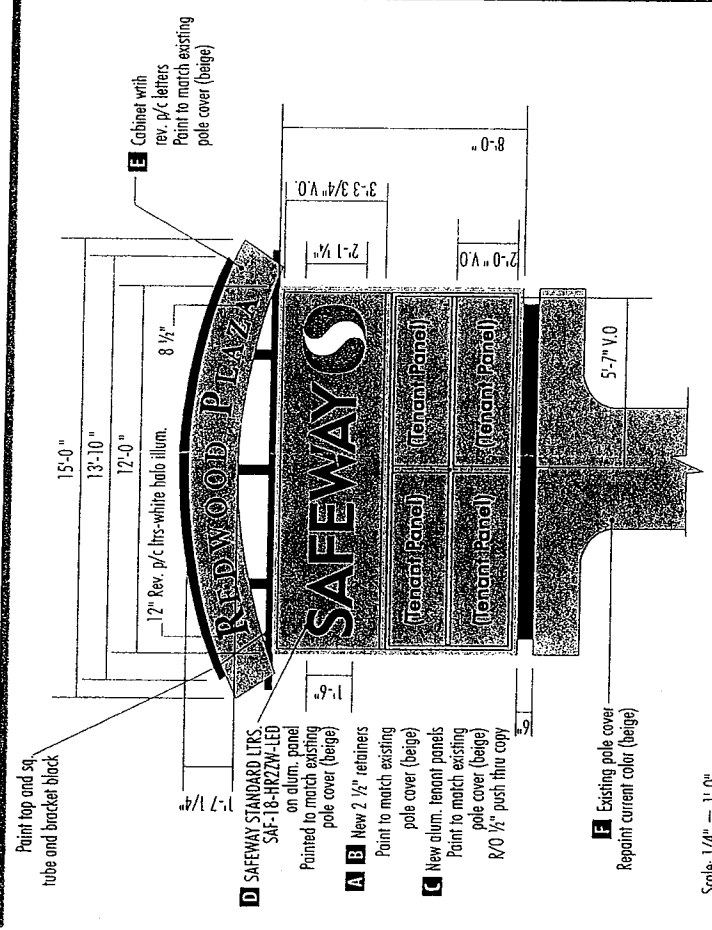
GENERAL CONDITIONS

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.

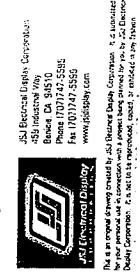
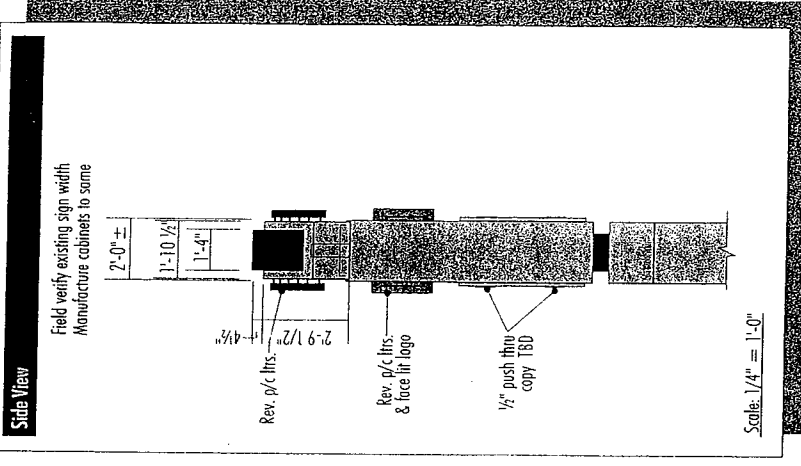


Work Scope

- A** Manufacture and install new retainers, header and tenant panels for existing D/F internally illuminated cabinet sign
- B** Paint existing D/F cabinet, new header panel, (5) total new tenant panels and new retainers to match existing sign pole cover/base
- C** Manufacture and install four (4) new sign panels with R/O push thru copy for each side of existing D/F internally illuminated cabinet
- D** Install copy on two (2) major tenant panels with two (2) sets (one (1) face side) halo illuminated reverse pan channel letters & face illuminated logo
- E** Manufacture and install one (1) D/F cabinet mounted on top of tenant cabinet with halo illuminated reverse pan channel copy reading: "REDWOOD PLAZA"
- F** Point existing pole cover current color (beige)



All panels & cabinets painted beige to match existing pole cover (lt. beige) • Point letters on header (top cabinet) Akzo Nobel #412-G-4 (spin) • Point name and reveal block (spin)



REVISIONS

NO.	DATE	DESCRIPTION
1	11-25-09	add top cabinet
2	12-10-09	add (2) tenant panels
3	11/06/06	Show side view

2/28/07 Rev. per city comments

LANDLORD APPROVAL / DATE

CUSTOMER APPROVAL / DATE

CLIENT: REDWOOD PLAZA

ADDRESS: ADMIRAL CALLAGHAN LANE

CITY: VALLEJO, CA

ACCOUNT REP: RON BORTMAN

DESIGN NO. 05-2401 C

SHEET 1 of 1

SCALE as noted

DATE 9/15/2003

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City of Vallejo

Planning Division

555 Santa Clara Street, Vallejo, CA 94590
Phone: (707) 648-4326 Fax: (707) 552-0163

Planning Handout No. PH-48

VARIANCE SUPPLEMENT INFORMATION

PROJECT INFORMATION

PROPERTY ADDRESS 720 Admiral Calathan lane

ASSESSOR'S PARCEL NO. 0081.030.370 EXISTING ZONING _____

APPLICANT

NAME Jeffrey E Jensen - JsJ Electrical Display

ADDRESS: 459 Industrial way Benicia CA 94510 DAYTIME PHONE 707.747.5595


VARIANCE REQUEST

DESCRIBE TYPE OF VARIANCE BEING APPLIED FOR Adding Tenant panels to Pylon Sign.

CITY LAW STATES THAT A VARIANCE CANNOT BE APPROVED UNLESS CERTAIN CIRCUMSTANCES EXIST. PLEASE ANSWER THE FOLLOWING QUESTION IN JUSTIFICATION OF YOUR VARIANCE REQUEST.

DESCRIBE THE CIRCUMSTANCES PECULIAR TO YOUR PROPERTY WHICH PRECLUDE YOUR ABILITY TO ENJOY THE SAME PRIVILEGES AS THOSE OF OTHER PROPERTIES IN THE VICINITY. (Such things as property size, shape, topography, or location may qualify the property for a variance. Such things as personal, family or financial difficulties, loss of prospective profits and neighboring violations do not apply.)

The Plaza has a low visibility for many of our tenants. By Advertising the Anchor "Safeway" and some smaller tenants on the entry pylon it establishes an appropriate level of interest and Patron activity within the Redwood Plaza.





**STAFF REPORT
CITY OF VALLEJO PLANNING COMMISSION**

Date of Hearing: April 16, 2007

Agenda Item: K5

Application Number: Tentative Map #07-0003, as governed by Chapter 15.08, Tentative Maps of the Vallejo Municipal Code

Recommendation: **ADOPT the attached Resolution APPROVING** Tentative Map #07-0003 subject to the conditions provided in the Resolution.

Location: Buildings 237, 253, and 257; Mare Island Reuse Area 3B; Corner of Walnut Avenue, Connolly Street and Railroad Avenue

Applicant: Dina Tasini
Lennar Mare Island, LLC
900 Walnut Avenue
Vallejo, CA 94590

Property Owner: Lennar Mare Island, LLC

General Plan Land Use: Employment **Zoning:** Mixed-Use Planned Development

Existing Land Use: The subject site is developed with three large storage/warehouses and an unimproved parking area. One of the buildings is currently occupied and the remaining two are vacant. The site is void of landscaping and vegetation.

Surrounding Land Use: The area immediately surrounding the site includes the Veterans Affairs Outpatient Clinic (Building 201) to the north, a large vacant warehouse and unused parking lot to the east, a warehouse building currently occupied by a roofing company to the north, and several historic homes currently occupied by commercial businesses to the west.

Related Actions: Certificate of Appropriateness (COA #06-0010) to demolish Buildings 237 and 257 was approved by the Planning Division on March 29, 2007.

1. PROJECT DESCRIPTION

The applicant has requested to subdivide approximately 3.56 acres of land into two parcels to accommodate an existing 57,000 square foot storage/warehouse on one parcel and construction of a new building for commercial/industrial use on the remaining parcel. The proposal also includes demolition of two historic buildings on the property to allow for parking and new construction.

Property Description: The subject site is bounded by Railroad Avenue to the east, Connolly Street to the north, Walnut Avenue to the west, and the Veterans Clinic and parking lot to the south. The property currently contains three storage facilities, Buildings 237, 253 and 257, and a parking area. Building 237 is 63,400 square feet, Building 253 is 36,000 square feet and Building 257 is 57,000 square feet. The Buildings are all one-story buildings made of heavy timber with corrugated sheet iron finishes built in the early 1900s. A major rail line runs north-south along Railroad Avenue and the site currently has several railroad spurs. The entire site is within the Mare Island Historic District and Buildings 237, 253 and 257 are classified as Notable Contributing Resources to the Mare Island Historic District. The project site is relatively flat with a moderate slope on the south side near the Veterans Clinic.

Proposed Parcels: The subdivision includes the two parcels and the public right-of-way for containing the streets immediately surrounding the proposed parcels. Parcel 1 would be approximately 1.39 acres and encompass Building 253 and a portion of Building 237, as this building is sited along the proposed property line dividing the two lots. The applicant intends to retain Building 253 and does not plan to change the footprint or size of the retained structure. Parcel 2 would be approximately 2.17 acres and includes the remaining portion of Building 237 and all of the Building 257. The applicant plans to demolish both Buildings 237 and 257 and to construct a new commercial/industrial building and parking lot on the site. The Vesting Tentative map provides a conceptual design of the parking lots for both parcels and the footprint of a future building on Parcel 2; however the final design of the parking lot and new building on the site are subject to Unit Plan approval by the Planning Division.

Street Improvements: The site currently has no sidewalks, curbs or gutters along the street frontages. Vesting Tentative Map includes the proposed street improvements for Walnut Avenue, Connolly Street and Railroad Avenue. The table below provides the details of the proposed street designs.

