

**AGENDA**  
**REGULAR MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., SEPTEMBER 22, 2015**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC15-16*

**1. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Pal  
Commissioner Adeva  
Commissioner Holzwarth  
Commissioner Osborne  
Commissioner Ramos  
Commissioner Smith

Pledge of Allegiance  
Invocation

**2. ANNOUNCEMENTS:**

None

**3. MINUTES:**

Approval of Planning Commission minutes of September 8, 2015

**4. AUDIENCE COMMUNICATIONS:**

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

**5. CONFLICT OF INTEREST NOTIFICATION**

*(Any items on this agenda that might be a conflict of interest to any Commissioner should be identified at this time.)*

**6. PUBLIC HEARINGS:**

*For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.*

- A. City of Suisun City Planning Commission Considering a Request to Amend the McCoy Creek Planned Unit Development, APN 0173-811-030**

- **Adoption of Resolution No. PC15-\_\_-.**

**7. GENERAL BUSINESS**

**Discussion and Direction Regarding Downtown Waterfront Specific Plan Update Policies.**

**8. COMMUNICATION:**

**A.Staff**

**B.Commission**

**C.Agenda Forecast**

**8. ADJOURN.**

*a&m/150922pca*

**MINUTES**  
**REGULAR MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., SEPTEMBER 8, 2015**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC15-14*

**1. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Pal  
Commissioner Adeva Absent  
Commissioner Holzwarth  
Commissioner Osborne  
Commissioner Ramos  
Commissioner Smith

Pledge of Allegiance  
Invocation

**2. ANNOUNCEMENTS:**

John Kearns introduced Tim McSorley, new PW Director and Contract Planner James Beggs with Michael Baker International.

**3. MINUTES:**

Commissioner Holzwarth moved to approve Planning Commission minutes of August 18, 2015. Commissioner Smith seconded the motion. Motion passed 6-0 by roll call vote.

**4. AUDIENCE COMMUNICATIONS:**

None

**5. CONFLICT OF INTEREST**

**6. PUBLIC HEARINGS:**

**A. A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit No. UP15-6-001 and Site Plan/Architectural Review No. AR14-5-007 for Establishment of a Self-Storage Facility Located at 513 Railroad Avenue, APN 0037-080-140.**

John Kearns introduced James Beggs who presented the staff report. He gave a brief background on the property. Mr. Beggs explained that the applicant is proposing to locate three new buildings on the lot but the middle building will be constructed at this time. Mr. Beggs stated that the applicant Sam Derting was present to answer any questions.

Chairperson Clemente opened the Public Hearing.

Hearing no comments Chairperson Clemente closed the Public Hearing.

Commissioner Pal asked if this resolution was also for future properties that would go before the Commission and how often. Mr. Beggs and Mr. Garben explained that this resolution was for this project only. They also stated that if the resolution is not adopted as written every time a building permit was needed it would also need Commission approval.

Commissioner Ramos moved to adopt Resolution No. PC 15-14. Vice-Chair Pal seconded the motion. Motion passed by roll call vote 6-0

Mr. Derting thanked John Kearns and James Beggs for their work on his application. He also thanked the Commission for their vote and time tonight.

**B. A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit No. UP 15-6-003 and Site Plan/Architectural Review No. AR 14-5-008 to Remove an Existing Light Standard and Replace with a New Light Standard with Wireless Antennas at 611 Village Drive (APN 0173-010-300)**

John Kearns presented the staff report. He explained this was an application from Verizon requesting to remove and replace an existing light standard and install a new light standard with wireless antennas and an associated equipment shelter. He further explained that the request also required an executed lease agreement signed by the City and that a draft agreement was being done concurrent with the land use entitlements. Mr. Kearns explained the applicant was asked to do a noise study for the generator and the study complies with General Plan standards.

Chairperson Clemente opened the Public Hearing.

Shannon McDougall representing Verizon wireless stated they were in agreement with staff report and the conditions of approval.

Commissioner Ramos asked about exhaust fumes from the generator. Ms. McDougall explained the generator would be enclosed and only used during emergency power failures. The generator will also require a permit from the Bay Area Air Quality Management District.

Commissioner Smith asked about the type of fencing voicing her concerns about the type of material being proposed and that fencing tends to weather. She indicated that landscaping would be better. Ms. McDougall stated that she was sure a condition could be added if that was the Commissioners wish.

Commissioner Smith also asked what happens should the use be discontinued and would it happen in a timely manner.

Mr. Kearns stated that he was very confident that there would be standards in place in the agreement that would address those concerns.

Commissioner Osborne asked how the noise study standards were conducted. Ms. McDougall stated that the test was done for a 48 hour period.

Vice-Chair Pal asked about signal effects and mono pines instead of the light standards. Ms. McDougall stated that the signal effects were well below standards. Ms. McDougall stated that mono pines were a good alternative is in an area with existing pine trees but that a single mono pine would not be aesthetically pleasing and in her opinion the pole would be better.

Commissioner Holzwarth asked how many buildings could the City possibly have in one location if more applications were received.

Mr. Kearns stated that the Zoning Ordinance update would have a very detailed telecommunication section for future users and additional structures.

Commissioner Osborne asked if the agreements were public record. Mr. Kearns stated they were available through the City Manager's office.

There being no further comments the Public Hearing was closed.

Commissioner Osborne moved to approve Resolution PC15-15. Commissioner Holzwarth seconded the motion. Motion passed by roll call vote 6-0

**7. COMMUNICATION:**

**A. Staff**

Mr. Kearns apologized for not having the latest printout of new business licenses and would have it at the next meeting.

**B. Commissioners**

None

**C. Agenda Forecast**

Mr. Kearns stated there would be a meeting on September 22 and possibly on October 13.

**8. ADJOURN.**

There being no further business the meeting was adjourned at 7:35 pm.

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Anita Skinner, Commission Secretary

*a&m/150908pcm*

## AGENDA TRANSMITTAL

**MEETING DATE:** September 22, 2015

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**PLANNING COMMISSION AGENDA ITEM: PUBLIC HEARING:** Request for Amendment of the McCoy Creek Planned Unit Development to allow a Mixed Use Residential Development.

Resolution PC15-\_\_\_; A Resolution of the City of Suisun City Planning Commission recommending the City Council approve requested amendment of the McCoy Creek Planned Use Development, APN 0173-811-030.

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**ENVIRONMENTAL REVIEW:** Environmental impacts of the development of the McCoy Creek project were analyzed within the Mitigated Negative Declaration (MND) prepared for the overall 4.37 acre McCoy Creek project (SCH# 2005072009). The project site involves 0.31 acres of land that has been prepared for development and the footprint, scale, intensity, and general character for the currently approved project and the proposed Project are essentially identical for purposes of CEQA analysis. Based upon analysis completed by staff, it is not anticipated that the proposed project would increase the severity of any impacts identified as significant, or would it result in new significant and unavoidable impacts. Therefore, no further review under CEQA is required. Analysis supporting this CEQA determination is provided as Attachment 4 of this report.

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**BACKGROUND:** The McCoy Creek Mixed Use project is located on an approximately 13,500 foot parcel within the previously approved McCoy Creek Development. Originally approved in 2005, the McCoy Creek Development included 19 single family homes, 5 live work units, 5 carriage units, and approximately 9,052 square feet of commercial/office uses on land totaling 4.37 acres.

Since project approval, the majority of single family homes and carriage units have been constructed. However the 9,052 square foot commercial office building has proved to be infeasible in today's market. The site faces significant challenges related to poor visibility, nearby vacant commercial sites that are better situated, and more competitive for commercial development.

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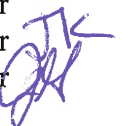
**STAFF REPORT:** Staff has included information (found below) that the applicant provided as well as analysis of the proposal with use of Title 18 Zoning of the Suisun City Municipal Code.

**Description of Application** – The project applicant proposes to amend the Planned Unit Development (PUD) designation of the commercial/office use (approximately 13,500 square feet of land) to allow development of eight apartments and two live/work spaces. If approved, the McCoy Creek PUD would be amended to include a new site plan for the 0.31 acre site that was previously approved for commercial/office uses. The project would receive its Preliminary Development Plan and Precise Development Plan approvals, thus allowing development of the project to commence. All other aspects of the previous project approvals would remain in effect.

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**PREPARED BY:**  
**REVIEWED BY:**  
**APPROVED BY:**

Paul Junker, Senior Project Advisor  
John Kearns, Associate Planner  
Jason Garben, Development Services Director



**Project Justification** – The project site was approved for commercial/office development under the original McCoy Creek Development approved in 2005. Since that time, the property owner has been unsuccessful in efforts to develop the commercial/office project due to the vacancies in existing commercial development, numerous vacant commercial properties that are more competitive from a commercial development perspective, and the relatively low visibility of the McCoy Creek site. In response to the challenging conditions, the applicant has proposed an alternative development plan that includes a combination of flexible commercial space and innovative residential dwellings. The applicant has provided the following description of the proposed project:

“The proposed project will offer the highest quality apartment units in the market area. Each unit will have a private garage. Visitor access to the second floor is allowed via a call box, which lets the residents identify the visitors via sound and live video for maximum security and privacy. The units will be finished with high quality products. The apartment units offer a variety of unit sizes ranging from 677 to 1160 S.F.

