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## RESOLUTION NO. 2008-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY APPROVING USE PERMIT APPLICATION NUMBER UP06-11; PARCEL/SUBDIVISION MAP APPLICATION NUMBER PM06-02; SIGN PERMIT APPLICATION NUMBER SA06-08; ZONING ADMINISTRATOR APPROVAL OF TEMPORARY OUTDOOR SALES APPLICATION NUMBER TUP06-03; AND SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION NUMBER SP06-08 FOR THE WALTERS ROAD WEST PROJECT, SUBJECT TO CONDITIONS OF APPROVAL**

**WHEREAS**, the City Council for the City of Suisun City held a public hearing on February 12, 2008 to review the development project known as Walters Road West (SCH No. 20006072026), and said property is located at the north side of State Route 12, west of Walters Road (APN 173-280-440) and containing approximately 20.8 acres; and

**WHEREAS**, notices for the public hearing had been published in the Daily Republic on no later than February 1, 2008 for the City Council public hearing, and notices had been mailed to individual property owners within 300 feet on February 1, 2008; and

**WHEREAS**, the Planning Commission held a public hearing on January 29, 2008 to review and consider the development project known project known as Walters Road West (SCH No. 20006072026), and said property is located at the north side of State Route 12, west of Walters Road (APN 173-280-440) and containing approximately 20.8 acres; and

**WHEREAS**, notices for the public hearing had been published in the Daily Republic on no later than January 17, 2008 for the Planning Commission public hearing, and notices had been mailed to individual property owners within 300 feet on ; and

**WHEREAS**, the Planning Commission of the City of Suisun City made the findings recommending approval of the Use Permit Application Number UP06-11; Parcel/Subdivision Application Number PM06-02; Sign Permit Application Number SA06-08; Zoning Administrator Approval of Temporary Outdoor Sales Application Number TUP06-03; and Site Plan and Architectural Review Application Number SP06-08 through its adoption of Planning Commission Resolution No. PC08-02, dated January 29, 2008;

**WHEREAS**, based on evidence presented at the Public Hearing by City Staff, the applicant, the public and Commissioners, and the recommendations of the Planning Commission, the City Council of the City of Suisun City hereby makes the following findings with respect to Use Permit Application Number UP06-11;

1 Parcel/Subdivision Application Number PM06-02; Sign Permit Application Number  
2 SA06-08; Zoning Administrator Approval of Temporary Outdoor Sales Application  
3 Number TUP06-03; and Site Plan and Architectural Review Application Number  
4 SP06-08:

5 Notice has been given in the time and in the manner required by State Law and the  
6 Municipal Code.

7 **Parcel/Subdivision Map Application - Sections 17.24.050 and 17.12.040:**

- 8 1. The proposed Parcel/Subdivision Map, with the approval of Use Permit  
9 Application Number UP06-11, Zoning Administrator Approval of Temporary  
10 Outdoor Sales Application Number TUP06-03; and Site Plan and Architectural  
11 Review Application Number SP06-08 and the conditions of approval, is in  
12 conformity with both the intent and provisions of the Zoning Ordinance of the  
13 City of Suisun City Code of Ordinances.
- 14 2. The discharge from the proposed project into the sewer system will not result  
15 in the violation of existing requirements prescribed by the City of Suisun City.
- 16 3. The site is physically suitable for the proposed type and intensity of  
17 development in that the approval process for Parcel/Subdivision Application  
18 Number PM06-02 provides sufficient opportunity to review the proposed  
19 development and ensure minimal impacts on surrounding properties.
- 20 4. The approval of Parcel/Subdivision Application Number PM06-02 will not be  
21 detrimental to the health, safety, peace, morals, comfort and general welfare of  
22 persons residing or working in the neighborhood in the proposed uses are  
23 similar to and compatible with neighboring uses in the area.
- 24 5. Pursuant to Section 17.12.040, the parcel/subdivision map is in conformance to  
25 city general plan, policies, and ordinances and all elements of Title 18 Zoning  
26 with the approval of deviations to development standards as noted in the Use  
27 Permit No. UP06-11 – Walters Road West Project.
- 28 6. The findings requiring disapproval as codified under Section 17.12.050 do not  
apply in this instance.