Typical Street Design

Street Name	Right-of-Way	Dimensions
Walnut Avenue (North/South)	55'	East Side (Project Side) - 5' Sidewalk, 5' Landscape Strip; West Side - 12' Multi-Use Path, 7' Parking Lane; Two- 10' Travel Lanes (Two-way traffic)
Railroad Avenue (North/South)	66'	West Side (Project Side) - 5' Sidewalk, 8' Parking Lane, 18' Rail Lane; East Side - 5' Sidewalk, 5 ½' Landscape Strip; One 12' Northbound Travel Lane, One 11' Southbound Travel Lane
Connolly Street (East/West)	47'	South Side (Project Side) - 4' Sidewalk, 5 ½' Landscape Strip; North Side - 6' Public Utility Easement, 4' Sidewalk, 5 ½' Landscape Strip; Two 13' Travel Lanes (Two-way Traffic)

*Note: Right-of-Way includes curb and gutter.

A proposed bus shelter for a transit stop is shown along Walnut Avenue on the west side, opposite the subject site. All of the streets would be public and dedicated to the City of Vallejo. The applicant has requested that the street improvements be deferred and constructed according to the schedule provided in the 2005 Mare Island Specific Plan, which shows construction within the vicinity of the subject project area for Walnut Avenue and Connolly Street by the end of 2007, and Railroad Avenue to be completed by 2009.

Public Utilities: The subdivision map shows several existing and proposed utility easements within the project area. This includes an easement for Island Energy (electrical and gas supply), as well as a sanitary sewer, storm drain, and water line easements. A 25-foot Slope and Storm Drain Maintenance roadway is proposed along southern property line of Parcel 2 adjacent to the Veterans Clinic and parking lot to facilitate drainage maintenance. The applicant also proposes to remove the railroad track spurs that exist on the site and install warning devices at various locations.

2. ENVIRONMENTAL REVIEW

The proposed project has been reviewed for conformance with the requirements of the California Environmental Quality Act (CEQA). The project qualifies as an exemption from CEQA, per Section 15315, Class 15 Minor Land Divisions, 2006 CEQA Guidelines, which allows the exemption of four or fewer parcels within an urbanized area.

3. CONSISTENCY WITH THE GENERAL PLAN

The General Plan designation for the property is Employment. The project would subdivide a 5.43-acre site into two lots for storage/warehouse, commercial/light industrial purposes, which would generate employment and is therefore consistent with the General Plan.

The proposal's consistency with applicable General Plan policies is discussed below. Applicable policies are identified in italics.

Commercial Development Goal 7:

To promote the use of Mare Island as a commercial economic asset for the City of Vallejo.

The proposal to subdivide property on Mare Island to accommodate commercial/industrial and storage/warehouse uses would contribute to the economic assets of the City.

Land Use and Density Goal 3: To encourage a variety of density standards and design requirements for commercial, industrial, and residential development on Mare Island in a manner that accounts for Mare Island's unique and complex land use patterns, historic resources, and environmental constraints.

The proposed subdivision includes the retention and continued use of an historic resource and development of a new commercial/industrial facility. The project accounts for the complex land use pattern of the site, which includes two historic resources that are programmed for demolition in order to accommodate the successful reuse of retained historic resource, and the ability to construct a new building on the site.

4. CONSISTENCY WITH OTHER ADOPTED PLANS

MARE ISLAND SPECIFIC PLAN. In 2005, the City of Vallejo adopted the Mare Island Specific Plan Amended and Restated to guide the future reuse of the Island. At that time, it was determined that the Specific Plan is consistent with the Vallejo General Plan, meets all state and City requirements for a specific plan, and serves as the Planned Development Master Plan for Mare Island, pursuant to the Vallejo Municipal Code (V.M.C.).

As illustrated in the Specific Plan's Land Use Plan, the project is located in Reuse Area 3B, which is designated as "Waterfront Mixed-Use". Allowed uses include office/R&D, light industrial and warehouse. The proposal involves the subdivision of land to accommodate R&D/light industrial and warehouse which are allowed uses within this Reuse Area and is therefore consistent with the Land Use Plan of the Specific Plan.

The proposal to reuse Building 253, demolish Buildings 237 and 257, and construct a new building on the site is also consistent with the Mare Island Specific Plan Preliminary Development Plan.

The proposal's consistency with applicable Specific Plan policies and standards is discussed below.

Preservation

Goals: Integrate the preservation of contributing resources into public and private development.

The proposal to subdivide land to accommodate an existing contributing resource and allow additional private development on the site is consistent with this goal.

Land Use

Policy: A balance of land uses is encouraged, including industrial, office, retail commercial, residential, recreational, cultural, educational, open space and habitat conservation, in order to make Mare Island a community where adequate services and resources are readily available to its residents, workers and visitors.

The project involves the subdivision of land for an existing warehouse/storage building and a future R&D/light industrial building to provide a balance of land uses on Mare Island.

Mixed-Use Employment: Reuse Area 3B (Waterfront Mixed Use) provides a wide range of employment uses in both existing and new buildings, again sited along existing roadways.

The project is consistent with the above land use description, as it involves the subdivision of land to support employment uses in an existing building and a proposed new building site along existing roadways.

Urban Design

(B) Street Grid. Reuse and extend Mare Island's existing street grid to provide an interconnected system of neighborhoods, land uses, and vehicular/bicycle/pedestrian corridors.

The proposal includes improvements to the existing street system and is consistent with the above policy.

(J) Mix of Uses. Promote development that supports and expands the rich mix of land uses that have existed on Mare Island.

The subdivision would accommodate a mix of land uses, which includes warehouse/storage and R&D/light industrial, which have existed on Mare Island.

(M) Building Setbacks. Building setbacks for new, infill buildings and for the rehabilitation of historic buildings in the Historic District shall be compatible with the established setting of an area, neighborhood or existing group of buildings. Setback areas shall be landscaped in a manner that is compatible with the historic setting of the area.

The proposal for Parcel 1, which encompasses an existing historic building that is proposed for retention allows for a setback consistent with the setting of the area. Landscape plans for the project would be evaluated as part of the Unit Plan for the parking lot. The

setbacks, building design, parking, and landscaping for Parcel 2 would be reviewed as part of the Unit Plan for redevelopment of this property.

Waterfront Business Campus (Reuse Area 3B)

- ii. *The islandwide street grid should be extended and reinforced as a framework for existing buildings and infill development, to the extent feasible.*

The proposal includes street improvements that do not modify the existing street grid.

Transportation

The transportation system should build upon existing Mare Island infrastructure to provide facilities adequate to accommodate the travel demands associated with the implementation of the Specific Plan Development Program.

The proposed street and pedestrian system immediately surrounding the subject parcels includes travel and parking lanes, sidewalks, and bicycle facilities generally consistent with the Street Cross Sections Reference of the Mare Island Specific Plan, which was prepared for the implementation of the Development Program.

The transportation system should reflect the historic nature of Mare Island. The character and scale of historic corridors such as Walnut Avenue should be preserved. Roadways should respond to right-of-way constraints at historic buildings and should retain mature street trees where feasible. Roadways should be modestly scaled to encourage lower travel speeds and pedestrian, bicycle and transit activity.

The project is consistent with this policy, as stated above.

The street and roadway system should be designed to encourage pedestrian, bicycle and transit uses.

The project is consistent with this policy, as stated above.

A system of off street bicycle paths, bike lanes, and shared bike routes should be implemented to increase the attractiveness of this mode of travel.

The proposed multi-use path along Walnut Avenue is an off-street bicycle path that is part of an island-wide bicycle circulation system.

A comprehensive system of pedestrian facilities, including off street paths and sidewalks wherever possible, should be implemented to increase the attractiveness of pedestrian circulation and access.

The proposed multi-use path along Walnut Avenue is part of an island-wide pedestrian circulation system.

The system of bicycle and pedestrian facilities should be designed to provide a high degree of connectivity between the residential, recreational, employment and mixed uses of Mare Island to minimize, to the maximum extent possible, the number of inter-island automobile trips. The bicycle system should include off-street paths, bike lanes and shared bike routes, as appropriate. The pedestrian system should consist of sidewalks and trails, as appropriate.

The project is consistent with this policy, as stated above.

Parking: As proposed, Parcel 1 contains an existing building (Building 253) that would be retained on the property and is currently being used as a storage/warehouse. Based on the Mare Island Specific Plan parking requirements, one parking space is required for 1,800 square feet of floor area. As previously stated, the applicant does not plan to modify the building size, which is approximately 57,000 square feet. As such, the parking requirement for the existing use is 32 spaces. The proposed conceptual design shows 39 parking spaces, which meets this requirement. However, as a recommended condition of approval, the applicant shall be required to install the parking lot prior to the recordation of the Final Map. This would also require the approval of a Certificate of Appropriateness from the AHLC and a Planned Development Unit Plan from the Planning Division.

Mare Island Historic District Design Guidelines

Defining Parcels and Project Areas: A parcel line may be defined by: Lands historically associated with the function of the property; edges of abutting streets, rail lines or public walks; historic fence or hedge lines; the footprint of a building.

The proposed Vesting Tentative Map delineates the property line for Parcel 1 along the edge of the proposed new sidewalk and includes the area north of building along Connolly Street to accommodate parking to support the use. The property lines for Parcel 2 also uses the sidewalk as the boundary and excludes the area for the railroad right-of-way.

The project is located within Character Area C, "Lumberyards" Character Area of the Mare Island Historic District.

Curbs & Gutter: Curbs and Gutters may be used; should be visually subdued to blend with adjacent paved surfaces.

The project is consistent with the above design guideline. Final details of the curbs and gutters will be determined as part of the street improvement design approval by the Public Works Department.

Sidewalks and Crosswalks: Sidewalks OK, subdued in character; Define crosswalk by painted striping or subtle change in paving material and color.

The project is consistent with the above design guideline. Final details of the sidewalks and crosswalks will be determined as part of the street improvement design which are subject to approval by the Public Works Department.

Parking Location: May be located anywhere on site. Structured parking appropriate.

