

RESOLUTION NO. 2002-36

RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION AND PLANNED DEVELOPMENT FOR THE DAVIS STREET COMMERCIAL CENTER

WHEREAS, the City of Vacaville has received applications to change of zoning map, planned development and mitigated negative declaration regarding the Davis Street Commercial Center, an approximately 146,000 sq. ft. commercial center on 14.32 acres located at 855 Davis Street, and

WHEREAS, the Planning Commission of the City of Vacaville has conducted a public hearing February 5, 2002, regarding the proposed change of zoning map, planned development and mitigated negative declaration, and has unanimously (7-0) recommended that the City Council approve said actions; and

WHEREAS, the City Council has heard testimony from staff and other interested parties at the public hearing on February 26, 2002, and on the basis of the factual information, as contained in the written record and the testimony given at the public hearing, the City Council finds that with respect to the Mitigated Negative Declaration:

- A. The project does not have the potential to substantially 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 major periods of California history or prehistory;
- B. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term goals;
- C. The project does not have environmental effects which are individually limited but are cumulatively considerable;
- D. The project will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly;
- E. The Mitigated Negative Declaration reflects the independent judgment of the City of Vacaville, acting as lead agency for the project;
- F. That mitigation measures have been identified, and a Mitigation Monitoring Plan has been adopted as a part of this action; and
- G. The project does not involve any environmental impacts that cannot be mitigated to a level less than significant.
- H. The project is consistent with the biological opinion of the United States Fish and Wildlife for the Solano County Water Agency Contract Service Agreement, and has complied with the interim measures outlined in the biological opinion.

WHEREAS, the City Council has reviewed and considered the proposed planned development conditions of approval, attached as Exhibit A, and, based on the evidence contained in the written record and the testimony given at the public hearing, finds:

- A. The proposed location of the planned development is in accordance with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code;

- B. The proposed location of the planned development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare;
- C. The combination of different dwelling types or the variety of land uses in the development will complement each other and will be compatible with surrounding uses;
- D. The standards of density, site area and dimensions, site coverage, yard area, setbacks, height of structures, distances between structures, off-street parking, off-street loading facilities, and landscaping are generally compatible with surrounding neighborhoods;
- E. Adequate public facilities, including water, sewer, parks, schools, and other facilities are available to serve the site or will be made available as a condition of approval to serve the proposed development, without adversely affecting the existing public facilities serving surrounding neighborhoods;
- F. Projected traffic levels and levels of service are, or as a result of conditions of approval, will be consistent with the policies of the Transportation Element of the General Plan;
- G. The potential impacts to the City's inventory of residential lands has been considered.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Vacaville does hereby approve the mitigated negative declaration and planned development for the Davis Street Commercial Center subject to the conditions of approval attached in Exhibit A.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 26th day of February, 2002, by the following vote:

AYES: Council members Slade, Wood, Clancy, Vice Mayor Augustine and Mayor Fleming

NOES: None

ABSENT: None

ATTEST:



Kathleen M. Dussault, City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL
DAVIS STREET COMMERCIAL CENTER
File No. 00-206

I. Standard Conditions of Approval:

The applicant shall comply with the applicable Standard Conditions of Approval for Non-residential Development.

II. Standards Provided as Information to Applicant:

The applicant shall comply with the applicable standards provided as information to applicant.

III. Project-Specific Conditions:

The applicant shall comply with the following Project-Specific Conditions:

PLANNING

1. This action only approves the following for the Davis Street Commercial Center:

- Planned Development to construct an approximately 146,000 sq. ft. commercial center,
- Zone Change from CS – Service Commercial to CG – General Commercial for the 14.32 acre project site, located at 855 Davis Street, and
- A Development Agreement regarding the development of the project and Davis Street improvements.

The approval of the Planned Development shall not become effective until the Zone Change has been approved, and the Development Agreement adopted by the City Council.

2. The approximately 10 fruit trees in the southwestern portion of the site shall be preserved. A tree preservation plan shall be submitted for review and approval by the City Planner and Landscape Architect prior to obtaining a grading permit.
3. The project, based on typical retail, shall provide a minimum of 584 parking spaces, including 13 accessible spaces. All parking shall comply with the Land Use and Development Code parking standards. Once specific tenants have been identified, the parking ratio may require additional spaces.
4. The pedestrian-oriented areas and plaza, including the front portion of Buildings A and C, shall include the following:
- Benches,
 - Outdoor dining tables and chairs,
 - Shade umbrellas,
 - Lawn areas,
 - Tree wells with grates, and
 - Other hardscape/outdoor furniture, artwork, or sculptures, as determined by the City Planner.
5. Prior to obtaining building permits, the applicant shall submit a photometrics plan. This plan shall comply with the Performance Standards of the Land Use and Development Code.