**Use Permit Application—Section 18.66.060:**

1. The establishment, maintenance or operation of a use or building applied for  
are in conformity to the general plan for the city with regard to traffic  
circulation, population densities and distribution, and/or other aspects of the  
general plan considered by the zoning administrator to be pertinent.
2. Adequate utilities, access roads, drainage and/or other necessary facilities have  
been or are being provided.

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3. Such use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

5 **Sign Permit Application—Section 18.54.090:**

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1. The proposed sign or signs will not materially block out from reasonable view any sign or combination of signs, either existing or for which a valid building permit or use permit has been granted;
  2. The proposed sign or signs will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the proposed sign or signs or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.
  3. All conditions of the sign regulations have been met, and a permit shall be issued upon payment of the prescribed building permit fee.

13 **Temporary Use Permit Application—Section 18.66.075:**

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1. The proposed temporary use requested by the Temporary Outdoor Sales Application will be located, operated and maintained in a manner consistent with the policies of the general plan and the provisions of this title; and
  2. The approval of the application will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare.
  3. In approving a temporary use permit, the planning director may impose reasonable conditions necessary to:
    - a. Achieve the general purposes of this title and the specific purposes of the zoning district in which the temporary use will be located;
    - b. Protect the public health, safety and general welfare; and
    - c. Ensure operation and maintenance of the temporary use in a manner compatible with existing uses on adjoining properties and in the surrounding area.

25 **Site Plan and Architectural Review—Section 18.68.040:**

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1. The proposed project and its uses have been considered through a Site Plan/Architectural Review process as required by Suisun Zoning Ordinance.

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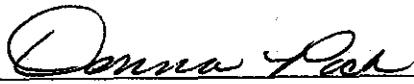
2. The proposed project is consistent with the specific development guidelines and criteria for site planning and architecture.

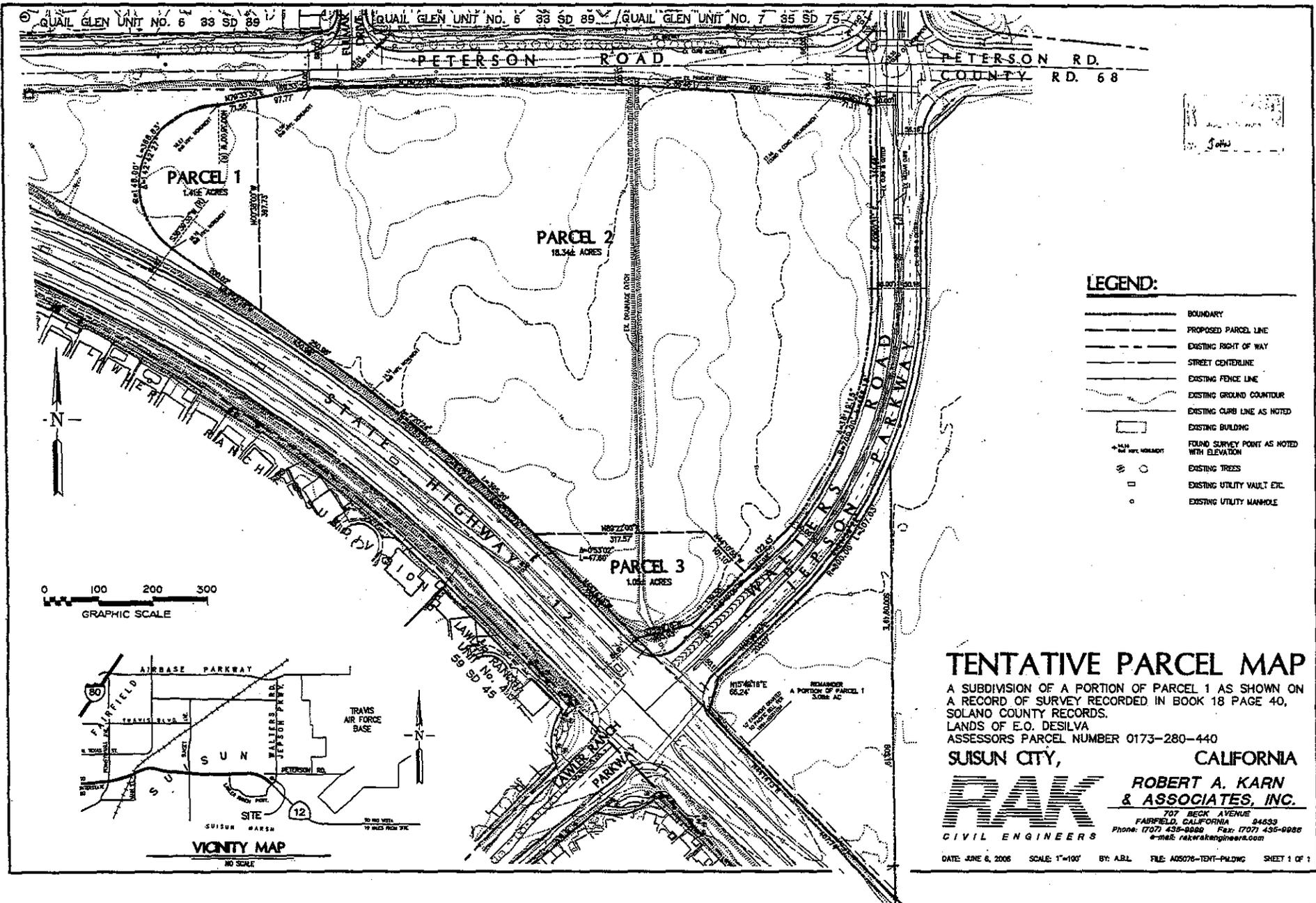
**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Suisun City hereby approves Use Permit Application Number UP06-1 1; Parcel/Subdivision Application Number PM06-02; Sign Permit Application Number SA06-08; Zoning Administrator Approval of Temporary Outdoor Sales Application Number TUP06-03; and Site Plan and Architectural Review Application Number SP06-08 subject to this Resolution and as illustrated in Exhibit A - Tentative Parcel/Subdivision Map and Exhibit B - Conditions of Approval, attached hereto and by this reference incorporated herein.