The proposed parcels provide for on-site parking along the Connolly Street Frontage and flanked by Building 253 on Parcel 1, which would be retained, and a proposed new building on Parcel 2. The conceptual design for the new building on the property shows parking opposite Building 253 and along the Railroad street frontage. All parking lots on the property shall be landscaped in a manner that is consistent with the Historic District Design Guidelines and are subject to the approval of the AHLC and Planning Division.

5. CONFORMANCE WITH ZONING REGULATIONS

ZONING DISTRICT: The project area is zoned Mixed Use Planned Development (MUPD). The Specific Plan is the Planned Development Master Plan for Mare Island, which serves as the zoning ordinance for the island. The Land Use Plan of the Specific Plan designates the area for Waterfront Mixed-Use. The proposal to subdivide property to accommodate an existing storage warehouse and for the future development of R&D/light industrial use is consistent with the Land Use Plan of the Specific Plan. Conformance with policies and standards of the Mare Island Specific Plan is discussed in Section 4 above.

6. CONFORMANCE WITH SUBDIVISION REGULATIONS

The proposed Vesting Tentative Map to subdivide land within the Mare Island commercial/industrial area has been reviewed and found to be in compliance with the Vallejo Municipal Code, Title 15, Subdivisions, subject to the conditions of approval. It should be noted that while a subdivision map that is less than 5 lots is normally processed as a parcel map, per the court case *Bright v. Board of Supervisor*, 66 Cal. App. 3d 191 (1977), a subdivider cannot avoid the tentative and final map requirements, such as constructing off-site improvements, by subdividing one parcel four times using a parcel map and then repeating the same process again. (This process is known a “quartering”.) The applicant created a “remainder” parcel of more than five acres as part of their first parcel map application, approved for Reuse Area 1B and since that time, has continued to subdivide that remainder parcel with several tentative maps for residential subdivisions leaving the remaining un-subdivided acreage as the remainder parcel. To prevent “quartering”, all future subdivisions proposed by the applicant, including the subject project, must be processed using a tentative and final map.

7. PUBLIC NOTICING AND COMMENTS

Notice of a public hearing was sent to property owners within 500 feet of the subject property, to federal agencies on the Island and other interested parties on March 29, 2007 and published in the Times Herald on April 2, 2007. No comments were received from the public.

8. AGENCY REVIEW AND COMMENTS

The plans for this project were sent to the following City departments: Building, Traffic Engineer, City Engineer, Vallejo Sanitation and Flood Control District, Fire Prevention, Water Superintendent, Vallejo Garbage Service, and Community Development. Plans were also routed to Island Gas and Energy and the Greater Vallejo Recreational District. Comments from the various departments and agencies have been incorporated into the staff analysis and conditions of approval for this project.

9. REFERENCES

- ❖ State of California, Office of Planning and Research; CEQA: California Environmental Quality Act (Statutes and Guidelines 1999).
- ❖ City of Vallejo General Plan
- ❖ City of Vallejo Municipal Code
 - Chapter 15 - Subdivision Ordinance
 - Chapter 16 – Zoning Ordinance
- ❖ 2005 Mare Island Specific Plan Amended and Restated

10. STAFF ANALYSIS

The proposed Vesting Tentative map will facilitate the transfer of ownership from the master developer of Mare Island (applicant) to private owners. The proposal creates two parcels and the current lessee of Building 253 on the proposed Parcel 1, has expressed interest in purchasing the building and property from the applicant. The project represents the first non-residential subdivision within the area south of G Street on Mare Island.

The applicant has received approval to demolish Buildings 237 and 257 in order to allow for future construction of a new commercial/industrial building and to provide areas for parking that support the existing and proposed uses on the property. Staff believes that as commercial/industrial property is sold on Mare Island, it is essential that parcels created for existing and occupied buildings proposed for retention conform to the Municipal Code with respect to on-site parking and improvements. Therefore, staff has recommended conditions of approval (Planning Conditions of Approval 5 and 6) that require the applicant to demolish Building 237, and thereafter construct the on-site improvements, including the parking area for Parcel 1, prior to recordation of the Final Map. The design of the parking area requires a Certificate of Appropriateness (COA) approval from the Architectural Heritage and Landmarks Commission and a Planned Development Unit Plan approval from the Planning Division. Any work on the property, such as improvements to Building 253, would also have to adhere to the Building Code.

The applicant has included the right-of-way design for street improvements along Walnut Avenue, Connolly Street and Railroad Avenue as part of the Vesting Tentative Map. While staff believes the timely construction of these improvements is essential to the orderly development of Mare Island, conditions of approval are included that allow such improvements to be deferred (See Public Works Conditions 11 and 12).

Conclusion: Staff has reviewed the project for conformance with the General Plan, Mare Island Specific Plan, Zoning and Subdivision Ordinances. The proposed subdivision has generally been designed to conform to the identified ordinances, regulations and guidelines.

11. STAFF RECOMMENDATION

Staff recommends that the Planning Commission **ADOPT** the attached Resolution **APPROVING** Tentative Map #07-0003, based on the findings and conditions provided in the Resolution.

The applicant or any party adversely affected by a decision of the Planning Commission may appeal the decision by filing an appeal to the City Council. Such appeal must be filed in writing with the City Clerk within ten calendar days after the Commission's action. The Council may affirm, reverse, or modify any decision of the Planning Commission which is appealed.

If you challenge the Planning Commission's actions regarding this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary of the Planning Commission at, or prior to, the public hearing.

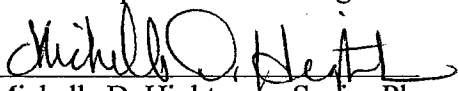
12. EXPIRATION

This Vesting Tentative Map shall expire 36 months after the date of approval unless final maps have been filed or unless authorized construction has commenced prior to the expiration date.

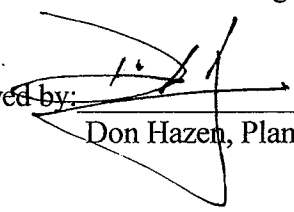
ATTACHMENTS

- A. Resolution with Conditions of Approval as an Attachment
- B. Site Photographs
- C. Vicinity Map
- D. Conflict of Interest Map
- E. Vesting Tentative Map
- F. Mare Island Specific Plan Mitigation Monitoring Report (applicant only)

Prepared by:


Michelle D. Hightower, Senior Planner

Reviewed by:


Don Hazen, Planning Manager

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC 07-08

A RESOLUTION OF THE PLANNING COMMISSION
APPROVING A VESTING TENTATIVE MAP APPLICATION
TM 07-0003

Subdivision of a 5.43-Acre Site on Mare Island; Reuse Area 3B
Railroad Avenue/Connolly Street/Walnut Avenue

WHEREAS, an application was filed by Lennar Mare Island, LLC seeking approval for a Vesting Tentative Map to create two parcels for the purposes of sale and redevelopment; and the subject property is located in the vicinity of Buildings 237, 253, and 257 at Railroad Avenue, Connolly Street and Walnut Avenue, and the application consists of the following:

1. Application Form and supplemental application materials received on June 22, 2006.
2. Tentative Map drawings (3 sheets), dated February 22, 2007, prepared by Chaudhary & Associates.

WHEREAS, the official record for this project includes, but is not limited to, the Staff Report, minutes, application materials, Mitigated Negative Declaration, and all letters, comments and materials received at the public hearing; and

WHEREAS, The Planning Division and designated City Staff has reviewed the project in accordance with applicable regulations and have recommended conditional approval of the application to the Planning Commission, as set forth in the Staff Report dated April 16, 2007; and

WHEREAS, the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the application for the Vesting Tentative Map on April 16, 2007, at which testimony and evidence, both written and oral, were 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:

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

Section 1. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315, Class 15 Minor Land Divisions, 2006

CEQA Guidelines, which allows the exemption of four or fewer parcels within an urbanized area.

II. FINDINGS RELEVANT TO VESTING TENTATIVE MAP AND FINDINGS FOR PROJECT APPROVAL AND FOR DETERMINATION OF PROJECT CONSISTENCY WITH APPLICABLE GENERAL PLAN

Section 1. The Planning Commission finds, based on the facts contained in Sections 1 through 6 of the staff report incorporated herein by this reference, and given the evidence presented at the public hearing, and subject to the conditions attached to this resolution, that the proposed subdivision of property as conditioned, together with the provisions for its design and improvements:

- A) Is consistent with the goals and policies of the Vallejo general plan and the Mare Island Specific plan; and
- B) Conforms with Title 15 and Title 16 of the Vallejo Municipal Code; and
- C) Conforms to the requirements of the Subdivision Map Act.

III. RESOLUTION RECOMMENDING APPROVAL OF THE VESTING TENTATIVE MAP APPLICATION FOR TM 07-0003, SUBJECT TO CONDITIONS OF APPROVAL

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby APPROVES Tentative Map #07-0003 , based on the evidence at the hearing, and the findings contained in this Resolution and in the staff report, and subject to the Conditions of Approval attached hereto and incorporated herein by reference.

IV. VOTE

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

AYES:
NOES:
ABSENT:

CHARLES LEGALOS, CHAIRPERSON
City of Vallejo PLANNING COMMISSION
Attest:

Don Hazen
Planning Commission Secretary

TENATIVE MAP #07-0003
CONDITIONS OF APPROVAL

A. Planning Division

Michelle Hightower (648-4506)

1. Submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. All applicable conditions of approval and CEQA mitigation measures for the current Mare Island Specific Plan are incorporated as a condition of approval for this project.
4. All applicable conditions of approval for Certificate of Appropriateness #06-0010 regarding the demolition of buildings 237 and 257 are incorporated herein by reference as conditions of approval for this project.
5. All future development projects shall be consistent with the Mare Island Specific Plan (Specific Plan.)
6. In order to provide a parking area to support the continued occupancy of Building 253 on Parcel 1, Building 237 shall be demolished and the parking lot and any other on-site improvements shall be constructed prior to the recordation of the Final Map.
7. The developer shall obtain a Certificate of Appropriateness from the Architectural Heritage and Landmarks Commission and a Planned Development Unit Plan from the Planning Division for the design and construction of a parking lot on Parcel 1.
8. The developer shall obtain a Certificate of Appropriateness from the Architectural Heritage and Landmarks Commission and a Planned Development Unit Plan for any future construction on Parcel 2.
9. The Planning Division shall confirm that building permit drawings and subsequent construction conforms to the approved Planning drawings prior to obtaining building permit.