It is well-known that commercial attraction for the properties along McCoy Creek Way, located three tiers away from Highway 12, in a low density area surrounded by permanent open space is marginal. The proposed project attempts to leverage 2000 S.F. of potential commercial use with the strength of the residential market at this location. Therefore, as proposed, the project contains two work live units each comprising approximately 1000 S.F. The floor plan offers flexibility to best meet the needs of the end user. Ultimately the commercial application of the space is driven by the market forces and types of tenants. The types of commercial uses allowed are already defined in the McCoy Creek PUD. The two units are designed to offer flexibility in meeting the needs of the market and the project.

Upon successful implementation of this project, the new rental rates will be establishing a new benchmark for multi-unit residential market in Suisun, one that can be leveraged further in developing luxury condominiums in town.”

Staff considers the proposed project to be a creative alternative to the currently approved office/commercial use, which could both generate development within Suisun City and result in an increase in greater interest in commercial development on the Lawler Commercial area parcels located between McCoy Creek and Highway 12. Further, staff concurs with the applicant that the viability of commercial development at this site, particularly once sites in front of the project have been developed, is relatively low.

**Physical Characteristics of Proposed Use** – Below are descriptions of the interior and exterior site characteristics of the project, including architecture, parking, and site improvements.

- **Interior** – The proposed project seeks to amend the McCoy Creek PUD to allow eight apartments with two live/work units that total approximately 9,192 square feet of building space in two buildings. The two ground-floor live/work units on the north portion of the site would include work space (563 net square feet in each unit) with frontage on McCoy Creek Way. Entries into the live/work units access the work space, enhancing work space functionality with a dedicated powder room/restroom and a sliding barn door to separate the work space from the living space.

- **Exterior** – The proposed project consists of two separate buildings with a courtyard separating the two buildings. Facing McCoy Creek Way (north) the buildings will have a tower feature with khaki color stucco siding, slate gray standing seam metal roofing, and metal awnings. On the main portion of the building, the roof will be charcoal color concrete tile roofing, with an off white stucco siding, hurricane shutters, and enhanced sills. On the East and West sides of the building, four garage doors will face out onto a driveway. The rear of each the off white stucco siding will continue and the building will have windows with enhanced sills and three separate doors.
- **Parking** – Staff has analyzed the parking solution proposed by the project in relation to the parking solution within the originally approved McCoy Creek project. As a Planned Unit Development, the McCoy Creek project was approved with parking that did not meet typical City standards. The original commercial/office development generated demand for 36 parking spaces and the project frontage on McCoy Creek Way provided 16 on street spaces. The remaining parking demand generated by the office/commercial uses would have been met through additional spaces located along McCoy Creek Way.

The proposed project is a combination of residential and commercial uses that generates a parking demand for 21 parking spaces under standard City parking requirements (1.5 spaces for each of the dwellings and 3 parking spaces for the work space in each live/work unit). The proposed project would retain 11 of the on-street spaces (on-street spaces reduced to provide site access and meet ADA parking requirements) and creates 8 new off-street garage parking spaces.

As compared to the originally approved commercial/office project, the currently proposed project both reduces the total demand for parking by 15 spaces and increases the parking provided by 3 spaces. Additionally, the proposed project meets ADA requirements (the initially approved project did not provide ADA parking) and incorporates a combination of residential and commercial uses that can effectively share spaces and reduce peak demands for parking. Based upon this analysis staff considers the parking solution of the proposed project to be superior to the originally approved project, and therefore supports the applicant's proposed parking solution.

- **Allowed Uses** – The project would be subject to the same allowed uses as established under the 2005 McCoy Creek project. Allowed uses for the eight residential apartments would be typical residential uses allowed in high density residential and the two live/work units would be allowed the uses described for commercial development under the McCoy Creek PUD.
- **Architecture and Site Plan** – Staff compared the proposed architecture to the existing commercial mixed-use development along McCoy Creek Way and found the overall design to be generally consistent and complimentary to the surrounding development. The design of the work component of the live/work units has been designed as more commercial in nature, than the balance of the project, with tall glass, prominent shade canopies, and dedicated entrances from the central courtyard. Outdoor seating space is available to allow business to extend out into the courtyard and street frontage areas.



The proposed buildings have incorporated “four-sided architecture”, by providing window and door treatments, variations in color, and both vertical and horizontal variations in the building faces. Overall, the proposed architecture is compatible with the surrounding existing/approved development within McCoy Creek.

Site improvements include a courtyard area that measures 18 feet between the faces of the live/work units and includes planter areas and walkways. All HVAC equipment is roof mounted and screened within a roof well.

Staff has expressed some concern to the applicant regarding the ability for vehicles to access the garages located furthest from McCoy Creek Way. Staff will work with the applicant during the preparation of improvement plans to ensure reasonable access to garage spaces is provided.

**Required Approvals** - The applicant seeks approval for an amendment of the McCoy Creek PUD. In addition to the PUD Amendment, this action also considers the detailed design of the project and would constitute all approvals required to allow the applicant to proceed with review of construction documents and ultimate issuance of building permits. As such, this application and review addresses both the general requirements for a PUD Preliminary Plan and the more detailed requirements of a Precise Plan and a Site Plan and Architectural Review. This process of review is appropriate given the limited size of the project (0.31 acre site and 9,192 square foot structure), and the high level of architectural detail that has been provided by the applicant.

#### **City and Outside Agency Review**

Upon receipt of the application, the McCoy Creek application was routed for review and comment by City departments and outside agencies. Comments were received and requested Conditions of Approval were incorporated as presented within the Planning Commission’s resolution.

#### **Solano County Airport Land Use Commission –**

Under the Solano County Airport Land Use Compatibility Plan (LUCP), the City is required to provide details of proposed rezone projects to the Airport Land Use Commission (ALUC) for review and consideration prior to approval by the City. The proposed project would amend the McCoy Creek PUD and this document functions as the zoning regulations for the McCoy Creek project. City staff contacted County ALUC staff and were informed that the project did require formal consideration by the ALUC. City staff, acting on behalf of the applicant, prepared an application for ALUC review. On August 25, 2015, the Airport Land Use Commission formally reviewed and approved the project by unanimous vote, thus concluding the ALUC review of the project.

**Preliminary Review of McCoy Creek PUD Amendment** – Upon receipt of application to amend the McCoy Creek PUD, staff initiated a preliminary review process. An initial review of key factors, including fiscal impacts to the City and the likelihood of the previously approved commercial/office uses being developed, the Project was reviewed by the Project Development/Economic Development Ad Hoc Committee (Vice Mayor Wilson and Councilman Segala), and based on Committee input the interior plans for the live/work units were modified.

On June 30, 2015 the project was presented to the full Council for initial comments and preliminary consideration. While no formal action occurred at this meeting, Council was generally favorable to the proposed project. The report prepared for the City Council preliminary review is provided as Attachment 3 of this report.

**Proposed Conditions** – Staff has prepared draft conditions of approval which can be found in the resolution recommending approval of the amendment of the McCoy Creek PUD.

**Proposed Findings for Planning Commission Consideration-** In order for the Planning Commission to approve an amendment to the McCoy Creek PUD, the following findings must be made. These findings are included in the proposed Planning Commission resolution that recommends approval of the project to the City Council:

1. Notice has been given in the time and in the manner required by State Law and City Code.
2. The proposed project, when subject to the proposed conditions of approval, will not conflict with the Goals, Objectives and Policies of the General Plan, and the purposes of the zoning district in which the site is located.
3. The proposed project and its uses, when subject to the proposed conditions of approval will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the City.
4. The project would be compatible in form, character, and allowed uses with adjacent development approved under the original McCoy Creek PUD.
5. The City of Suisun City Development Services Department has conducted an Environmental Review of the project and has complied with requirements to evaluate the project under the California Environmental Quality Act.
6. That no further analysis of this project is required under CEQA, subject to Section 15162 and 15164 of the CEQA Guidelines due to the previously approved McCoy Creek Mitigated Negative Declaration and the lack of any new significant impacts or increases in the severity of previous identified impacts.

### **Environmental Review**

Environmental impacts of development proposed project site were analyzed in the Mitigated Negative Declaration (MND) prepared for the overall 4.37 acre McCoy Creek project (SCH# 2005072009). The overall McCoy Creek Project included 19 single-family units, 10 mixed-use units (commercial/residential combination), and an approximately 9,052-square-foot commercial building.

The currently proposed project includes 9,192 square feet of residential mixed use development that would occur on a 0.31-acre portion of the overall McCoy Creek Mixed Use that was analyzed for 9,052 square feet of retail/office space. Because the footprint of the proposed project is within

the development footprint assumed in the MND, there would be no change with respect to impacts related to footprint (agricultural resources, biological resources, cultural resources, geology, etc.).

Development that would be allowed under the currently proposed project would generate slightly fewer daily vehicle trips than the retail/office that were analyzed under the McCoy Creek MND. Because the current project would reduce the number of trips compared to the previous analysis, it can be assumed that impacts associated with vehicle trips will be reduced from the previously analyzed conditions.