6. Stamped decorative concrete pavement shall be provided at the driveway entrances to the site, and the circle in the main drive aisle, subject to review and approval by the City Planner.
7. Lighting fixtures, except for the parking lot light poles shall be decorative light fixtures, subject to review and approval by the City Planner.
8. All areas within the site not used or specifically intended for structures, parking, or other necessary site improvements, shall be landscaped.
9. Heavy landscaping, including trees and shrubs shall be planted to screen the loading docks from Davis Street. Perimeter landscaping along the eastern property line shall also be dense to screen the docks from the Marshall-Hume pedestrian/bike path.
10. During the Building Permit process, the final landscape plan shall be submitted for review and approval by the City Planner and Landscape Architect. The plan shall include the following:
 - A. Specific tree and shrub size.
 - B. The number and type of trees in the parking lot in compliance with the 50% shading requirement.
 - C. A minimum of one-third of the trees planted shall be 24-inch box; the remaining trees shall be 15-gallon size.
 - D. Landscape berm along the southern portion of the site adjoining the residential units, the width of the landscaping shall be 28 ft.
11. All landscape planters shall contain appropriate soil amendments to ensure sustained growth of trees and shrubs.
12. The developer shall create a master sign plan to address signage for future tenants. The sign plan shall be submitted for review and approval by the City Planner.
13. As part of the zoning overlay, certain uses shall not be allowed as permitted or conditional uses on the project site. These uses are attached as Table 1.
14. During the development of the site and demolition of the existing structures, all trucks hauling debris shall use the main drive aisle; and proceed north on Davis Street.
15. The developer shall obtain all necessary permits from the Solano County Environmental Management Department prior to demolition of the existing on-site structures.
16. The developer shall obtain all necessary permits from the Yolo-Solano Air Quality Management District prior to any grading on the project site.
17. The developer shall submit a Tree Removal Permit to the Planning Division prior to the removal of any on-site trees.
18. The proposed elevations for the buildings at the Davis Street Commercial Center are subject to review and approval by the Planning Commission. The elevations shall include high quality architectural designs and building materials, such as brick, integral color split face block, stucco.

19. All building elevations shall be substantially devoted to storefront windows and pedestrian doors, blank walls should be minimized. These elevations shall present an interesting and attractive appearance. They shall include:
 - Variation in color, texture and materials,
 - Variation in wall plane through projections, insets or reveal lines, entry features such as arches, porticoes and columns,
 - Variation in roof lines, and
 - Architectural features such as quoins, moldings, and cornices
20. The use of a standard building design that is identified with a particular company or corporations and which has been used in other location shall not be allowed.
21. Single tenant pads buildings shall have high quality architectural design and materials on all elevations.
22. Accent materials shall include non-reflective glass, glass block, natural stone, tile, wood, or architectural grade metal.
23. Roofing materials shall include concrete tile, slate, and glass skylight. Metal roofs shall not be allowed.

DEVELOPMENT ENGINEERING

In addition to the standard conditions for a non-residential development, the following conditions shall apply:

24. No building permits for above ground structures shall be issued until after a contract has been awarded by the City for the reconfiguration of the Bella Vista/Davis intersection.
25. Prior to issuance of a building permit the developer shall pay his share of the cost of the Bella Vista/Davis intersection project. This share has not yet been determined.
26. The developer shall dedicate right of way on Davis Street, and improve and widen Davis Street, in accordance with the approved plan line. That dedication and widening will probably be somewhat different than what is shown on the site plan. For one thing, no dimensions are shown on the site plan. Secondly, the widening at the north end of the development will not transition back into the existing curb, as is shown on the site plan.
27. Due to previous infiltration problems on the site with the existing sewer lateral system, all existing sewer laterals serving the site shall be abandoned. The abandonment shall be accomplished as follows:
 - A. If the lateral enters the trunk line directly (rather than at a manhole), abandon the lateral by digging and removing a six-foot portion of the lateral at the property line, then grouting the upstream and downstream portions with 2-3 feet of non-shrink grout to create a water –tight seal. As an alternative, if approved by the Public Works Utility Division, the laterals may be abandoned directly from the trunk line by a certified sewer maintenance contractor with the proper equipment. The developer can contact John Jacobs at the Public Works – Utilities Division, (707-469-6414) to discuss the details of this alternative.
 - B. If the lateral enters at a manhole, remove any drop structures in the manhole and abandon the lateral from the manhole by grouting the lateral with 2-3 feet of non-shrink grout.