B. Building Division

Gary West (648-4387)

1. For all projects that require a building permit, pay Building Division plan check review fees and all applicable building permit fees.

2. Submit 3 sets of construction plans to the Building Division for review and approval.
3. All projects shall be designed to meet the requirements of the Uniform Building Code, as adopted by the City of Vallejo.
4. Prior to the issuance of building permits, a soils/foundation report must be submitted to and reviewed by the Building Division

C. Public Works Engineering
David Espinoza (648-4538)

1. Prior to approval of the Final Map, obtain permits required for development from government and other jurisdictional agencies, such as Dept. of Toxic Substance Control, Regional Water Quality Control Board, California Public Utilities Commission etc., as applicable, and submit copies to the City Engineer.
2. The subdivider shall provide apportionment of assessment of existing districts resulting from the subdivision prior to approval of the Parcel Map.
3. The public utility and street tree easement width must be as wide as is necessary (normally six to ten feet) to house, without any conflict, all utility boxes and appurtenances, street trees, gas, electric, street lights, fire hydrants, water meters, telephone, cable, etc. Show proof that adequate room is provided to the satisfaction of the City Engineer.
4. Prior to approval of the Final Map, relocate any existing utility line, which may be in conflict with the existing or proposed improvements, into a public utility easement. This shall not preclude abandonment in place of utility lines where appropriate and approved by the City Engineer.
5. The subdivider shall be required to provide full roadway width asphalt concrete overlay where multiple transverse utility crossings have been installed within existing roadways per City Standard as they may be modified by the Development Agreement (DA) and Specific Plan, as amended, to the satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA.
6. Prior to approval of the Final Map, existing Island Energy (IE) easements within the proposed project shall be quit claimed to the subdivider by IE prior to any building permit application submittal or acceptance of project, whichever occurs first.

7. On the Final Map, a common access, utility, drainage, and parking easement shall be recorded on Parcel 1 for the benefit of Parcel 2 and recorded on Parcel 2 for the benefit of Parcel 1, to the satisfaction of the City Engineer.
8. Prior to any building permit application submittal or acceptance of the project, whichever occurs first, a Community Facilities District (CFD) shall be formed for performing maintenance of all public landscaping within the right of way, all public open space and other maintenance functions as may be necessary. Codes, Covenants and Restrictions (CC&R's) for the project shall require formation of another funding mechanism acceptable to the City in the event that the CFD is ever dissolved.
9. Costs for operation and maintenance of non standard street lighting, beyond that of city standard street lighting, shall be funded through a CFD. The Covenants, Conditions and Restrictions of all deeds issued within the project shall contain provisions requiring participation in the said CFD.
10. Prior to granting of occupancy for any development on the property, the subdivider shall provide and install all parking enforcement signs within the project as identified on the approved project improvement plans.
11. Within two years of the execution of the Public Improvement Agreement, subdivider shall complete the process and obtain acceptance of the Walnut Avenue and Connolly Street Improvements by the City Council.
12. Within three years of the execution of the Public Improvement Agreement, subdivider shall complete the process and obtain acceptance of the Railroad Avenue Improvements by the City Council.
13. Prior to acceptance of the project, deliver one complete streetlight assembly (pole, luminaire and lamp) to the City Corporation yard for every 50 city street lights, or fraction thereof, identified on the approved street light plan.
14. All curb returns shall be a minimum of 30 feet radius per the City Standards and Specifications.
15. All railroad tracks along Railroad Avenue shall be replaced in working order after reconstruction of the street.
16. All railroad spurs shall be removed from all streets encompassed by this Vesting Tentative Map, except for the railroad tracks along Railroad Avenue.
17. The bus stop along Walnut Avenue shall be per City Standards and Specifications. The bus shelter shall be per the approved design by the AHLC.

18. The sidewalks along Connolly Street shall be 4.5 feet in width and the planter strips shall be 5 feet in width.
19. The sidewalk on the west side of Railroad Avenue shall be at least 4.5 feet in width.
20. The access ramp/wall on the north side of Connolly Street shall be removed.
21. An easement shall be dedicated along the slope on the southern portion of Parcels 1 and 2 in the benefit of the parcel encompassed by the Veterans Affairs Building (Building 201) for the purpose of housing any existing utilities located on that slope such as, but not limited to, fire hydrants and luminaires.
22. A Public Utility Easement shall be dedicated for the existing electrical transformer located on the southwestern portion of Parcel 1.
23. Any existing utilities located within the proposed parking lot, which are benefiting the parcel encompassed by the Veterans Affairs Building (Building 201), shall be relocated to the satisfaction of the City Engineer.
24. Prior to approval of Final Map, obtain a letter from Island Energy indicating that they have reviewed the proposed final map and have no objection or comment.
25. All corners of the proposed parcels shall be monumented per City standards. If monuments are not installed prior to approval of the final map, the property owner shall furnish to the City security, guaranteeing the payment of the cost of setting monuments for the final map prior to the approval of the final map.
26. All railroad improvements shall comply with California Public Utilities Commission standards.

Project Requirements

The Engineering Division offers the following standard comments/conditions:

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. 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).

3. 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).
4. Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor. Site grading shall comply with City Municipal Code. (VMC, Chapter 12.40).
5. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary. (VMC, Section 10.14).
6. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the Department of Public Works shall shut down the grading operation. (VMC, Section 12.40.080).
7. All dust and erosion control shall be in conformance with City standards and ordinances. (VMC, Sections 12.40.050 & 12.40.070).
8. Prior to building permit issuance or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the Department of Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (VMC, Section 12.40.070-R).
9. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. (VMC, Section 12.04.100).
10. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (VMC, Section 10.08).

11. 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).
12. Prior to start of construction, submit a traffic control plan to the Department of Public Works for review and approval. (Caltrans Traffic Manual).
13. 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).
14. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (COV, Regulation & Standard Specification Section 1.1.9).
15. 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, Rresolution Nos. 84-554 N. C. and 02-55 N. C.)
16. 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).
17. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (VMC, Section 10.04).
18. Prior to release for occupancy, plant required street trees in accordance with City Municipal Code. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48).
19. The developer shall provide joint trench plans for the underground electrical, gas, telephone, cable television and communications conduits and cables including the size, location and details of all trenches, location of all building utility service stubs and meters and placement or arrangements of junction structures as a part of the Improvement Plans submitted for the project. The

composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. (VMC, Sections 15.06.160&170).

20. There are fiber optic and /or copper signal inter connect cables located at the edge of the roadway or under the sidewalk. The plans should address either the relocation of these cables or a note should be made of the cable location. A warning should be included on the plans stating that if the cable damaged, the entire length of the cable between the two nearest hubs will be will be replaced by the contractor unless otherwise authorized by the City Engineer.
21. Submit to Public Works a Final Map for review and approval, prepared by a licensed land surveyor or registered civil engineer authorized to practice land surveying in the State of California. [Sec. 66434 (CA Gov. Code)]
22. Identify on the Final Map landscape maintenance easements (LME) and open spaces to be conveyed to the City, if any. [Sec. 66439 (CA Gov. Code)]
21. Prior to approval of the Final Map the subdivider shall enter into a Public Improvement Agreement with the City for design and construction of the infrastructure improvements to Walnut Avenue, Connolly Street and Railroad Avenue. Prior to approval of the Final Map, the subdivider shall pay to the City all applicable plan check and inspection fees for infrastructure grading and improvements and post performance and payment bonds for infrastructure engineering (design), grading and improvements as required by the City Standard as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA, which shall include The Vallejo Municipal Code, City of Vallejo Regulations and Specifications for Public Improvements, dated August 1992, and other documents as required by the City Engineer. [Sec. 15.12.080 (VMC)] The City acknowledges that Walnut Avenue and Connolly Street are to be constructed in the year 2007 and Railroad Avenue is to be constructed in the year 2009 per the "Lennar-Mare Island Infrastructure Phasing Plan".
22. Prior to approval of the Final Map the subdivider shall enter into an Improvement Agreement with the City, and pay to the City all applicable plan check and inspection fees for onsite grading and improvements on Parcel 1, and post performance and payment bonds for onsite design, grading and public improvements as required by the City Standard as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA, which shall include The Vallejo Municipal Code, City of Vallejo Regulations and Specifications for Public Improvements, dated August 1992, and other documents as required by the City Engineer. [Sec. 15.12.080 (VMC)]

23. Prior to building permit or Lot Line Adjustment application submittal for Parcel 2, applicant shall enter into an Improvement Agreement with the City, and pay to the City all applicable plan check and inspection fees for onsite grading and improvements on Parcel 2, and post performance and payment bonds for onsite grading and public improvements as required by the City Standard as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA, which shall include The Vallejo Municipal Code, City of Vallejo Regulations and Specifications for Public Improvements, dated August 1992, and other documents as required by the City Engineer. [Sec. 15.12.080 (VMC)]
24. Prior to approval of Final Map, subdivider shall pay to City plan check, map check and inspection fees for Final Map and project improvements in the amounts specified in the MARE ISLAND IMPROVEMENT PLAN REVIEW AND INSPECTION SERVICES AGREEMENT BETWEEN THE CITY OF VALLEJO AND LENNAR MARE ISLAND, LLC, dated February 14, 2006. [Sec. 66451.2 (CA Gov. Code)]
25. Prior to approval of the Final Map, the subdivider shall pay to the City charges required by Solano County for providing copies of the recorded map to the City (currently \$15/sheet) and applicable Public Works Department (Public Works) map check fees (currently \$1,097.23 + \$108/lot). [Sec. 66451.2 (CA Gov. Code)]
26. Prior to approval of the Final Map, the subdivider shall provide evidence that the existing off-site Mare Island infrastructure planned to be used to support this development meets the requirements of City Standards as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA. [Sec. 66462 (CA Gov. Code)]
27. Prior to approval of the Final Map, the subdivider shall submit improvement plans to Public Works for review and approval per the Agreements in the above conditions. Improvement plans shall include, but not be limited to grading, drainage, domestic water, sanitary sewer, storm drain, joint trench, streetlight, traffic signal and landscaping. Site improvement plans shall be prepared by a registered civil engineer licensed to practice in the State of California. [Ch. 15.06 (VMC), COV Regulations and Specifications for Public Improvements (August 1992), VSFCO Master Bid Document and Project Specific Supplement (January 2005)]
28. Prior to building permit or Lot Line Adjustment application submittal for Parcel 2, the subdivider shall submit improvement plans to Public Works for review and approval per the Agreements in the above conditions. Improvement plans shall include, but not be limited to grading, drainage,

domestic water, sanitary sewer, storm drain, joint trench, streetlight, traffic signal and landscaping. Site improvement plans shall be prepared by a registered civil engineer licensed to practice in the State of California. [Ch. 15.06 (VMC), COV Regulations and Specifications for Public Improvements (August 1992), VSFCD Master Bid Document and Project Specific Supplement (January 2005)]