Based upon the similarity of previously analyzed uses and the currently proposed project, impacts associated with development intensity, such as traffic generation, traffic noise, utilities demands, and air emissions, would be less than disclosed in the McCoy Creek MND. It is not anticipated that the proposed project would increase the severity of any impacts identified as significant, or would it result in new significant and unavoidable impacts. Therefore, no further review under CEQA is required. Attachment 4 provides the analysis relied upon in determining that the McCoy Creek project requires no additional review under CEQA.

### **Planning Commission Options**

The Planning Commission has several options in considering this application. Actions that the Planning Commission may take within this project review include:

- Recommend the City Council approve the project subject to the submitted application and the proposed Conditions of Approval;
- Recommend the City Council approve the project with modifications to either the project submittal or the proposed Conditions of Approval;
- Recommend the City Council disapprove the submitted application;
- Continue the item for further discussion.

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**STAFF RECOMMENDATION:** Adopt Resolution PC15-\_\_\_; A Resolution of the City of Suisun City Planning Commission recommending approval to the City Council for the amendment of the McCoy Creek Planned Use Development, APN 0173-811-030, subject to the proposed Conditions of Approval presented within the Planning Commission Resolution.

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### **ATTACHMENTS:**

1. Resolution PC15-\_\_\_; A Resolution of the City of Suisun City Planning Commission recommending approval to the City Council for the amendment of the McCoy Creek Planned Unit Development, APN 0173-811-030.
2. August 2015 McCoy Creek Mixed Use Project - Plans and Elevations
3. June 30, 2015 City Council Preliminary Discussion Report
4. August 12, 2015 Addendum to the McCoy Creek Mitigated Negative Declaration

**RESOLUTION NO. PC15-****A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION  
RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR THE AMENDMENT  
OF THE MCCOY CREEK PLANNED UNIT DEVELOPMENT**

**WHEREAS**, the City received an application for an amendment to the previously approved McCoy Creek Planned Unit Development, submitted on May 12, 2015 by Harbor Park LLC (Applicant); and,

**WHWEREAS**, the Planning Commission at its regular meeting on September 22, 2015 did review the application for the amendment of the McCoy Creek Planned Use Development, APN 0173-811-030; and

**WHEREAS**, notices for the Planning Commission's public hearing were published in the Daily Republic on Saturday, September 12, 2015 and were mailed to affected property owners consistent with State Law and City Code; and

**WHEREAS**, a report by the City staff was presented and made a part of the record of said meeting; and

**WHEREAS**, this project has been considered for compliance with all City regulations and ordinances; and

**WHEREAS**, based on evidence presented at the Public Hearing by City Staff, the applicant, the public and Commissioners, the following Findings are hereby made:

1. Notice has been given in the time and in the manner required by State Law and City Code.
2. The proposed project, when subject to the proposed conditions of approval, will not conflict with the Goals, Objectives and Policies of the General Plan, and the purposes of the zoning district in which the site is located.
3. The proposed project and its uses, when subject to the proposed conditions of approval will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the City.
4. The project would be compatible in form, character, and allowed uses with adjacent development approved under the original McCoy Creek Planned Unit Development.
5. The City of Suisun City Community Development Department has conducted an Environmental Review of the project and has complied with requirements to evaluate the project under the California Environmental Quality Act.

6. That no further analysis of this project is required under CEQA, subject to Section 15162 and 15164 of the CEQA Guidelines due to the previously approved McCoy Creek Mitigated Negative Declaration and the lack of any new significant impacts or increases in the severity of previous identified impacts.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Commission of the City of Suisun City does hereby recommend to the City Council determine that potential environmental impacts of the McCoy Creek Planned Unit Development (Project) have been adequately analyzed and addressed through the McCoy Creek Mitigated Negative Declaration (SCH# 2005072009) and determine that no further review under the California Environmental Quality Act (CEQA) is required or appropriate for the approval of the Project; and,

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the City Council approve the Project subject to compliance with plans and elevations provided to the City and included in the Planning Commission staff report dated September 22, 2015; and,

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that in taking these actions the City Council will Amend Exhibit B – McCoy Creek Planned Unit Development Narrative, as previously adopted by City Council Resolution No. 2005-75 on October 11, 2005. Such action would supersede all references and graphic representations of the McCoy Creek Main Retail/Office Building uses approved under City Council Resolution No. 2005-75 with the McCoy Creek Mixed Use Project as depicted on plans and elevations dated August 2015 and as reviewed by the Planning Commission on September 22, 2015; and,

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that approval of the McCoy Creek Project constitutes approval of the amendment of the McCoy Creek PUD (originally approved 2005), approval of the Preliminary Development Plan for the 0.31 acre subject property, and approval of the Precise Development Plan for development of the same 0.31 acre parcel consistent with the submitted plans and elevations for the McCoy Creek Mixed Use Project; and,

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that all approvals associated with the Project be subject to the conditions of approval as provided below within this Resolution.

## **CONDITIONS OF APPROVAL**

### **GENERAL CONDITIONS**

1. The Applicant agrees to defend and indemnify and hold the City, its officers, officials, agents, employees, volunteers 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. The applicant shall comply with all conditions of the approved resolution. If it is determined that any conditions are being violated or the operator is out of compliance with the approved conditions, a Public Hearing shall be scheduled and procedures shall be consistent with Section 18.66.550 of the Suisun City Municipal Code.
3. 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, the Uniform Building Code as adopted by the City of Suisun City.

The Development Services 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, City Council) as determined by the Development Services Director.

4. No Operations conducted on the premises shall cause un-reasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the premises.
5. 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.
6. All proposed improvements, including landscaping and irrigation systems installation shall be completed prior to Certificate of Occupancy.
7. Trees and shrubs shall be provided in landscape areas. Trees shall be 15 gallon in size and shrubs shall be 5 gallon in size.
8. All improvements shall conform to the approved Elevations Plan, Landscape Plan, and Site Plan.
9. Any future signage shall be required to be submitted to the City of Suisun City Development Services Department for review and approval prior to request for building permits and construction.
10. All conditions of approval and mitigation measures approved and adopted within the original McCoy Creek PUD approval (2005) shall remain in force and effect on the amended McCoy Creek PUD project.

11. The design and construction of water facilities, and the condition of service, shall comply with the rules, regulations and requirements of the Suisun Solano Water Authority and the Solano Irrigation District.
12. All staff costs associated with monitoring compliance with these conditions of approval shall be borne by the permittee and/or property owners. 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 mitigation 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 compliance deficiencies are found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicants expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved.

### **PUBLIC WORKS**

13. All work performed shall conform to 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 inspection to ensure conformance. Any deviation from the aforementioned documents shall require review and written approval by the City Engineer.
14. The Improvement Plans shall include a General Note that: any revisions to the approved Improvement Plans, 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.
15. The Applicant shall obtain all necessary permits from all applicable agencies prior to starting construction.
16. 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.

17. 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.
18. 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 at Applicant's expense.
19. 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.
20. 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.
21. 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.
22. 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.
23. The Applicant shall obtain all necessary permits for storm water discharges.
24. This project is subject to the General Permit for Discharges of Storm Water Associated with Construction Activity (State Water Resources Control Board Construction General Permit, 2009-0009 DWQ).
25. 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.
26. The applicant shall fill out completely and submit to the City the "New and Redevelopment Post Construction Stormwater Requirements Application", prior to beginning construction work.
27. 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, prior to the issuance of a Certificate of Occupancy.

28. 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.
29. The project shall utilize infiltration measures to reduce stormwater discharge to the greatest extent feasible.
30. 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.
31. Storm water runoff shall drain toward the streets and not onto the neighboring lot(s).
32. The Solano Irrigation District (SID) and the Fairfield-Suisun Sewer District (FSSD) may have separate comments and conditions which shall be resolved or met.
33. The maintenance of the proposed landscaping shall not be funded by the City. The Applicant shall work with the City in identifying and processing an appropriate funding mechanism for the cost of maintaining the landscaping at an effort level to be determined by the City.
34. The City standard for parking aisles is 25 feet in width - - not 24 feet. The plans are to be revised to address the City's standard requirements.
35. The existing driveway apron at the northwest corner of the project parcel shall be upgraded to an ADA-compliant driveway apron. Truncated domes are required on each side of the driveway apron. Furthermore, the closest existing planting bulbout at this driveway apron shall be removed or reduced in size to allow for proper vehicle turn movement into and out of the proposed development. This may also require the removal of adjacent existing perpendicular parking spaces to allow for the proper vehicle turn movement.
36. Improvement shall include an ADA-compliant driveway apron for the proposed easterly parking aisle. Truncated domes are required on each side of the driveway apron. Furthermore, the closest existing planting bulbout at this new driveway apron shall be removed or reduced in size to allow for proper vehicle turn movement into and out of the proposed development. This may also require the removal of adjacent existing perpendicular parking spaces to allow for the proper vehicle turn movement.
37. The drawings shall provide vehicle turning drawings to ensure the proper vehicle movements into and out of the proposed development.