**PASSED AND ADOPTED** by the City Council of the City of Suisun City at a special meeting thereof held on the February 12, 2008 by the following vote:

<b>AYES:</b>	Councilmembers:	<u>Day, Derting, Hudson, Segala, Sanchez</u>
<b>NOES:</b>	Councilmembers:	<u>None</u>
<b>ABSENT:</b>	Councilmembers:	<u>None</u>
<b>ABSTAIN:</b>	Councilmembers:	<u>None</u>

WITNESS my hand and seal of the said City this February 12, 2008.

  
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Donna Pock, Deputy City Clerk



## TENTATIVE PARCEL MAP

A SUBDIVISION OF A PORTION OF PARCEL 1 AS SHOWN ON A RECORD OF SURVEY RECORDED IN BOOK 18 PAGE 40, SOLANO COUNTY RECORDS.

LANDS OF E.O. DESILVA  
ASSESSORS PARCEL NUMBER 0173-280-440

SUISUN CITY, CALIFORNIA

**RAK** ROBERT A. KARN & ASSOCIATES, INC.  
707 BECK AVENUE  
FAIRFIELD, CALIFORNIA 94533  
Phone: (707) 435-9980 Fax: (707) 435-9988  
e-mail: rak@rakengineers.com

DATE: JUNE 6, 2006 SCALE: 1"=100' BY: A.B.L. FILE: A05076-TENT-PL.DWG SHEET 1 OF 1

**Conditions of approval and revisions to mitigations for Wal-Mart/Walters Road Project**

1. Adoption of Resolution Number 2008-13 of the City Council of the City of Suisun City adopting findings of fact supporting the City Council Overrule of the Solano County Airport Land Use Commission decision that the proposed Walters Road West Project is inconsistent with the Travis Air Force Base Land Use Compatibility Plan.
2. Adoption of Resolution Number 2008-14 of the City Council of the City of Suisun City Certifying the FEIR, including the Mitigation Monitoring and Reporting Program and Adopt Findings of Fact and a Statement of Overriding Consideration.
3. Adoption of Resolution Number 2008-15 of the City Council of the City of Suisun City Approving Use Permit Application Number UP06-11; Parcel/Subdivision Application Number PM06-02; Sign Permit Application Number SA06-08; Zoning Administrator Approval of Temporary Outdoor Sales Application Number TUP06-03; and Site Plan and Architectural Review Application Number SP06-08, subject to Conditions of Approval

**CONDITIONS OF APPROVAL**

All mitigation measures included in the Mitigation Monitoring and Reporting Program, and all mitigation measures and described circumstances that would lead to the need for conditions included in the Draft EIR, Responses to Comments and EIR Errata documents, are referenced and included herein as Conditions.