29. Prior to approval of the Final Map, the subdivder shall submit street signing and striping plans and landscape plans for review and approval by the City Engineer. Plans shall comply with the Mare Island Specific Plan Sign Program, CalTrans, City of Vallejo and California Public Utilities Commission standards. Landscape plans shall include, but not be limited to, planting, irrigation, private or public fencing, entrance monuments or features, public retaining walls, and drainage patterns. [Ch. 15.06 (VMC)]
30. Prior to approval of the Final Map, the subdivider shall submit hydrology calculations to the City Engineer to show that the proposed street sections have been designed to include drainage (the dry travel lanes shall be a minimum of ten feet in width), so as to serve the drainage and collect runoff, per City Standards as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA. A street gutter is not part of the travel lane. [Sec. 15.06.030 (VMC), COV Regulations and Specifications for Public Improvements (August 1992, VSFCD Master Bid Document and Project Specific Supplement (January 2005)]
31. Centerline of streetlights within landscape strips shall be installed 2.5 feet from face of curb. [Sec. 15.06.030 (VMC)]
32. Driveway location, width, and slope shall conform to City Standard as they may be modified by the DA and Specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA. [Sec. 16.62.150 (VMC)]
33. Adequate line of sight per the Highway Design Manual shall be provided for all the access locations, including existing and proposed driveways. [Ch. 10.14 (VMC)]
34. The subdivder shall submit turning templates for the parking lots showing how adequate vehicular turning movements are provided to the satisfaction of the City Traffic Engineer and City Engineer. [Sec. 15.06.030 (VMC)]
35. All grading shall be in conformance with the Vallejo Municipal Code for grading and excavation. [Ch. 12.40 (VMC)]

36. Any off site grading shall require written permission from the owner(s) of the property on which grading is to be performed. [Sec. 12.40.070 (VMC)]
37. Dust and erosion control shall be in conformance with City Standard as they may be modified by the DA and specific Plan, as amended, to the reasonable satisfaction of the City Engineer, taking into account health and safety issues pursuant to Section 2.3.7 of the DA and ordinances. State Water Quality Control Board regulations and the project Storm Water Pollution Prevention Plan (SWPPP) shall be adhered to. [Sec. 12.40.070 (VMC)]
38. Retaining walls over 1 foot in height shall be reviewed and approved by the Public Works Department and Building Division. Building permits shall be required. [Sec. 12.04.052 (VMC)]
39. Site drainage shall be collected on-site and conveyed to the public storm drain system for each parcel. Sheet flow of water over driveways, sidewalks, slopes, or onto adjacent parcels shall not be permitted. [Sec. 15.06.150 (VMC)]
40. During construction, it shall be the responsibility of the contractor to provide for safe traffic control in and around the site. This may include but not be limited to signs, flashing lights, barricades and flag persons. [Ch. 10.08 (VMC)]
41. Prior to approval of the Final Map, subdivider shall enter into a Benefit District Participation Agreement acceptable to the Public Works Director. Security shall be deposited in an escrow account in the form of cash or credit based upon an estimate of the cost of improvements to be included in the Benefit District that are attributable to this subdivision. Pursuant to the Benefit District Participation Agreement, subdivider shall cooperate in the formation and implementation of a Local Improvement Benefit District pursuant to Chapter 14.36 of the Vallejo Municipal Code or other funding mechanism mutually acceptable to the City and subdivider for construction of backbone infrastructure on Mare Island and related improvements. This requirement shall not apply if Lennar Mare Island signs an Acquisition Agreement and Development Agreement with the City for property transfer and development of Mare Island Reuse Area 1A. [Sec. 66462 (CA Gov. Code)]
42. Prior to approval of the Final Map, subdivider shall submit a joint maintenance and easement agreement for the purpose of performing all necessary operations and maintenance of the common access, utilities, parking and drainage. This agreement shall be recorded concurrently with the Final Map. Section 16.62.190 (VMC).
43. Prior to occupancy of new construction, install street trees selected from City approved street tree list and be approved by the City Engineer and Planning Manager. [Ch. 16.70 (VMC)]

44. Prior to occupancy, all utilities and street improvements supporting the developments to be occupied shall be substantially complete to the satisfaction of the City Engineer. [Ch. 15.06 (VMC)]
45. Prior to acceptance of the project, the landscape architect for the project must perform a complete and thorough field review of any private landscape irrigation and planting within the project and provide the City in writing a certificate that all landscaping, planting, and irrigation within the project is in full compliance with the City ordinances and guidelines and approved landscape, planting and irrigation plans. [Sec. 16.70.070 (VMC)]

D. Water Division

Eric Jansen (648-5204)

1. Prior to building permit issuance, water system improvement plans shall be submitted to the Water Superintendent for review and approval, and shall contain at least:
 - a. Location and size of fire sprinkler service connection(s).
 - b. Location and size of domestic service connection(s).
 - c. Location and size of irrigation service connection(s).
 - d. Location of fire hydrants.
 - e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
 - f. Location and size of any new water mains.
 - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).
2. Fire flow and pressure requirements of the Fire Department shall be satisfied. Fire flow at no less than 25 psig residual pressure shall be available within 1000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure. For single-family residential units, the fire flow is 1500 gpm.
3. Prior to Improvement Plan approval and building permit issuance, hydraulic calculations shall be submitted to the Water Superintendent demonstrating that the fire flow requirements are complied with.
4. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied.

5. Easements shall be granted for all water system improvements installed outside the public right-of-way in the City's Standard Form for Grant of Water Line Easement with the following widths:
 - a. 15 ft. wide (minimum) for water mains.
 - b. 10 ft. wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
 - c. Other facilities will be reviewed by the Water Division.
6. Each unit or structure shall be metered separately.
7. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfections, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.
8. Prior to occupancy or final building inspection, install water system improvements as required. Backflow devices/s where required shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.
9. A minimum 8-inch watermain shall be installed in Crisp Avenue from Poplar Avenue to Klein Avenue, and in Laws Avenue from Poplar Avenue to the subdivision southern boundary.
10. Since the water master plan for the City has not yet approved Mare Island, the Water Superintendent reserves the right to make additional comments to this subdivision upon the review and approval of the water master plan by the Water Superintendent.
11. All water meters shall be set at either the back of sidewalk or back of curb where there is no sidewalk in the proposed street.
12. Off-site water improvement plans shall be submitted to and approved by the Water Superintendent, along with the on-site water improvements. The off-site water improvements shall be constructed before any building permit is issued for a home in the subdivision.
13. The on-site and off-site improvement plans shall show the limits of all IR (Internal Remediation) sites. The water master plan shall limit or require additional items of work to be done if a water improvement is to be installed in an IR site.

14. The minimum size water lateral shall be 1" in diameter.

E. Vallejo Sanitation and Flood Control District
Mike Monahan (644-8949)

1. Submit calculations signed by a Registered Civil Engineer to support design of ___ sanitary sewer, X storm drain, ___ pumps.
2. After plans are approved submit a Connection Permit Application (SSI) Form for connection fee calculation (\$20 submittal fee). Non-residential developments shall also submit a Pretreatment Questionnaire for review by VSFCDD Pollution Control Department. (See note below)
3. The above comments and following additional information (in A) are forwarded to the applicant to assist the applicant, and subsequent property owners and applicants, with the efficient development of the subject property.
4. If any of the VSFCDD comments are in conflict with comments from other reviewing agencies, please request clarification.
5. The existing sanitary sewer and storm drain systems, that remains from the operation of the island by the US Navy, are both in very poor condition. Most of these remaining systems are at the end of their usable lives. The sewer on Mare Island is a large source of infiltration and inflow (I/I) leaking into the VSFCDD sewer collection system and will need to be rehabilitated or replaced to meet VSFCDD standards.
6. VSFCDD has studied the map of the proposed parcel boundary superimposed on top of the utility quad maps from the US Navy. In general the site lends itself to having the on-site SS remain privately owned and maintained by the property owner. There would be no off-site sewer that is routed through the proposed parcel.
7. VSFCDD has studied the map of the proposed parcel boundary superimposed on top of the utility quad maps from the US Navy. In general the site lends itself to having the on-site SD remain privately owned and maintained by the property owner.

Sewer

8. All sanitary sewer (SS) within the parcel(s) shall be privately owned and maintained by the property owner.

9. Prior to rehabilitation or replacement, the sewer system shall be observed by closed circuit television inspection(TVI). Refer to VSFCDD standard specifications for requirements for TVI.
10. Prior to rehabilitation or replacement, the sewer system shall be smoke tested for cross connection with non-sewer sources of inflow such as ground water collection, storm drain inlets and roof water leaders. All cross connections with non-sewer sources shall be eliminated, and the non-sewer sources of inflow shall be re-routed to the storm drain system, or other.
11. As an alternative to rehabilitation or replacement, the sanitary sewer system can be evaluated for infiltration and inflow (I/I) by pressurized air testing of the sewer system. Any sewer that is able to pass a District standard air test can remain in service without rehabilitation or replacement. It can be anticipated for Mare Island that the success rate of such air tests will be 0(zero)%.

Storm Drain

12. All storm drains (SD) within the new parcel(s) shall be privately owned and maintained by the property owner, unless otherwise approved by VSFCDD. It is recommended, but not required, that a new on-site storm drain be constructed by the subdivider for the benefit of future property owners.