38. The Applicant shall submit civil plans to the City for review. The civil plan set shall include, at the minimum, a cover sheet, demolition plan, grading plan, utility plan with plan view and profile, erosion and sediment control plan, signage and striping plan, and a details plan.

#### **FAIRFEILD/SUISUN SEWER DISTRICT**

39. The sewer connection fee (collected at the building permit phase) needs to be calculated based on the multi-family dwelling formula.

#### **SUISUN-SOLANO WATER AUTHORITY**

40. The SSWA Engineer, to the extent of existing records, will identify existing facilities within the scope of the project. Per the McCoy Creek Subdivision improvement plans there is currently a 2 inch meter and backflow preventer along with a 6 inch Double Check Detector Assembly off of McCoy Creek Way to provide potable water to the parcels of the development.
41. With the proposed amendment to the development, modifications may need to be made to the public water system such as increasing the number of meter services and/or increasing the size of the existing service. All changes to the public water system shall be in accordance with the Standard Specifications of the SSWA, and at the developer's expense.
42. Per the SSWA Cross-Connection Control Resolution No. 99-01, all types of commercial buildings and landscape irrigation services are required to include an approved backflow prevention assembly, at the developer's expense. The desired location, service size and flow-rate for the backflow prevention assembly must be submitted for approval. Based on the proposed commercial use, a Reduced Pressure Principle (RPP) Assembly will be required on each of the domestic water services.
43. Per the SSWA Cross-Connection Control Resolution No. 99-01, fire protection systems are required to include an approved backflow prevention assembly, at the developer's expense. The desired location, service size and flow-rate for the fire protection system must be submitted for approval. Based on the proposed commercial use, a Double Check-Detector Check (DCDC) Assembly will be required on each of the fire protection systems.
44. At the time the Building Permit is issued, the developer will be required to pay the appropriate SSWA Connection Fee and Meter Installation Fee at the City of Suisun City. These fees are determined by the size of meter requested. All domestic water

services will be metered.

45. SSWA shall review, approve and sign all Final and/or Parcel Maps, and SSWA shall review, approve and sign the Improvement Plans of this development.
46. The SSWA Plan Review Fee applies and is due upon submittal of the maps and plans for review.

The forgoing motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and carried by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**WITNESS** my hand and the seal of said City this 22<sup>nd</sup> day of September 2015.

---

Anita Skinner  
Planning Commission Secretary

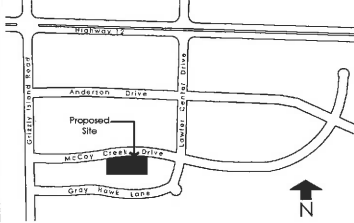


## CLIENT CONSULTANTS:

**CIVIL ENGINEER:**  
 Phillippi Engineering, Inc.  
 425 Merchant Street, Ste. 200  
 Vacaville, CA 95688  
 707-451-6556

**LANDSCAPE ARCHITECT:**  
 MTWgroup  
 10411 Old Placerville Road, Ste. 205  
 Sacramento, CA 95827  
 916-369-3990

**SITE ADDRESS / VICINITY MAP:**  
 1225 McCoy Creek Lane



**McCoy Creek Mixed Use**  
**Harbor Park, LLC.**

## GENERAL PLAN: Mixed-Use

**PREVIOUS APPROVALS:**  
 Resolution No. 2005-75  
**EXISTING ZONING:** Commercial  
**SITE AREA:** 13,084 S.F.

**ORIGINAL APPROVAL:**  
 Retail / Office Condos  
 6818 S.F. Total - Main Floor  
 2234 S.F. Total - Mezzanine

**PROPOSED:**  
 Work / Live: 953 S.F. + 996 S.F. = 1949 S.F.  
 Residential: 8 Units

Unit Plan Summary:			
(2) Plan 1	1 Bed	1 Bath	708 n.s.f.
(2) Plan 1 Alt	1 Bed	1 Bath	677 n.s.f.
(2) Plan 2	2 Bed	2 Bath	1,074 n.s.f.
(2) Plan 3	2 Bed	2 Bath	1,160 n.s.f.

**PARKING:**  
 Previous Approval Allotted 1/250 S.F.  
 Along McCoy Creek Drive = 27 Open Spaces

**Proposed:**  
 Work / Live: 1949 S.F. / 250 S.F. = 8 Open Spaces  
 Residential: 8 Units = 8 Garage Spaces  
 8 Open Spaces

## SHEET INDEX:

**Architectural:**  
 T.1 Title Sheet  
 A0.1 Site Plan  
 A1.1 Colored Front Elevations  
 A1.2 Colored Side Elevations  
 A1.3 Colored Rear Elevations  
 A2.1 Building Composite - Front Elevations  
 A2.2 Building Composite - Side Elevations  
 A2.3 Building Composite - Rear Elevations  
 A3.1 Building Composite - First Floor Plans  
 A3.2 Building Composite - Second Floor Plans  
 Color & Materials Board 01

**Civil:**  
 C1 Site Plan

**Landscape:**  
 L1 Conceptual Landscape Plan

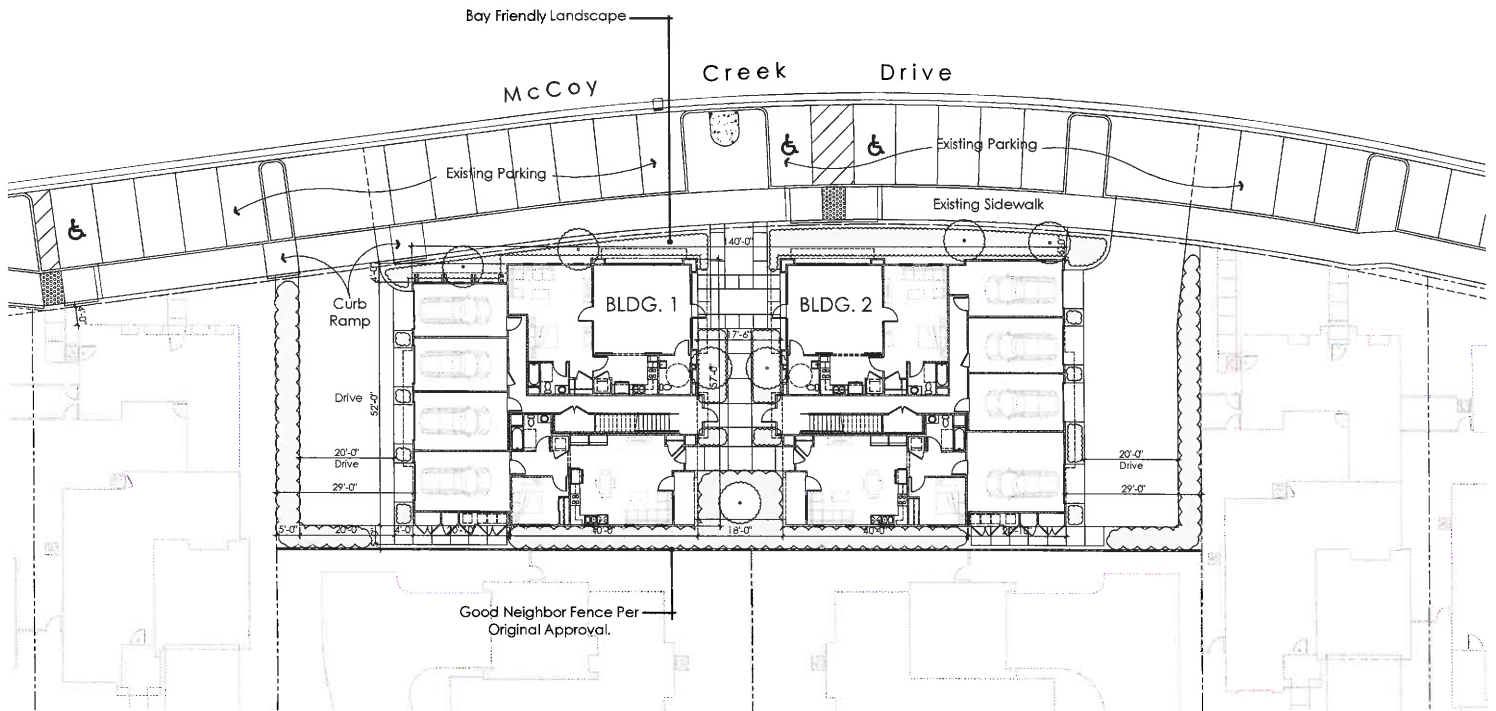
## TITLE SHEET

SUISUN CITY, CA.

02/2015

KTGY Group, Inc.  
 Architecture+Planning  
 580 Second St., Suite 200  
 Oakland, CA 94607  
 510.272.2910  
 ktgy.com





McCoy Creek Mixed Use  
Harbor Park, LLC.

SITE PLAN  
SUISON CITY, CA.

06.27.2015

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





ELEVATION - FRONT

McCoy Creek Mixed Use  
Harbor Park, LLC.

COLORLED FRONT ELEVATIONS

FIG # 301-001

8.05.2016

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560 Second Street, Suite 200  
Oakland, California 94607  
ktgy.com  
510.272.2910



AI.1



McCoy Creek Mixed Use  
Harbor Park, LLC.