**GENERAL CONDITIONS**

1. The uses identified in the Site Plan shall be designed, constructed and maintained in accordance with the information presented, except as otherwise identified in the Conditions of Approval, and shall conform to all requirements of the City of Suisun City Code including, but not limited to, the Uniform Building Code as adopted by the City of Suisun City.

The Community Development Director may approve minor modifications to the project, and implement the project and mitigation measures as deemed appropriate. Modifications may require the review by the approving body (Zoning Administrator, Planning Commission or City Council) as determined by the Community Development Director.

No operations conducted on the premises shall cause an un-reasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the premises.

2. The applicant shall comply with all applicable Federal, State, and local codes including, but not limited to, the Uniform Building Code, Fire Code and County Health Department guidelines as interpreted by the County Health Inspectors.

3. All proposed improvements, including landscape and irrigation system installation shall be completed for each parcel prior to issuance of any Certificate of Occupancy. All improvements shall conform to the approved Elevations Plan, Landscape Plan, Sign Elevation, and Site Plan.
4. Signs as shown on the original elevations for the Wal-Mart project approval will require review for compliance prior to placement of any signs. Any signage for the future gas station and restaurant pad site will require submittal of a sign application for review and approval.
5. All exterior light sources shall be shielded with glare shields, to the greatest extent feasible.
6. Back flow preventers and utility boxes shall be screened from public view.
7. No chain link fencing shall be utilized within the project, unless specified as a mitigation.
8. The solid masonry fence located along the northern property line adjacent to Petersen Road shall be eight (8) feet in height.
9. Shopping carts shall be in conformance with the city ordinance.
10. All staff costs associated with monitoring compliance with these conditions of approval shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by City Council in accordance with the hourly consulting rate established at the time of the monitoring. Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved.

11. The design and construction of water facilities, and the conditions of service, shall comply with the rules, regulations and requirements of the Suisun Solano Water Authority and Solano Irrigation District.
12. In the event of litigation, the Applicant agrees to indemnify and hold harmless the City of Suisun City in any matter that arises from the City's approval of the Project and certification of the Environmental Impact Report prepared for the Project. The applicant will fully indemnify the City for any liabilities, judgments, costs and fees it will incur in defense of the Matter. Among other things, the Applicant agrees to indemnify, protect, defend and hold harmless the City, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, for any and all claims, actions, suits, proceedings, or judgments against

the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void or annul, the approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the Project and the approvals granted therein. In discharge of its obligation to defend the City, the Applicant agrees it will indemnify the City for all of the fees and costs the City pays to Attorneys. The City will retain its own legal counsel to defend it in the matter, and the Applicant will reimburse the City for all fees and costs it pays to Attorney.

13. Tolling of period within which use permit must be used.

If, subsequent to the issuance of a use permit, a lawsuit is filed which seeks to enjoin the use of the use permit or the issuance by any governmental agency of any building permit, or other construction permit required in connection with any of the activities or construction authorized by the use permit, the period of time during which the use permit must be "used," as set forth in Section 18.68.040 of Suisun City Code, shall be tolled during the pendency of the lawsuit, including appeals, as long as the petitioner or plaintiff in the lawsuit is not the holder of the use permit

Pursuant to Section 18.66.560 of the Suisun City Code, the use permit shall expire one year from the effective date unless exercised by the application. Because the applicant is required to secure federal and/or state permits prior to exercising the use permit, however, if the applicant has filed one or more such applications not less than ninety days prior to initial expiration of the use permit, the life of the use permit shall be tolled for a period of time equal to the number of days that elapse between the date the federal or state application is filed and the date the permit is issued, or one year, whichever is less. Only one federal or state permit may be utilized to determine this period of time; provided, however, that the state or federal permit utilized shall be selected by the holder of the use permit."

