

# AGENDA



## VALLEJO PLANNING COMMISSION REGULAR MEETING – 7:00 P.M. COUNCIL CHAMBERS

Marvin Kinney, Vice-Chair  
Roberto Cortez  
Robert Schussel  
Diosdado "J.R." Matulac  
Chris Platzer  
Peggy Cohen-Thompson  
Kathleen Diohep

City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

**AUGUST 7, 2017**

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Planning Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

**Agenda Items:** 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.

**Notice of Availability of Public Records:** All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Planning Commission will be available for public inspection at City Hall, 555 Santa Clara St., 2<sup>nd</sup> Floor, or the Vallejo Public Library, 505 Santa Clara St. at the same time that the public records are distributed or made available to the Planning Commission. Such documents may also be available on the City of Vallejo website at [www.cityofvallejo.net](http://www.cityofvallejo.net) subject to staff's ability to post the documents prior to the meeting.

**Disclosure Requirements:** 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.

**Appeal Rights:** 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.

The icon is the international symbol of access, a stylized person in a wheelchair.	Vallejo City Council Chambers is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.
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**If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.**

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- 1. CALL TO ORDER**
  - 2. PLEDGE OF ALLEGIANCE**
  - 3. ROLL CALL**
  - 4. OATH OF OFFICE**
  - 5. SELECTION OF CHAIR/VICE-CHAIR**
  - 6. SELECTION OF SEATS**
  - 7. APPROVAL OF THE MINUTES**
    - A. July 17, 2017
  - 8. WRITTEN COMMUNICATIONS**
  - 9. REPORT OF THE SECRETARY**
    - A. Upcoming Meetings:

August 21, 2017	Lennar Mare Island Development Agreement Annual Review (Tentative)
September 6, 2017	Planned Development Unit Plan and Use Permit for a Senior Assisted Living/Memory Care Facility in Glen Cove (Tentative)
	Appeal of July 5, 2017 Economic Development Department decision on La Clinica at 415-417 Georgia St. (Tentative)
    - B. Staff-Level Approved Projects
  - 10. CITY ATTORNEY REPORT**
  - 11. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS**
    - A. Report of the Presiding Officer and Members of the Planning Commission
    - B. Council Liaison to Planning Commission
    - C. Planning Commission Liaison to City Council
  - 12. COMMUNITY FORUM**

*Anyone wishing to address the Commission on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Commission to resolve, is requested to submit a completed speaker card to the Secretary. When called upon, each speaker should step to the podium, state his/her name and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300. The Commission may take information but may not take action on any item not on the agenda.*

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13. **CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

*Consent Calendar items appear below, with the Secretary's or City Attorney's designation as such. Members of the public wishing to address the Commission on Consent Calendar items are asked to address the Secretary and submit a completed speaker card prior to the approval of the agenda. Such requests shall be granted, and items will be addressed in the order in which they appear in the agenda. After making any changes to the agenda, the agenda shall be approved. All matters are approved under one motion unless requested to be removed for discussion by a commissioner or any member of the public.*

14. **PUBLIC HEARING**

- A. Project Title: Site Development Permit (SD) #15-0015  
Major Use Permit (UP) #15-0012  
Variance (VAR) #15-0001  
Environmental Review (ED) #15-0004  
***This item is being recommended for continuation to the August 21, 2017 Planning Commission meeting.***
- Applicant: In-N-Out Burger  
Location: 720 Admiral Callaghan Lane  
Project Description: The proposal is to demolish an existing vacant one-story building (formally FedEx) and 43 surface parking spaces, and construct a 3,867 square-foot building for use as an In-N-Out Burger quick service restaurant with a drive-thru facility and 45 parking spaces. The proposed restaurant is located on a .98-acre site that is part of the Redwood Plaza Shopping Center. The proposed project would also include a 65-foot tall freestanding freeway-oriented sign.
- Proposed Environmental Determination: Pursuant to the California State Environmental Quality Act (CEQA) Guidelines, Section 15074 of Title 14 Public Resources of the California Code of Regulations, an Initial Study and Proposal to Adopt a Mitigated Negative Declaration for the project was prepared by the City and made available to the public for review on June 29, 2017. Adoption of the Mitigated Negative Declaration is part of this project. No impacts were identified as potentially significant that could not be mitigated to a less-than-significant level.
- Staff Recommendation: Continue the Public Hearing to the August 21, 2017 Planning Commission meeting.
- Project Manager: Michelle Hightower, (707) 648-4506,  
[michelle.hightower@cityofvallejo.net](mailto:michelle.hightower@cityofvallejo.net)

i. **Disclosure of Ex Parte Communications**

- B. Project Title: Code Text Amendment (CTA) #17-0002  
Applicant: City of Vallejo

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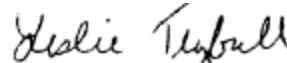
Location:	City-wide
Project Description:	The proposal is to amend the Vallejo Municipal Code as follows: (1) Title 3 (Revenue and Finance) and Title 16 (Zoning Ordinance) to address new State requirements for Accessory Dwelling Units (ADUs), previously known as “Second Family Dwelling Units”, and commonly known as in-law units or granny flats; and (2) Title 16 (Zoning Ordinance) to add assisted living facilities as a permitted use subject to a Major Use Permit in the Pedestrian Shopping and Service (CP), Planned Development Commercial (PDC), and Mixed Use Planned Development (MUPD) zoning districts.
Proposed Environmental Determination:	The proposed project is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has the potential for causing a significant effect on the environment, pursuant to Section 15061 (b)(3) of Title 14 of the California Code of Regulations.
Staff Recommendation:	(1) Adopt a Resolution of Intention of the Planning Commission to amend Titles 3 and 16 the Vallejo Municipal Code; and  (2) Adopt a Resolution to Approve and Forward a Recommendation to City Council to Adopt Code Text Amendment #17-0001 regarding accessory dwelling units and assisted living facilities.
Project Manager:	Michelle Hightower, (707) 648-4506, <a href="mailto:michelle.hightower@cityofvallejo.net">michelle.hightower@cityofvallejo.net</a>

**i. Disclosure of Ex Parte Communications**

**15. ADJOURNMENT**

I, Leslie Trybull, Planning Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 6:30 p.m. Wednesday, August 2, 2017.

Dated Wednesday, August 2, 2017



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Leslie Trybull, Planning Executive Secretary