## COLORED SIDE ELEVATIONS

00 # 765410

8.08.2016

KTGY Group Inc.  
Architecture+Planning  
580 Second Street, Suite 200  
Oakland, California 94607  
ktgy.com  
510.272.2910



A1.2



McCoy Creek Mixed Use  
Harbor Park, LLC.

## COLORED REAR ELEVATIONS

001 # 265-15

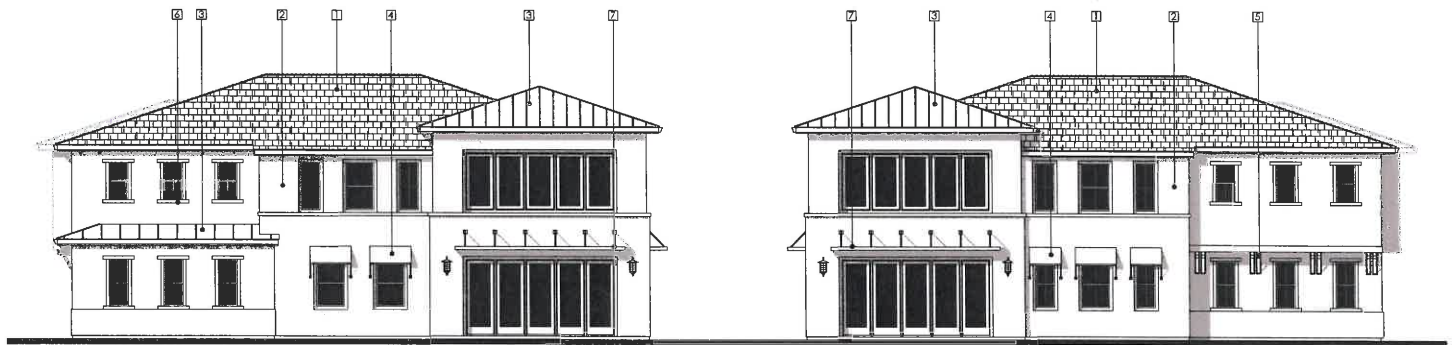
8.05.2015

KTGY Group Inc.  
Architecture+Planning  
550 Second Street, Suite 200  
Oakland, California 94607  
ktgy.com  
510.272.2910



A1.3





ELEVATION - FRONT

- Material Legend:
- 1 Flat Concrete Tile Roofing
  - 2 Stucco Finish
  - 3 Standing Seam Metal Roof
  - 4 Hurricane Shutters
  - 5 Decorative Kicker / Corbel
  - 6 Enhanced Sills
  - 7 Metal Awnings

McCoy Creek Mixed Use  
Harbor Park, LLC.

## BUILDING COMPOSITE ELEVATIONS

A2.1

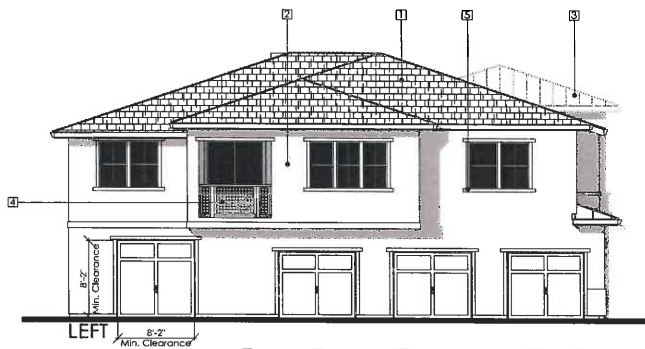
REV # 2015-03

8.06.2016

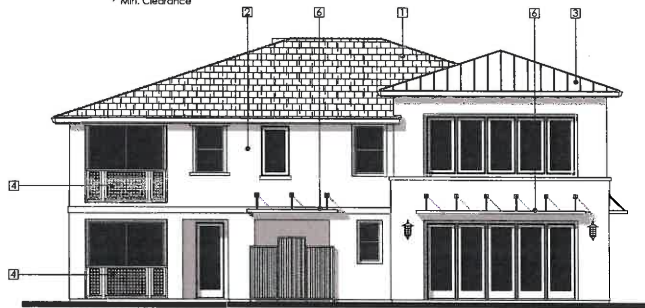
KTGY Group Inc.  
Architecture+Planning  
17922 Fitch  
Irvine, California 92614  
ktgy.com  
949 851 2133

KTGY Group Inc.  
Architecture+Planning  
580 Second Street, Suite 200  
Oakland, California 94607  
ktgy.com  
510 272 2910

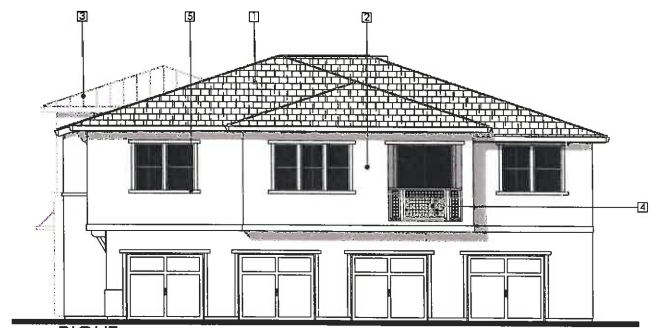




LEFT



LEFT AT PASEO



RIGHT



RIGHT AT PASEO

Material Legend:  
 1 Flat Concrete Tile Roofing  
 2 Stucco Finish  
 3 Standing Seam Metal Roof  
 4 Decorative Rolling  
 5 Enhanced Sills  
 6 Metal Awnings

McCoy Creek Mixed Use  
 Harbor Park, LLC.

## BUILDING COMPOSITE SIDE ELEVATIONS

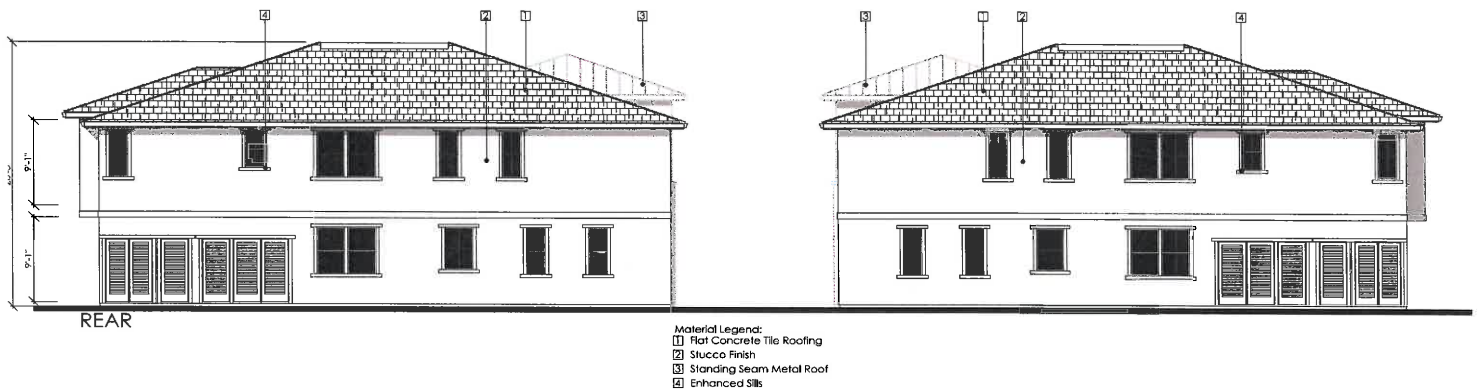
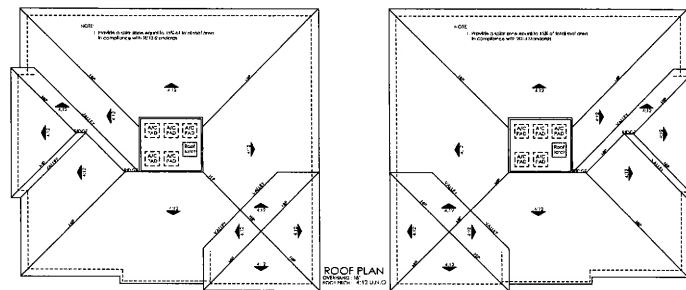
A2.2