Storm Water Quality and Pre-Treatment

13. Pretreatment of storm water runoff is required. Refer below to standard conditions of approval.

Grading

14. The storm overflow pattern will need to be shown on the grading plans. Determine the 100-year storm tributary area. This may differ from the 15-year tributary area. Ensure that there are no buildings within the limits of the 100-year storm overflow pattern
15. Grading and improvement plans shall include storm water pollution prevention plans for use during site development and building construction to mitigate impacts of this development. Refer below to standard conditions of approval.

Storm Drain

16. On the improvement plans, the proposed locations of SD catch basins will need to be coordinated with the location of proposed street trees. Each catch basin is to be at least six feet from the nearest street tree. If this coordination is to be done at the time of construction then the final improvement plans need to include a note to the effect that "at the time of construction staking for the

storm drain, the project surveyor is to place a marker to indicate the locations of the two street trees on each side of each catch basin.” We recommend that this effort also be coordinated on the plans prior to construction.

Sewer

17. SS Laterals: On the improvements plans, the proposed locations of SS laterals will need to be coordinated with the location of proposed street trees. Sanitary Sewer laterals are to split the distance between street trees. If this coordination is to be done at the time of construction then the final improvement plans need to include a note to the effect that “at the time of construction staking for sanitary sewer laterals, the project surveyor is to place a marker to indicate the locations of the four nearest street trees for each lateral.” We recommend that this effort also be coordinated on the plans prior to construction.
18. The subject Vesting Tentative Map is not approved by VSFCDD. As a minimum, the above comments will need to be addressed by the developer for VSFCDD approval of the grading and improvement plans for the project. If the Vallejo Planning Department is to approve the subject Vesting Tentative Map, we request that the approval be subject to the following conditions from VSFCDD:
19. Applicant shall pay all fees (plan review fees, connection fees, etc.) required by VSFCDD for the subject project.
20. Improvement plans shall comply with the VSFCDD Engineering Design Standards and Policies, within the Master Bid Document dated March 2007 or later, regarding design and construction of storm drains (SD) and sanitary sewer (SS) facilities. Improvement plans shall indicate that proposed improvements are to be constructed in accordance with Standard Plans And Specifications included in the VSFCDD Master Bid Document dated March 2007, or later edition.
21. Grading and improvement plans shall include storm water pollution prevention plans for use during site development and building construction to mitigate impacts of this development. This plan shall include calculations, measures related to debris, refueling areas, disposal of excess materials, site cleanup, hazardous substance containment, street cleaning, catch basin cleaning, and other similar measures (see Section 10 Storm Water Runoff of the VSFCDD Engineering Design Standards and Policies).
22. VSFCDD reserves the right to require that gravity sewers be no more than 10-foot deep.

23. Pretreatment of storm drainage water runoff is required, storm drainage runoff shall be conveyed over landscaped areas or otherwise treated using structures before discharging into the public system. This is to improve the stormwater quality leaving the site. As much as practicable, developer shall incorporate measures described in "Start at the Source" a residential site planning and design guidance manual for storm water quality protection (written by BASMA) as a means of mitigating project impacts, and reduce impacts of increases in impervious surfaces.
24. The development shall be planned so that all VSFCDD SD and SS facilities shall be accessible by standard access. Standard access means that each structure (MH or CB) shall be accessible by an AC paved path, 15-foot wide from the public street to each maintenance structure (MH, CB, etc.), such that VSFCDD maintenance vehicles can drive to and park over the facilities. Unless otherwise allowed by VSFCDD, District vehicles must be able to drive forward in and forward out. The designer shall refer to VSFCDD standard detail No 25 for access criteria.
25. Existing storm drain and/or sanitary sewer facilities that are to be abandoned in place shall be filled with grout, otherwise they shall be removed.
26. All sanitary sewers (public and private) within the new parcel(s), that are not to be abandoned, will be replaced with new SS from the wall of each building to the point of connection with the public sewer main in accordance with minimum District standards. Where existing pipes can be rehabilitated in-place, the District will allow that existing pipes be rehabilitated, provided that the property owner has demonstrated that the rehabilitated sewers will be isolated from non-sewer inflow, and will meet minimum District requirements including pipe size and slope. Construction documents for replacement or rehabilitation of the existing sewer system would have to be prepared by a licensed civil engineer. Construction documents shall be approved by VSFCDD. Construction shall be inspected by VSFCDD.
27. Any SD on the parcel(s) that is intended to remain for public ownership and maintenance responsibility of VSFCDD shall be reconstructed to VSFCDD standards including VSFCDD standards for full vehicle maintenance access and easements.
28. Prior to sale of the land the purchasing property owner will be required to sign a statement acknowledging that he/she :
 - a. Is aware that ownership and maintenance of the SD to remain will be the responsibility of the property owner, not VSFCDD.
 - b. Has evaluated the condition of the existing SD system to remain and is aware of the poor condition of the existing SD system to remain.

29. Any storm water from the parcel shall be re-routed to connect to the public SD system and shall not be routed to SD on neighboring private property except by a fully executed, recorded cooperative agreement between the owner of the subject parcel and the neighboring private property owners.
30. Any storm water routed through the subject parcel(s) from neighboring property will have to be connected to public SD so that it is not conveyed through the private SD on the subject parcel(s) except by a fully executed, recorded cooperative agreement between the owner of the subject parcel and the neighboring private property owners.

F. Landscape and Maintenance District
Sam Gonzalez (648-3414)

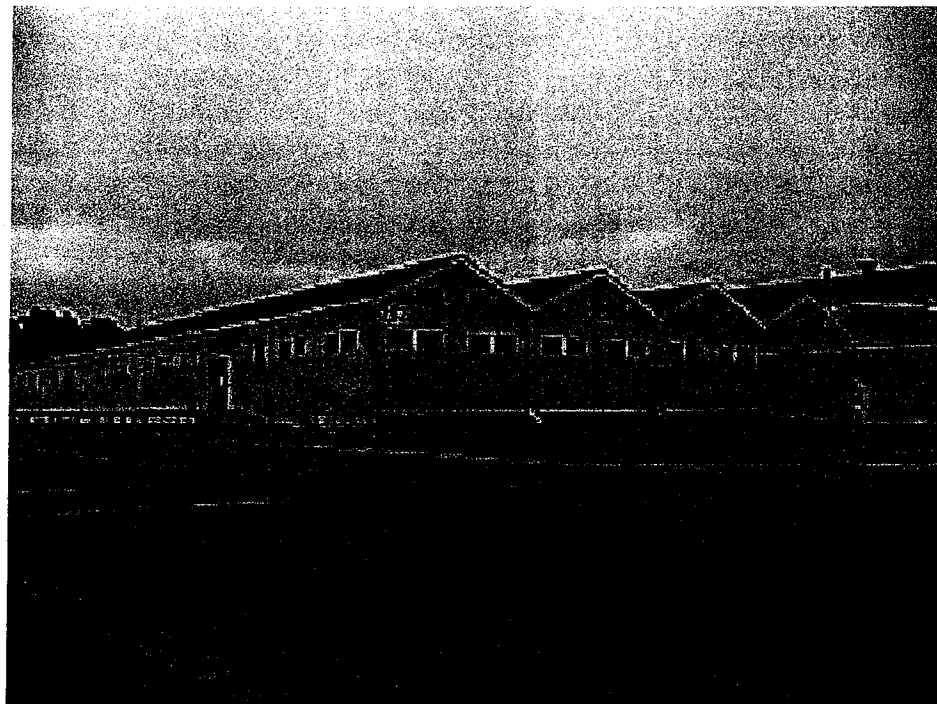
1. Prior to Final Map approval, landscape conditions of approval derived from the applicants Vesting Tentative Map or Tentative Map will be satisfied.
2. All public landscape improvements shall be designed to City of Vallejo standards and regulations, and compliment accepted engineering industry design standards. The Landscape Maintenance Manager has access to applicable standards on file and will coordinate with Planning and Engineering for specific standards that shall apply.

GENERAL CONDITIONS

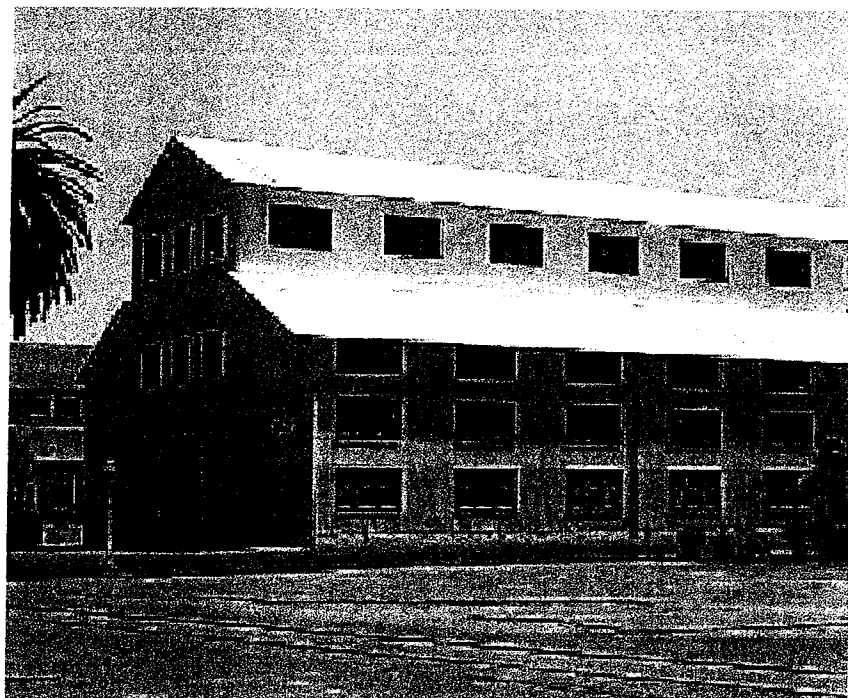
1. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
2. All applicable requirements of any law or agency of the State, City of Vallejo and any other governmental entity at the time of the recording of the final map shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
3. The subdivider shall defend, indemnify, and hold harmless the City of Vallejo or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, the approval of this subdivision by the City. The City shall promptly notify the subdivider of any action. The City may elect, in its discretion, to participate in the defense of any action.