14. Overnight parking of recreational vehicles for the purpose of overnight camping is not permitted on or within this development. The developer shall install signs throughout the parking area stating "No Overnight Camping Permitted on the Premises. Violators will be cited per Municipal Code Section 8.12."

## **ENGINEERING & PUBLIC WORKS CONDITIONS**

1. The Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of Applicant's project.
2. All work performed shall conform to these conditions as well as all City ordinances, rules, standard specifications and details, design standards, and any special requirements imposed by the City Engineer. The Public Works Department will provide inspections

to ensure conformance. Any deviation from the aforementioned documents shall require review and written approval by the City Engineer.

3. As a condition to Final Map approval, the applicant shall agree, with respect to all property covered by the Final Map, to either establish a community facilities district or annex such property to an existing community facilities district, as deemed appropriate by the applicant and the City, for the purpose of financing the cost of providing the following public services to the property: police; fire; maintenance of parks, parkways and open space (landscaping); and maintenance of storm drains. The City shall not be obligated to issue certificates of occupancy with respect to the property until formation of the new community facilities district or annexation to an existing community facilities district is completed.
4. The Public Works Director may approve and/or negotiate minor changes or exceptions to Public Works Department conditions of approval.
5. The Improvement Plans shall include a General Note that any revisions to the approved Improvement Plans and/or City Standards, including those due to field conditions, shall require review and written approval by the City Engineer. The Applicant shall have the revised plans prepared by the Project Professional Designer and shall have the revised plans submitted for review and approval by the City Engineer. Any revisions to the Improvement Plans resulting from these or other conditions contained herein shall be subject to written approval of the City Engineer.
6. When submitting Improvement Plans, the engineer's estimate of costs for the public improvements necessary to accommodate the project shall be included. This estimate shall show quantities as well as unit prices used to obtain the final cost of each item.
7. The Applicant shall pay all public works fees as established by the City Public Works Fee Schedule at the time of submittal of Improvement Plans. The Applicant shall also pay Suisun-Solano Water Authority (SSWA) plan check and inspection fees within 30 calendar days upon receipt of invoice from the Solano Irrigation District (SID). The invoice will be for actual expenses incurred by SID for providing plan checking and inspection services for the project. At the time of submittal of Improvement Plans, Applicant shall pay a deposit of \$350 to be applied towards SSWA fees.
8. The Applicant shall dedicate required street right-of-way by Final Map or approved instrument prior to start of construction.
9. The Applicant shall dedicate, as required, on-site easements for new utilities by means of Final Map or approved instrument prior to start of construction.
10. The Applicant shall obtain all necessary permits from all applicable agencies prior to development.
11. All work within the public right-of-way, which is to be performed by the Applicant, the general contractor, and all subcontractors shall be included within a single City Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

12. The Applicant shall prepare a notice, subject to the review by the City Engineer, that lists all construction mitigation requirements, permitted hours of construction, and identifies a contact person as well as the Applicant who will respond to complaints related to the proposed construction. The notice shall be mailed to property owners and residents within a 300-foot radius from the subject site at least ten (10) calendar days prior to the start of construction.
13. A sign shall be posted on the property in a manner consistent with the public hearing sign requirements, which shall identify the address and phone number of the Applicant and/or applicant for the purposes of responding to questions and complaints during the construction period. Said sign shall also indicate the hours of permissible construction work.
14. Any existing wells shall be abandoned per County of Solano Health Department standards prior to development of the property. Owner shall submit documentation to the Public Works Director that this condition has been satisfied prior to any construction on this project.
15. If any archaeological resources are found during the grading of the site or during performance of any work, work shall be halted, the City Engineer shall be notified and a certified archaeological firm shall be consulted for advice.
16. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and corners in order to allow an unobstructed view of oncoming traffic.
17. Any relocation or modification of any existing facilities necessary to accommodate subject project shall be at the Applicant's expense. It shall be the responsibility of the Applicant to coordinate all necessary utility relocations with the appropriate utility company.
18. If existing easements and utilities are located within the proposed lots, the utilities shall be relocated within the public streets or into appropriate easements, as required by the City Engineer.
19. The Applicant shall dedicate a ten (10') foot minimum utility service easement, as required by the Public Works Director, for the entire public frontage of the proposed project.
20. The Applicant shall provide easements for all public onsite underground utilities. The width of the easements shall comply with the City standards.
21. Any existing frontage or street improvements, which in the opinion of the City Engineer, are currently damaged or become damaged as a part of the work shall be removed and replaced as required to the current City Standards, or as directed.
22. Immediately after demolition (and during construction), a security fence, the height of which shall be the maximum permitted by the Zoning Ordinance, shall be maintained around the perimeter of the lot. The lot shall be kept clear of all trash, weeds, etc... throughout the construction activity.
23. Improvement Plans shall show the installation of, and the Applicant shall install, concrete curb, gutter, sidewalks, curb ramps and driveway improvements on all City