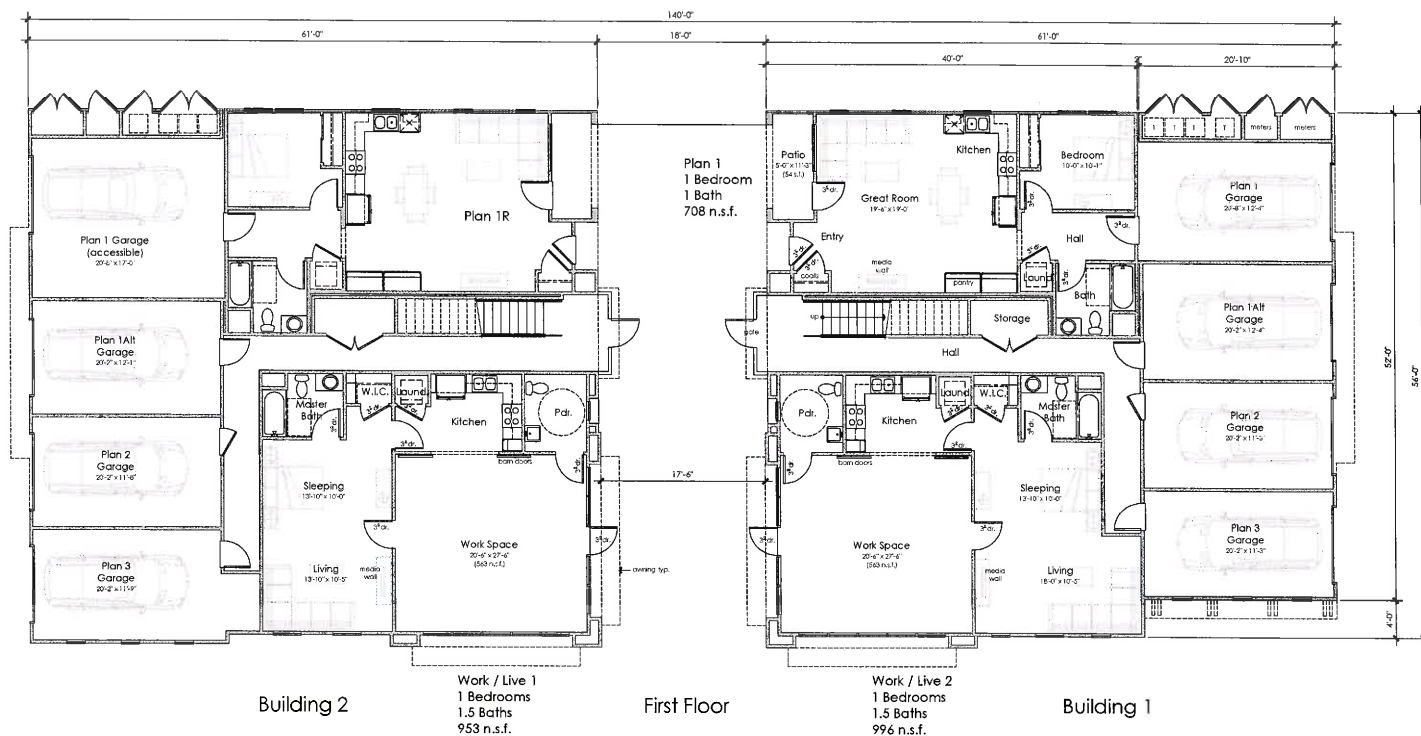
REV # 303-001

8.08.2016

KTGY Group Inc.  
 Architecture+Planning  
 560 Second Street, Suite 200  
 Oakland, California 94607  
 ktgy.com  
 510 272 2810







McCoy Creek Mixed Use  
Harbor Park, LLC.

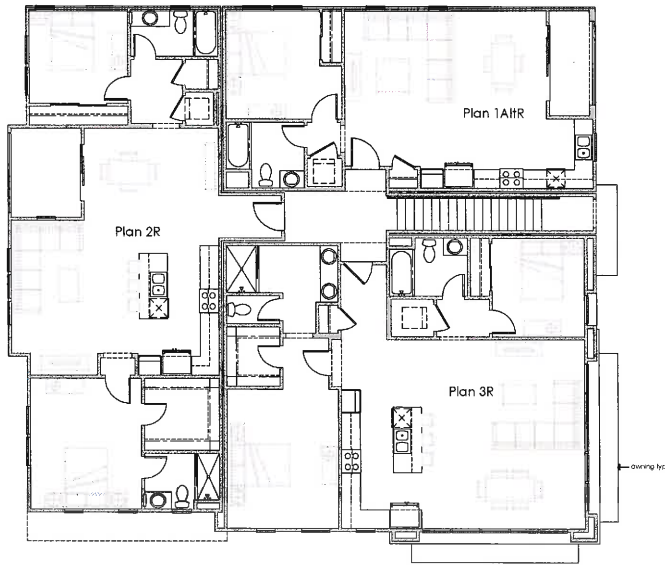
# BUILDING COMPOSITE PLAN

SUNSHINE CITY, CA

8.2.2015

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com

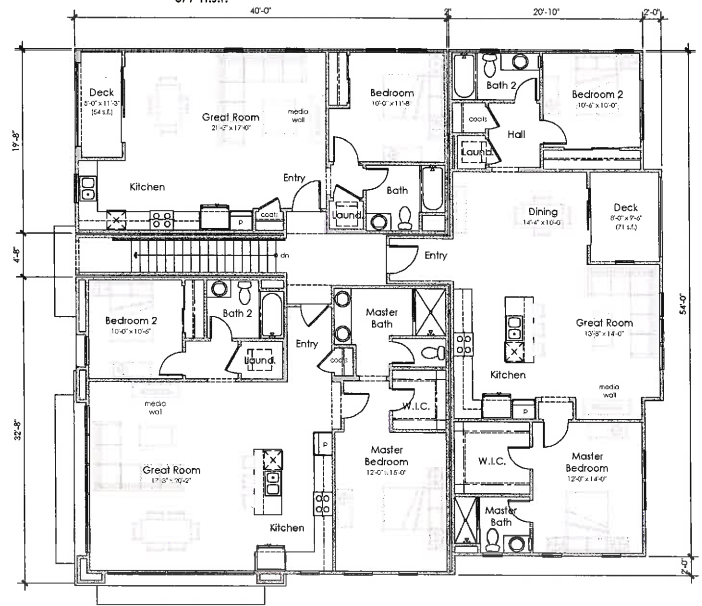




Building 2

Second Floor

Plan 1A1  
1 Bedroom  
1 Bath  
677 n.s.f.



Building 1

Plan 3  
2 Bedrooms  
2 Baths  
1,160 n.s.f.

Plan 2  
2 Bedrooms  
2 Baths  
1,074 n.s.f.

McCoy Creek Mixed Use  
Harbor Park, LLC.

## BUILDING COMPOSITE PLAN

SUNSHINE CITY, CA

03.21.2011

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Architecture+Planning  
560 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com

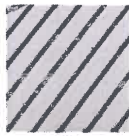


Roof Material:  
Flat Slab Profile



Boral Slabway 5000 Slate  
BACS1490 Charcoal Blend

Roof Material:  
Zigzag Roofing



ATAS  
Slate Grey (20) SR-16

Body 1



Reclad Khaki SW 6149

Body 2



Paper White SW 6058

Body 3



White Wheat SW 6121

Trim 1



Status Bronze SW 7034

Trim 2



Hopscotch SW 6109

McCoy Creek Mixed Use  
Harbor Park, LLC.