Building 237

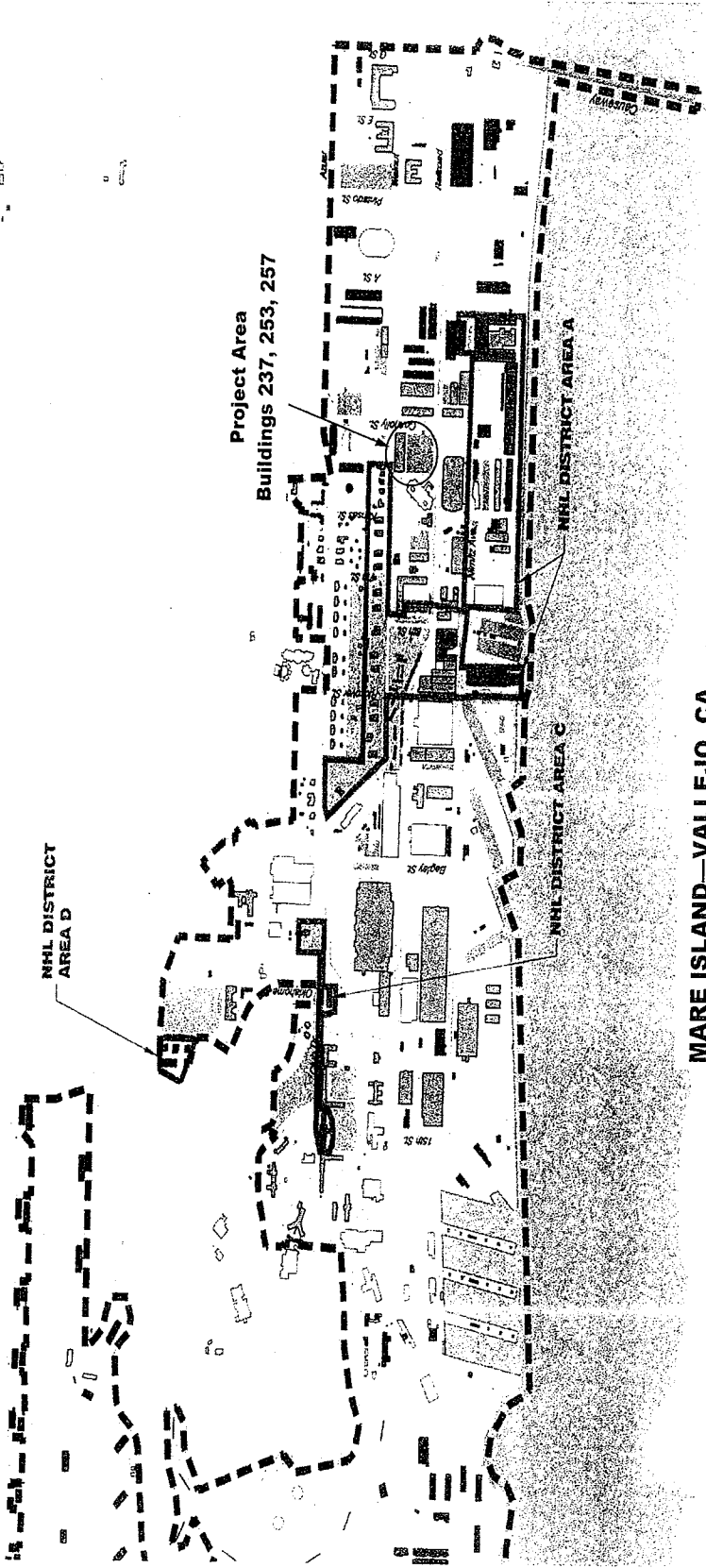


Building 257



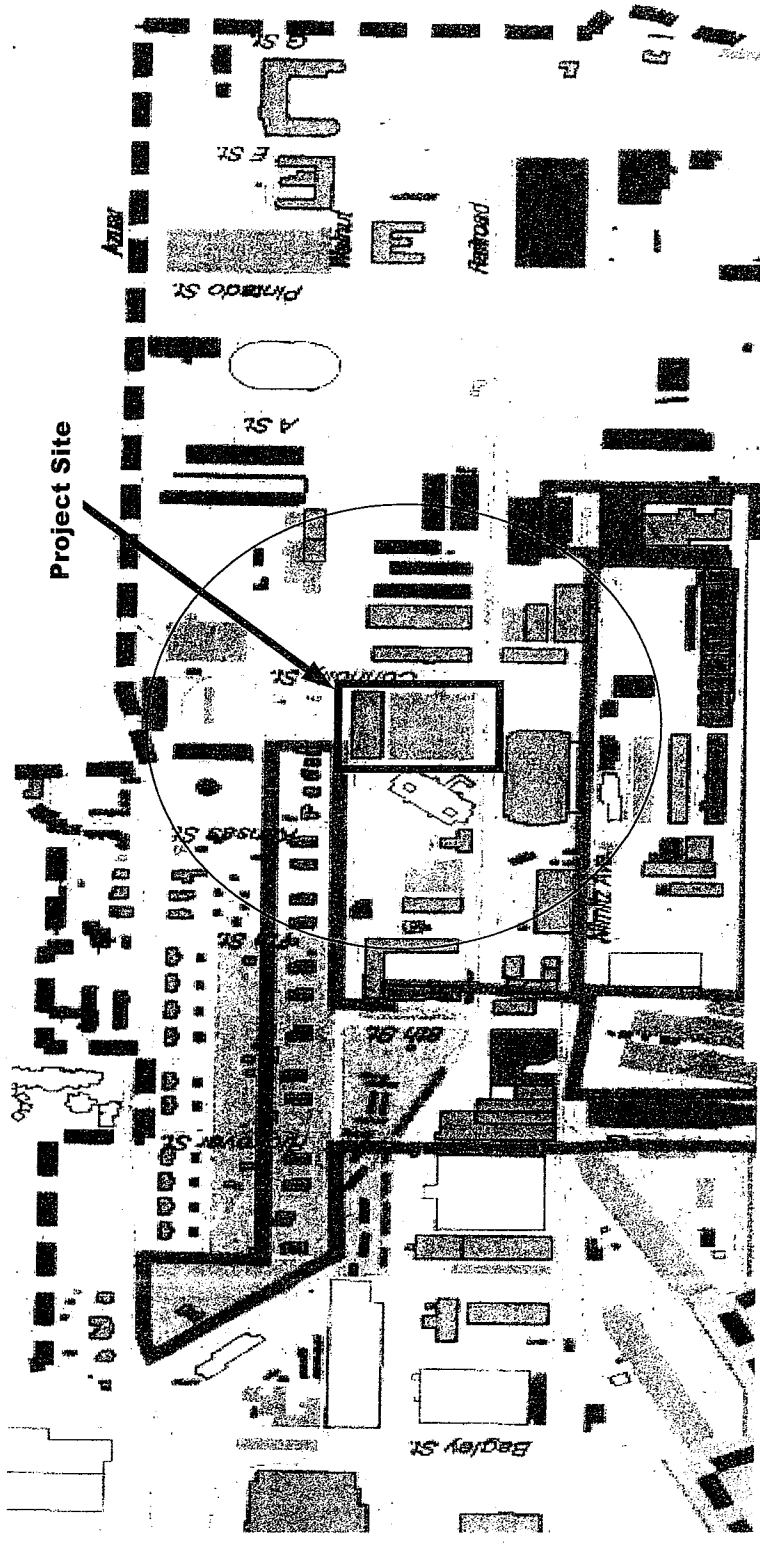
Building 253

VICINITY MAP
TM #07-0003



MARE ISLAND—VALLEJO, CA
--- Historic District Boundaries
April 2007

CONFLICT OF INTEREST MAP
500' RADIUS (Approx.)
TM #07-0003



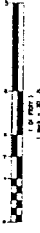
MARE ISLAND—VALLEJO, CA

April 2007

VESTING TENTA MAP

REUSE BUILDING 253 & DEMO BUILDING 237&257
IN REUSE AREA 3B
MARE ISLAND, CITY OF VALLEJO, CALIFORNIA

PRELIMINARY GRADING AND DRAINAGE PLAN ORIGINAL SCALE: 1" = 30'