28. The developer shall extend the 36" storm drain on Davis Street across the frontage of this development as far as is needed to meet the City Standard Specification requirement for inlet spacing.
29. A raised median shall be installed at the south end of this development. Within that median there shall be some sort of "gateway" feature that makes it clear that the driver is about to leave the commercial area and enter into a residential neighborhood. That gateway shall include a neighborhood monument sign and provisions for utilities (water and battery controller) and landscaping.
30. The 34 ft. street type driveway is acceptable as shown, allowing 150 feet (90 foot taper and 60 foot truck storage) from the end of the painted median on the north. Another 34-foot wide commercial driveway is acceptable, as shown, approximately 200 feet to the south of the major driveway. Both driveways will be allowed full access. The driveways both allow 120 feet of queuing before a drive aisle, which is acceptable.
31. As a result of the new plan line, which is partially for the benefit of this project, left turn access will not be possible to the two abutting properties to the north of this development. Prior to issuance of building permits for this project, Community Development Director shall determine what actions are needed to ensure those properties retain adequate access. Options to be considered include one or more of the following:
 - A. applicant dedicates an access easement for the use of the properties to the north; easement may have conditions regarding joint maintenance, insurance, and other performance related measures, or
 - B. Davis Street plan line is modified to allow left turn access to the properties to the north, subject to approval by the Public Works Director, or
 - C. applicant agrees to construct vehicle access to the properties to the north, via the old railroad right-of-way, subject to the prior consent of the City Council, or
 - D. applicant submits written agreement from the two abutting property owners, indicating their consent to changed access via Davis Street, or
 - E. applicant modifies site plan to widen the driveway along the project's northerly property line to allow easier truck access, or
 - F. other solutions which would address access for the properties to the north.

PERMIT SERVICES

* Please see the attached Exhibit H for building permit issues letter from the Permit Services Division.

FIRE

32. All dumpsters or trash containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eave lines unless protected by an approved automatic sprinkler system.
33. All portions of buildings and facilities shall be within 150 feet of a fire hydrant on a public street, or on-site (private) fire hydrants shall be provided in approved locations. On-site (private) fire hydrants shall be located so vehicle travel is no greater than 300 ft. between hydrants and so that no point on the ground floor exterior walls of a building is greater than 150 feet from a hydrant.
34. All fire hydrants shall be "Rich 960" or equal with two 2-1/2" and one 4-1/2" connections. Each hydrant shall have its own separate shut off valve located on the lateral adjacent to

the hydrant. Curbs shall be painted red 15 ft. each side of each hydrant with blue "Fire Light" hydrant spotter located just off of center line towards the hydrant.

35. All hydrants must provide a minimum fire flow as described in the City water system master plan.
36. Fire hydrants are to be installed by the developer and made serviceable prior to and during the time of construction.
37. Every building shall be accessible to Fire Department apparatus by way of access roadways during the time of construction.
38. A fire apparatus access road shall be provided to within 150 feet of all exterior walls of the first floor of the building. The route of the fire apparatus access road shall be approved by the Fire Department.
39. Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. A minimum vertical clearance of 13 feet 6 inches shall be provided. Fire apparatus access roads shall be capable of supporting the imposed load of the apparatus and shall be of an all-weather design. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved means for turning around the apparatus.
40. Provide NO PARKING - FIRE LANE areas as indicated to be determined at Building Permit review.
41. Install an approved AUTOMATIC FIRE SPRINKLER SYSTEM. The system shall be monitored for water flow by an approved central station. All control valves shall be supervised for tampering and valve supervision shall not be transmitted as system trouble, in all buildings except the Manager's office/residence. Applies to all buildings.
42. Provide portable fire extinguishers of a quantity and type that meet Fire Department standards.
43. All fire protection systems including, but not necessarily limited to, fire sprinkler systems, alarm systems, and fixed extinguishing systems, must comply with the latest standards published by the N.F.P.A., except where specifically modified by local Fire Department policy.
44. Storage, handling, or use of CLASS I LIQUIDS in excess of 5 gallons in any building or other occupancy, or in excess of 10 gallons outside of any building shall be unlawful without a permit. Other Class II or III liquids are limited to 25 gallons inside or 60 gallons outside any building without a permit.
45. An acceptable emergency access storage vault (Knox Series 3200) shall be located at the main entrance to this facility. This vault shall contain building pass keys. Applies to all buildings.
46. Obtain permits from the Fire Prevention Section for appropriate items on the City's current Fee Schedule. A special permit for use of fire hydrants for construction water shall be obtained from the Public Works Department.
47. All shell buildings must have final Fire Department approval before occupancy.
48. All buildings must have Fire Department approval before any tenant employees can be allowed in the building or before any stocking can be done.

PREMISES IDENTIFICATION

Approved numbers or ADDRESSES shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Address numbers are also required on rear doors for Building A.

The minimum size dimension of street numbers shall be as specified in Table 1.

TABLE 1

Distance to Building (Measured from Center of Roadway)	Number Height Inches	Size of Letter Inches
20 feet	4"	3/4"
21-35	6"	1"
36-50	8"	1 1/4"
Over 50	12"	1 1/2"