street frontages, except along State Route 12. The Typical Street Sections must include aggregate base material under all concrete and all asphalt improvements per City of Suisun City Standards. The driveways and curb ramps shall comply with the State American Disability Act (ADA) regulations. New curb ramps shall utilize truncated domes (3'X4' Navi-plate, "adobe" color). The returns along the public streets shall be designed with a 30' radius.

24. The minimum longitudinal slopes of gutter flow lines shall be 0.005.
25. The Improvement Plans shall show the installation of and the Applicant shall install street signage and pavement markings and striping. All pavement markings and striping shall be thermoplastic or as required by City Standards.
26. The Solano Irrigation District (SID) and the Fairfield-Suisun Sewer District may have separate comments and conditions which shall be resolved or met.
27. All water and sewer lines shall have a minimum of five feet horizontal clearance from a fence, wall, or other structure as determined by the Public Works Director. All relocated facilities shall meet state and local separation standards.
28. Direct tapping of City or SSWA water mains is not permitted. Applicant shall install the required fittings in the existing or new main lines to accommodate the proposed water system. No existing water mains shall be shut down without specific permission of the City Engineer and the Solano Irrigation District.
29. Storm drainage shall comply with Solano County Hydrology and Drainage Design as described in the City Standards. The Applicant shall provide a hydrology and hydraulic study for the project.
30. The Applicant shall obtain all necessary permits for storm water discharges.
31. Applicants whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (State Water Resources Control Board Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.
32. Applicants whose projects disturb less than one acre of soil and are not part of a larger common plan of development shall prepare and implement an abbreviated Storm Water Pollution Prevention Plan (SWPPP) prior to the start of construction.
33. The project shall use best management practices (BMPs) during construction to mitigate construction impacts, and during post-construction, to mitigate post-construction impacts to water quality.
34. The project shall comply with the requirements of the most current National Pollutant Discharge Elimination System (NPDES) permit issued to the Fairfield-Suisun Urban Runoff Management Program.

35. All projects creating, adding or replacing 43,560 square feet (1 acre) or more of impervious surface on the project site shall fill out completely and submit to the City the "New and Redevelopment Post Construction Stormwater Requirements Application", attached to these conditions, no later than with development or grading plans.
36. Interior remodeling projects and routine maintenance or repair projects, and projects involving only construction of sidewalks, bicycle lanes, trails, bridge accessories, guardrails and landscape features are not required to complete the "New and Redevelopment Post Construction Stormwater Requirements Application".
37. All projects creating, adding or replacing 43,560 square feet (1 acre) or more of impervious surface on the project site shall include the design and implementation of stormwater treatment measures.
38. Application", attached to these conditions, no later than with development or grading plans. After October 15, 2006, all projects creating, adding or replacing 10,000 square feet or more of impervious surface on the project site shall fill out completely and submit to the City the "New and Redevelopment Post Construction Stormwater Requirements
39. To limit pollutant generation, discharge and runoff to the maximum extent practicable, the project shall include stormwater pollution control measures listed within the document entitled "Storm Water Pollution Control Measures List". This list is provided within Appendix B of the document entitled "Storm Water Requirements for Development Projects- Packet for Project Applicants".
40. The City shall designate which stormwater pollution control measures will be required as conditions of approval for the project. Each identified source of pollutants may have one or more appropriate control measures.
41. All stormwater treatment measures shall be adequately operated and maintained. To ensure operation and maintenance of stormwater treatment measures, the Applicant shall enter into a Stormwater Treatment Measures Maintenance Agreement with the City. This agreement is included in the document entitled "Storm Water Requirements for Development Projects- Packet for Project Applicants".
42. Improvement Plans shall include an Erosion Control Plan (or Storm Water Pollution Prevention Plan –SWPPP) for any grading during the rainy season (October 15 to April 15). No work shall be allowed during the rainy season without an approved and implemented Erosion Control Plan.
43. Improvement Plans shall include a Grading Plan prepared by a registered Civil Engineer and shall comply with the requirements of the soils report for the project and the City's Grading Ordinance prior to approval by the City Engineer. To the extent possible, the Grading Plan shall follow natural contours and maintain any existing native trees. In addition, the Grading Plan shall be prepared to the satisfaction of the City Engineer, and is to reflect a positive drainage to existing drain inlets as well as to proposed drain inlet.