## COLOR & MATERIALS BOARD 01

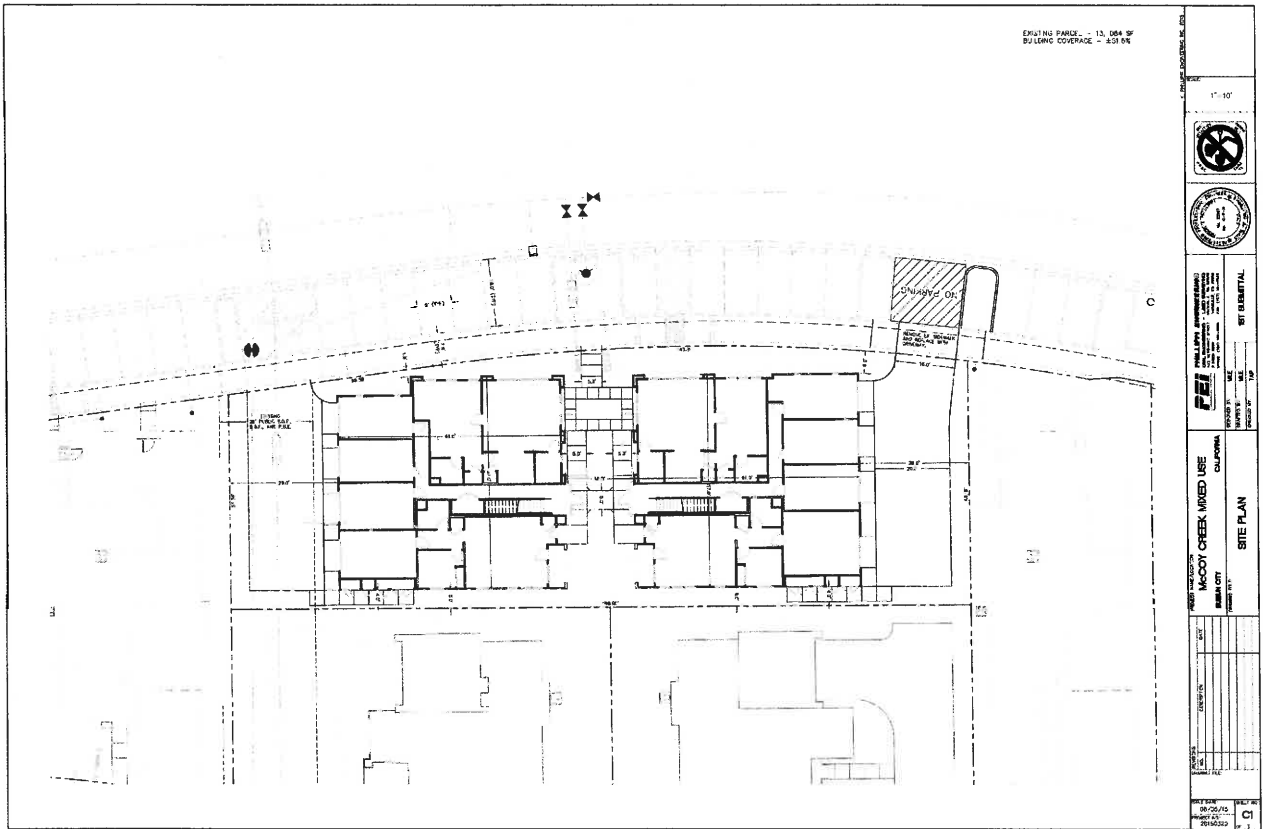
02 # 201410

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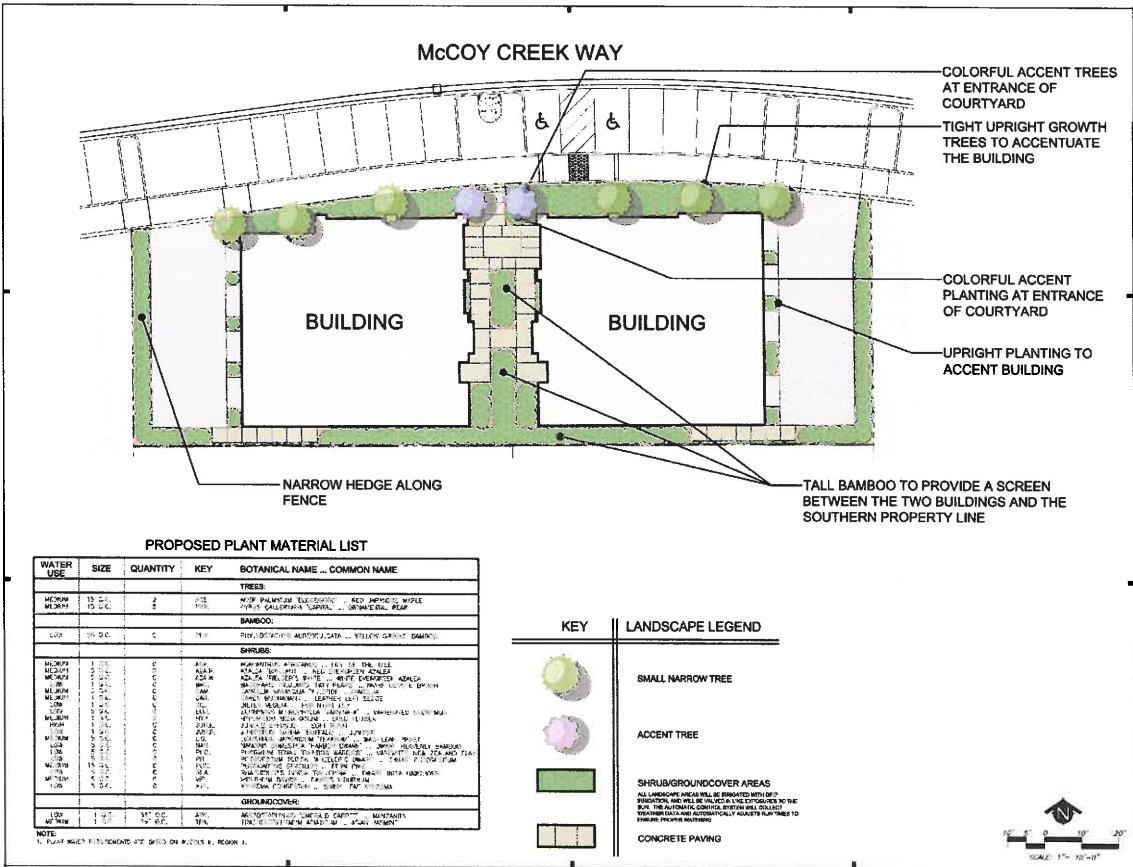
KTGY Group Inc.  
Architecture+Planning  
580 Second Street, Suite 200  
Oakland, California 94607  
ktgy.com  
510.272.2810



MANUFACTURED:  
PAINT - SHELL/WMILLERS/PART  
CONCRETE ROOFING - BORAL  
METAL ROOFING - ATAS



1" = 10'  	
<b>PROJECT:</b> MACOY CREEK MIXED USE <b>CLIENT:</b> CALIFORNIA <b>DATE:</b> 08/25/15 <b>BY:</b> M. MACOY <b>FOR:</b> SUBMITTAL	
SHEET NO. OF	TOTAL SHEETS 1
08/25/15 08/25/15 08/25/15	



**MTW group**  
 Landscape Architecture  
 10411 Old Placerville Road  
 Suite 100  
 Sacramento, CA 95827  
 916.555.5555

**REVISIONS**

NO.	DATE	BY	REVISION
1	08/10/16	MTW	CONCEPTUAL LANDSCAPE PLAN

**INITIAL BOX**

NO.	DATE	BY	REVISION
1	08/10/16	MTW	CONCEPTUAL LANDSCAPE PLAN

**McCoy Creek Mixed Use**

**DATE** 8/10/16  
**JOB NO.** 15-49  
**SHEET TITLE** CONCEPTUAL LANDSCAPE PLAN  
**SHEET NO.** L1  
**SHEET 1 OF 1**



## AGENDA TRANSMITTAL

**MEETING DATE:** June 30, 2015

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**CITY AGENDA ITEM:** Discussion and Direction Regarding Proposed Change in Commercial Use to a Live/Work Residential Concept in the McCoy Creek Development (Grayhawk) Consistent with the Revenue-Based Land Use Policy.

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**FISCAL IMPACT:** None.

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**BACKGROUND:** In October 2005, the City Council approved the Planned Unit Development (PUD) application for the McCoy Creek Mixed-Use Project (now known as Gray Hawk). The McCoy Creek Mixed-Use Project was approved for nineteen (19) single-family detached units, ten (10) "live/work" units, and a stand-alone commercial/office building of 9,052 square feet. Complete build out of the project was slowed due to the recession. Construction of the remaining single-family units are expected to commence this year, as revised building plans are currently being reviewed by the City's Building Division. However, the Developer (Harbor Park, LLC) has submitted a proposal to change the 9,052-square foot commercial building to a "live/work" multi-family mixed-use project that would contain eight (8) luxury apartment units and two (2) "live/work" units.

In July 2006, the City Council adopted a Revenue-Based Land Use Policy (the "Policy") for projects requiring a General Plan amendment and rezoning of commercial zoned lands for alternative development scenarios. It was adopted with the intent to foster development activity by providing significant flexibility to developers and the City by providing guidelines to work together to meet the broad interests of the community, including the long-term fiscal health of the City of Suisun City. The Policy provides that a proposed development that provides "value" to the City, however not necessarily in terms of revenue generation (i.e. land bank/swap/credit, fire station site, retail synergy, etc.) will be considered. These "value" components could be provided in lieu of perceived revenue generation shortfalls.

Although the proposal would not require a General Plan amendment, it would require an amendment to the PUD. Since the proposed change would take a commercial component of the PUD and allow for a mixed-use "live-work" project that is primarily residential, it is appropriate for Council to review and comment on the proposed change to lands designated for commercial-use, before commencement of the review by the Planning Commission and ultimately the City Council for formal action. As such, the proposal has been presented to staff, as well as the Project Development/Economic Development Ad Hoc Committee (Vice Mayor Wilson and Councilman Segala).

---

**STAFF REPORT:** The proposed project site consists of approximately 13,084 square feet (0.30 acres) located along the southern line of McCoy Creek Way (please see Attachment 1). The proposed development concept for the Site consists of a "live/work" multi-family mixed-use project that would contain eight (8) luxury apartment units and two (2) "live/work" units, which would be a change from the approved 9,052-square foot commercial building. Staff is seeking

---

**PREPARED BY:**

**REVIEWED/APPROVED BY:**

Jason D. Garben, Development Services Director  
Suzanne Bragdon, City Manager

*JDG*  
*CB*

discussion and direction regarding the proposed commercial component as it relates to the Revenue Based Land Use Policy.

The conceptual development proposal was recently presented to the Project Development/Economic Development Ad Hoc Committee. The project would be a unique development in Suisun City that would provide ancillary benefits in addition to immediate revenues from CFD fees (approximately \$4,500 annually) and property taxes (City's share of property tax estimated between \$3,600 and \$4,500 annually). The "live/work" concept within the context of multi-family product is cutting edge for a suburban market, and would be the first of its kind in Solano County. The project is anticipated to achieve rents that have not been seen within this market. The Developer sees the project as a "stepping stone" project; one that would be able to provide lenders with evidence that there is a demand for luxury condominiums in this market, and that a luxury condominium project is economically viable in this market. Further, the proposed project would bring the Gray Hawk development closer to completion, creating a more vibrant Lawler Commercial area, and perhaps providing a catalyst for additional development nearby.