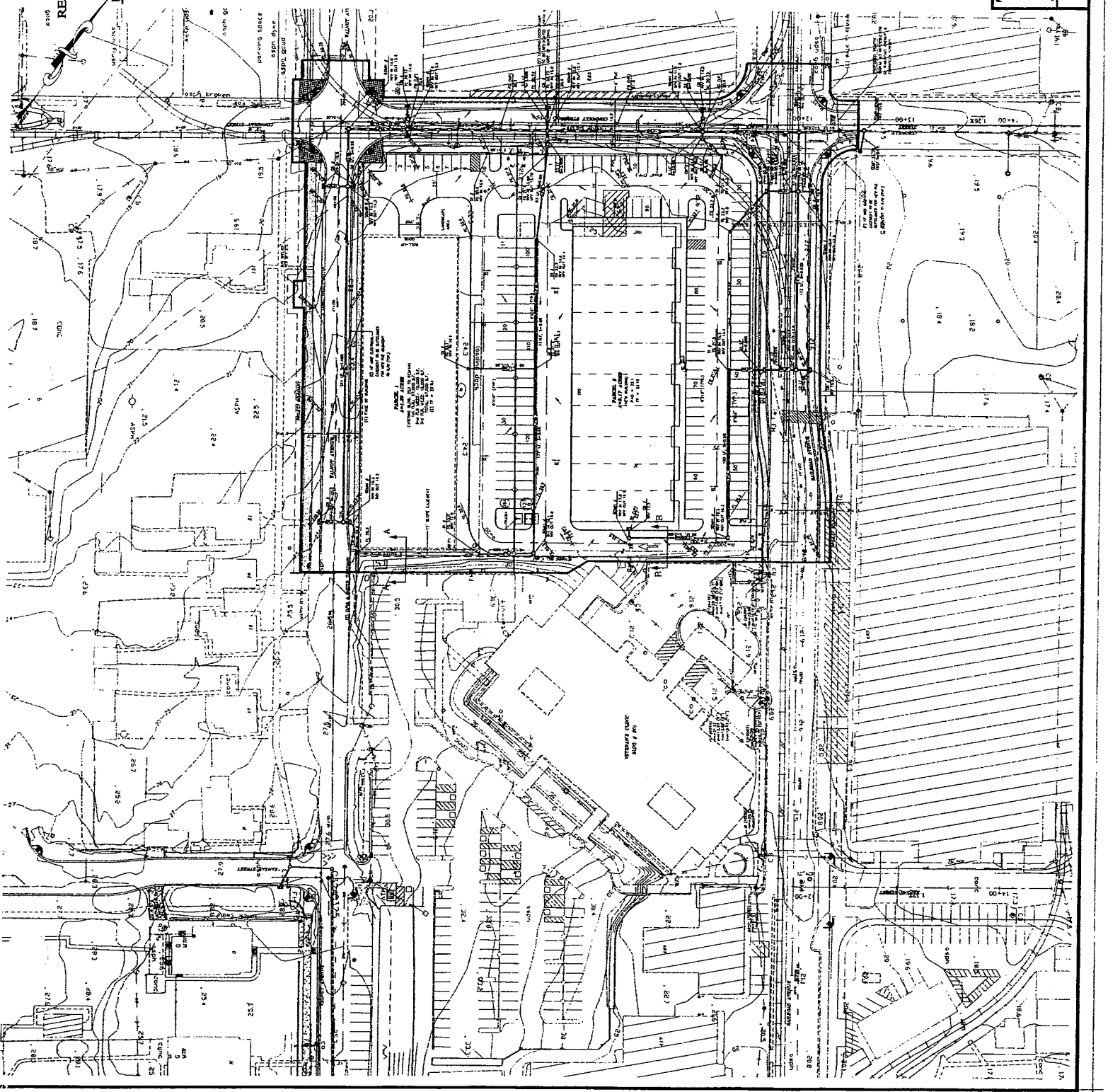
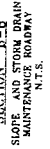
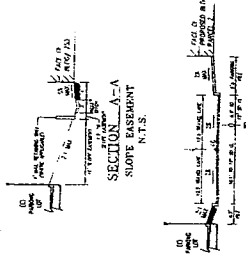
GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEJO SPECIFICATIONS AND STANDARD SPECIFICATIONS.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEJO SPECIFICATIONS AND STANDARD SPECIFICATIONS.
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4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEJO SPECIFICATIONS AND STANDARD SPECIFICATIONS.

PRELIMINARY BULKHEAD DESIGN CHART

WATER DEPTH	AS	AC	AF	ADP
1.0	1.0	1.0	1.0	1.0
2.0	1.0	1.0	1.0	1.0
3.0	1.0	1.0	1.0	1.0
4.0	1.0	1.0	1.0	1.0
5.0	1.0	1.0	1.0	1.0
6.0	1.0	1.0	1.0	1.0
7.0	1.0	1.0	1.0	1.0
8.0	1.0	1.0	1.0	1.0
9.0	1.0	1.0	1.0	1.0
10.0	1.0	1.0	1.0	1.0

NOTE: ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS OF THE PROJECT SHALL BE DETERMINED BY THE PROJECT'S DESIGNER.

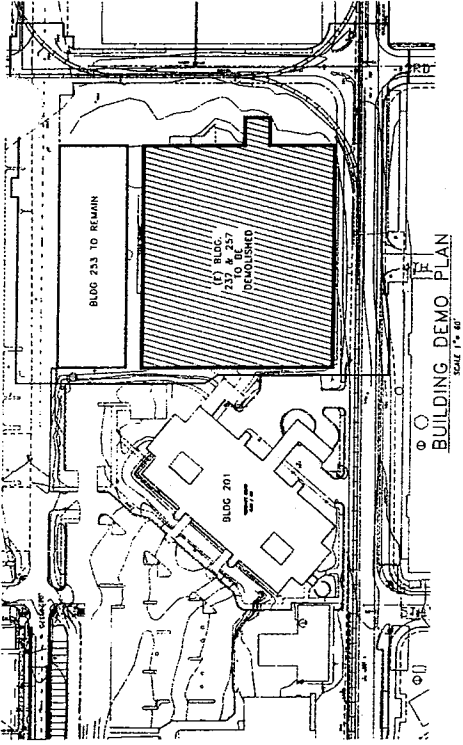


PREPARED BY: **CHAUDHARY ASSOCIATES, INC.**
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 WWW.CHAUDHARYASSOCIATES.COM

PREPARED FOR: **LENNAR MARE ISLAND**

VESTING TENT VE MAP
REUSE BUILDING 253 & DE. BUILDING 237&257
IN REUSE AREA 3B
MARE ISLAND, CITY OF VALLEJO, CALIFORNIA

PRELIMINARY LAYOUT, UTILITY AND DEMO PLAN



BUILDING DEMO PLAN
 SCALE 1" = 40'

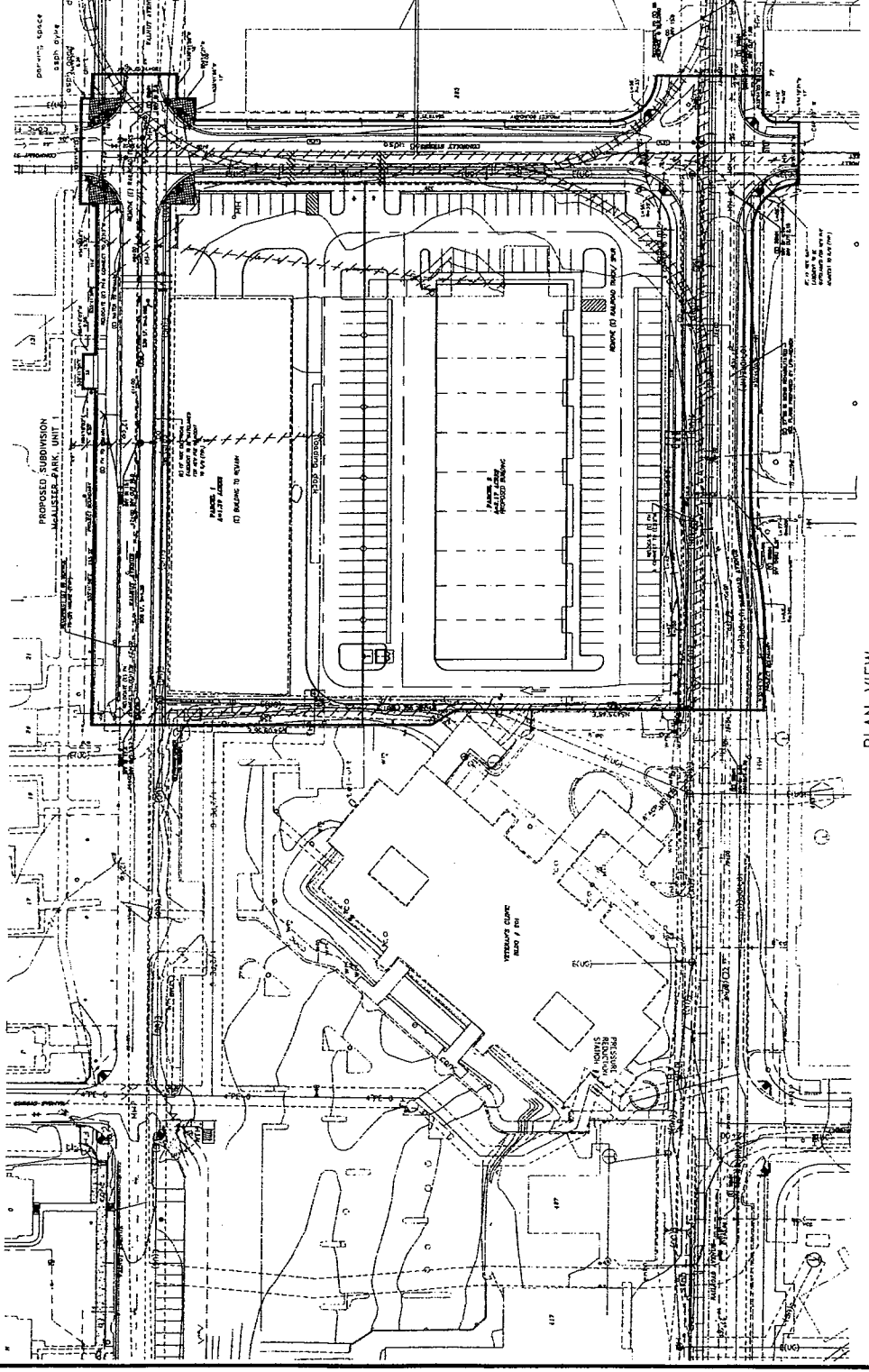


GENERAL NOTES:

- 1. DEMO:**
 ALL PROPOSED MATCH LINES SHALL BE INSTALLED PER THE LATEST VETO STANDARDS AND PER THE CITY OF VALLEJO STANDARDS AND SPECIFICATIONS.
- 2. UTILITIES:**
 ALL PROPOSED MATCH LINES SHALL BE INSTALLED PER THE LATEST VETO STANDARDS AND PER THE CITY OF VALLEJO STANDARDS AND SPECIFICATIONS.

LEGEND

- PROF PRIVATE SEWER DRAIN (AS SHOWN)
- SIC PRIVATE SEWER (AS SHOWN)
- SUB PRIVATE SEWER (AS SHOWN)
- CONV CONDUIT
- ELECTRIC OVERHEAD
- ELECTRIC UNDERGROUND
- TELEPHONE UNDERGROUND
- TELEPHONE OVERHEAD
- UNIT OF GRADING
- REMOVE (R) S3
- REMOVE (R) S2
- REMOVE (R) S1
- REMOVE (R) S0
- REMOVE (R) S-1
- REMOVE (R) S-2
- REMOVE (R) S-3
- REMOVE (R) S-4
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- REMOVE (R) S-98
- REMOVE (R) S-99
- REMOVE (R) S-100



PLAN VIEW
 SCALE 1" = 20'

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PREPARED FOR: **LENNAR MARE ISLAND**