44. Dust control shall be in conformance with City Standards and Ordinances. Vehicles hauling dirt or other construction debris from the site shall cover any open load with a tarpaulin or other secure covering to minimize dust emissions.
45. The maximum allowable slope in landscape areas shall be 3:1. The toe and top of slope shall not be closer than one foot from a wall, property line, or sidewalk. One-foot concrete mow strips shall be as required by the City Engineer.
46. Unless otherwise approved by the City Engineer, all existing sidewalks shall be kept clear and passable during the grading and construction phase of the project.
47. Upon the approval of the Improvement Plans, the Applicant shall submit electronic AutoCAD files of the plans to the Public Works Department. Also, prior to the issuance of Certificate of Occupancy, the Applicant shall submit to the Public Works Department electronic AutoCAD files of the "as-built" Improvement Plans.
48. The Applicant shall underground all overhead lines within and along the entire frontage of the project site.
49. The Applicant shall enhance the existing landscaping on the north side of Petersen Road from Walters Road to Fulmar Drive to match the proposed landscaping on the south side of the roadway. In addition, the existing irrigation on this northerly segment shall be replaced to meet City of Suisun City standard specifications and details for irrigation.
50. The Applicant shall make a fair share contribution to the Petersen Road Widening project. Roadway widening will be from Walters Road to the Air Force Base south entrance.
51. The Applicant shall address the impacts of construction equipment on Walters Road from Highway 12 to East Tabor Avenue and Petersen Road from Walters Road to Fulmar Drive, as well as any other local roads impacted by construction of the project. The remedial treatments shall be to the satisfaction of the City Engineer and shall be based on the Pavement Condition Index (PCI) values before start of construction and PCI values after completion of construction of project.
52. If necessary and as determined by the City Engineer, the Applicant shall relocate existing monuments and sculpture(s) on the Walters Road median fronting the project site. New location(s) shall be approved by the City Engineer.
53. The Applicant shall provide and/or upgrade the street lighting along the westerly side of Walters Road from Highway 12 to Petersen Road. The applicant shall provide photometric analysis to ensure adequate lighting.
54. If the Hydraulic Analysis identified in the Mitigation Monitoring and Reporting Program MM HYD-5 requires repair of the 54 inch outfall downstream of the project storm drain system located approximately at the southeast corner of the Lawler Ranch Subdivision, by the Whitby Way and Lawler Ranch Parkway intersection, the applicant shall upgrade the outfall to accommodate the project flows.
55. Prior to occupancy, the applicant will prepare a traffic management plan study to address temporary traffic management measures, and permanent traffic management measures in dealing with regional traffic through in connection with grand opening

and the Solano Transportation Authority (STA) Comments. The study is to minimize traffic disruption and protect local neighborhoods from intrusion by regional traffic during the store's grand opening period and special events.

#### **FIRE DEPARTMENT CONDITIONS**

1. Prior to occupancy, fire hydrants are to be provided throughout the development. The Fire Chief shall determine fire hydrant locations.
2. All roofs shall have a non-combustible covering.
3. Hydrant and system testing and maintenance will be the responsibility of the applicant. The Fire Chief shall determine standards and frequency of testing.
4. Prior to occupancy the applicant shall participate in providing a fire ladder truck by providing one-third (1/3) of the cost, approximately \$350,000.
5. The applicant shall provide funding for, and the City shall contract with, a consultant to address concerns for fire flow, fire sprinklers and fire pumps, high rack storage concerns, and hazardous material stored on site.
6. The applicant shall provide funding for, and the City shall contract with, a part time fire inspector during the construction and final approval phases.
7. Prior to obtaining a building permit, the Fire Chief shall approve fire access, fire lanes and red curbs, fire hydrant placement and fire sprinkler connections.
8. Prior to occupancy, a fire alarm and enunciator panel accessible from the front of the building shall be provided.
9. This panel will have all zones and alarm indicators labeled.

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**City Council Conditions  
Added at February 12, 2008  
Wal-Mart Public Hearing**

1. **Mitigation Measure MM NOI-3f is revised to read:** Following grading and site work and prior to construction of onsite buildings, the project applicant shall construct the proposed 11-foot-tall masonry wall along the northern portion of the property that would extend roughly the length of the proposed Wal-Mart Supercenter building. The wall shall be constructed of solid material and be of sufficient density to minimize noise transmission. The height may be obtained by use of a one (1) foot berm and a ten (10) foot masonry wall. For maximum effectiveness, the wall must be continuous and relatively airtight along its length and height. The final design/specifications shall be developed in consultation with a qualified noise professional.
2. **Mitigation Measure MM NOI-4 is revised to read.** The project applicant shall offer to replace the wood portion of the existing 6-foot-high wooden fence on top of a 2-foot tall earthen berm, with a 6-foot-high solid masonry or concrete wall

for residences located between Fulmar Drive and Walters Road. If accepted by affected residences, prior to grading and site work, the project applicant shall construct or provide adequate funding to the City of Suisun City to construct the replacement masonry or concrete wall along the north side of Petersen Road so that it would extend from Fulmar Drive to Walters Road. The masonry or concrete wall shall also be constructed for a distance of 300 feet west of Fulmar Drive. In addition, an acoustical study shall be prepared, at the expense of the applicant, to determine if the wall should be extended further to the west. The wall shall be constructed of solid material and shall be of sufficient density to minimize noise transmission. For maximum effectiveness, the wall must be continuous and relatively airtight along its length and height. The final design and specifications shall be developed in consultation with a qualified noise professional and in consultation with the City to assure that the materials are appropriate and consistent with the City's Development Guidelines for Architecture and Site Planning.

3. Wal-Mart shall paint the sound wall on the north property line with a special paint that makes cleaning graffiti easy. Wal-Mart shall clean off graffiti or paint over any graffiti that may be put on the wall within 24 hours of being notified by the City.
4. Wal-Mart shall provide motorized shopping carts for those unable to walk and shop in the store. Motorized shopping carts shall be permitted to be used in the parking lot in order to reach handicap spaces.
5. Areas used for Wal-Mart produced recycling and all storage containers and/or cargo containers shall be screened from view of the public. As a public benefit, Wal-Mart will provide Take Back Days for the public to be able to recycle on the first Saturday in February, May, August, and November of each year.
6. The proposed service station to be located at the intersection of State Route 12 and Walters Road shall not be a Wal-Mart sponsored station.
7. Wal-Mart shall deposit with the City of Suisun City an amount equal to the cost of demolition of the building. The owner will demolish the facility if both of the following conditions are met: (a) a period of thirty-six (36) consecutive months has lapsed since the facility closed; and (b) no agreement has been reached with a prospective tenant/buyer.
8. Prior to the issuance of any permits for site work, road improvements, utility work or grading within the right of way along the south side of Petersen Road where the jet fuel line is located, the applicant/owner shall provide written notice to Travis Air Force Base ten calendar days prior to initiating such work, and Travis Air Force Base may provide comments within two weeks of receipt of such notice.
9. Wal-Mart will provide four on-site independent wireless cameras systems that link to the City of Suisun City Police Departments surveillance system.
10. Wal-Mart shall provide security on site 24 hours a day.
11. All shopping carts shall have anti-theft devices.
12. Wal-Mart shall comply with the City of Suisun City Abandoned Vehicle Code.
13. Wal-Mart shall comply with all dust control measures identified in the Mitigation Monitoring Program and City codes.

14. Wal-Mart shall provide a five (5) year storm water monitoring program to the City of Suisun City Public Works Director for review and approval.
15. During construction, Wal-Mart shall have someone onsite 24 hours a day to monitor storm drains to make sure the drains are kept free from debris.
16. All traffic signals installed as a part of the project shall comply with ADA.