Another item to consider is current market conditions, which over the past decade have rendered the 9,052-square foot commercial component infeasible. Although the economy has improved dramatically, given the relative lack of visibility off of Highway 12 for this site, the current market conditions suggest substantial headwinds for construction to occur on a 9,052-square foot commercial project at this location. The vacancy rate for office space in the Suisun-Fairfield marketplace was reported at over 20% according to the First Quarter 2015 Research and Forecast Report prepared by the local office of commercial real estate brokerage firm Colliers International.

Further, there is approximately 6,985 square feet of in-line shop space, in addition to the former KFC building, currently available for lease in the Sunset Shopping Center, and over 19,000 square feet of in-line shop space available in the Heritage Park Shopping Center. Hall Equities is also marketing an expansion of the Sunset Shopping Center onto the 8.29-acre site located adjacent to the Sunset Shopping Center on the north side of Highway 12 just east of Sunset Avenue. Finally, there is over eight (8) acres of land located within the Lawler Commercial area still available for development, all of which could be argued to have superior site characteristics that would support commercial development. Thus, the Developer's contention that the 9,052-square foot commercial component is not feasible is backed by historic and current market fundamentals.

Based on the aforementioned, there was consensus developed out of the Ad Hoc Committee that the proposed concept would be consistent with the intent of the Revenue Based Land Use Policy. It is important to note the City Council is not being asked to consider the project for approval or make any predeterminations regarding the proposed project concept. Upon receipt of the required completed applications the Planning Commission and City Council would conduct a formal review of the proposed project and would consider the request to amend the PUD.

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**RECOMMENDATION:** It is recommended the City Council provide staff with direction regarding the City Council's desire with respect to the proposed change from commercial to a "live/work" residential concept.

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**ATTACHMENTS:**

1. Location Map.
2. Concept Rendering Proposed Concept Elevation.
3. Previously Approved Commercial Elevation.



*We Make a Difference*

August 12, 2015

John Kerns, Associate Planner  
**CITY OF SUISUN CITY**  
 701 Civic Center Boulevard  
 Suisun City, CA 94585

**RE: ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE MCCOY CREEK VESTING TENTATIVE MAP**

Dear Mr. Kerns:

Michael Baker International reviewed the application materials for the McCoy Creek Mixed-Use Project to determine the appropriate level of environmental review required under the California Environmental Quality Act (CEQA). As documented below, we determined that additional environmental review is not required.

**Background**

In 2005, the City adopted a Mitigated Negative Declaration (MND) for the McCoy Creek Mixed-Use Project (SCH# 2005072009), a mixed-use project on 4.37 acres located in the southwest portion of the city, east of Grizzly Island Road, south of McCoy Creek Drive, and north of the Suisun Marsh. The project included 19 single-family units, 10 mixed-use units (commercial/residential combination), and an approximately 13,581-square-foot commercial building. Portions of the project site have since been developed and the remainder of the site has been rough graded.

The proposed project would occur on a 0.31-acre portion of the McCoy Creek Mixed-Use site. The MND analyzed the physical impacts of development of this portion of the project site with 9,052 square feet of retail/office space. The MND addressed impacts related to aesthetics, agriculture, air quality, biological resources, cultural resources, geology, hazardous materials, hydrology and water quality, land use, noise, population, public services, utilities, and transportation. The City adopted a Mitigation Monitoring Program (MMP) as part of the project approval, which includes mitigation measures for air quality, biological resources, cultural resources, geology, hazardous materials, hydrology, noise, population, utilities, and transportation impacts. The proposed project would be required to comply with all applicable mitigation measures in the adopted MMP.

**Legal Standards**

CEQA Guidelines Section 15162 specifies the type of documentation required when changes are proposed to a project. CEQA Guidelines Section 15162 states:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- (c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.
- (d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

Section 15164 of the CEQA Guidelines includes situations when a subsequent or supplemental EIR is not required. CEQA Guidelines Section 15164 states:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

### **Project Description**

In May 2015, the City received an application for a Tentative Map Revision and Planned Unit Development (PUD) Amendment for a 0.31-acre portion of the approved McCoy Creek Mixed-Use Project site. The current project is located on the south side of McCoy Creek Drive, south of Highway 12 and east of Grizzly Island Road. Vacant land approved for commercial development is located north of the site, with live/work units to the east and west of the site and single-family homes to the south. The proposed project seeks to amend the McCoy Creek PUD to allow eight apartments with two live/work units that total approximately 9,192 square feet of building space in two buildings. The two ground-floor units on the north portion of the site would include work space (563 net square feet and 629 net square feet) with frontage on McCoy Creek Drive.

The buildings would be separated by a 20-foot-wide plaza area. Private drives on the east and west sides of the project site, accessed from McCoy Creek Drive, would provide access for a single-car garage provided for each residential unit. Additional parking would be provided by perpendicular parking on the south side of McCoy Creek Drive along the project frontage.

### **Analysis**

The following analysis assumes compliance with mitigation measures identified for the approved project and assumes the measures would have the same mitigating effect for the current project as assumed in the MND.

As noted above, the project site was assumed for development in the MND. Because the footprint of the proposed project is within the development footprint assumed in the MND, there would be no change with respect to impacts related to footprint (agricultural resources, biological resources, cultural resources, geology, etc.).

The amount of land disturbed for the proposed project would be the same as that assumed in the MND, so there would be no change related to site preparation for construction. The proposed project would result in an additional 140 square feet of building space, an

approximately 1.5 percent increase over the amount of square footage considered in the MND. Therefore, construction impacts would not substantially change from those previously assumed.

The type of use and the density of development differ from the office/retail development assumptions included in the MND. With respect to the type of development, the proposed residential use would be more sensitive to impacts, such as those related to air emissions, noise, and nearby hazardous materials. However, the areas adjacent to the project site contain residential uses or have been approved for some type of residential development. Commercial uses are planned north of the project site, across McCoy Creek Drive. Given the existing and planned uses in the vicinity of the site, there are no characteristics of the site or its surroundings that would result in significant effects for the proposed residential uses as compared to the commercial uses previously analyzed. There would not be a substantial change in character associated with the change from office/retail previously analyzed for the site versus the residential use currently proposed. Therefore, there would be no new or more significant impacts related to the development of residential uses on this site.

The project would change the type of use allowed on the site, which would change traffic generated at the site. The MND assumed 9.6 trips per day for residential and 11 trips per day for each 1,000 square feet of office use (MND page 54). The 9,052 square feet of office use assumed for the site in the MND would generate approximately 100 daily trips. The proposed project includes eight residential units, which would generate approximately 77 daily trips. Assuming the work space included in the proposed project would generate traffic similar to stand-alone office space, the 1,192 square feet of work space in the proposed project would generate an additional 13 trips. Therefore, the combined live/work units would generate approximately 10 fewer daily trips than assumed in the MND and the project would not result in new or more severe traffic impacts. Because the current project would reduce the number of trips compared to the previous analysis, it can be assumed that vehicle emissions from the project would also be reduced. In addition, the project would not exceed the Bay Area Air Quality Management District's screening criteria for "Projects with Potentially Significant Emissions" referenced in the MND—320 residential units or 280,000 square feet of office uses (MND page 26). Therefore, it is assumed that the project would not exceed regional air quality standards.

Using an average of 2.9 persons per household, the MND assumed a population increase of 84.1 persons. However, the MND assumed a population increase of 101 persons when calculating increases in water demand and wastewater generation (MND pages 55 and 56, respectively). Assuming 2.9 persons per unit for the current project, an additional population of 23 would be generated by the eight units, for a total of 107 persons for the entire McCoy Creek Mixed-Use Project. The MND did not identify any resources for which the population increase of 23 persons (or 6 persons in the cases of water demand and wastewater generation) would result in a new or more severe impact on utilities or public services.

## **Conclusion**

Based on the above analysis, the development of residential uses on the project site would not exceed the level of development analyzed in the MND. The circumstances under which the project will be undertaken have not substantially changed such that new or more severe impacts would occur. Therefore, no further environmental analysis is required.

**City of Suisun City**

**RE: Addendum to the Mitigated Negative Declaration for the McCoy Creek Vesting Tentative Map**  
**Page 5**

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Please contact me at (916) 361-8384 or [phindmarsh@mbakerintl.com](mailto:phindmarsh@mbakerintl.com) with any questions regarding the level of analysis for the project.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Hindmarsh", with a stylized flourish at the end.

Patrick Hindmarsh  
Project Manager

Cc: Patrick Angell

## AGENDA TRANSMITTAL

**MEETING DATE:** September 22, 2015

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**PLANNING COMMISSION AGENDA ITEM:** Discussion and Direction Regarding Downtown Waterfront Specific Plan Update Policies.

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**BACKGROUND:** Staff last came before the Planning Commission on August 18, 2015 to receive recommended direction on particular policies for the Downtown Waterfront Specific Plan Update. These topics included:

- Land Use Designations;
- Streetscape;
- Urban Design; and
- Signage.

The City Council considered the recommended direction from the Planning Commission, and provided final guidance on these topics at their regular meeting of September 1, 2015. Based on the direction provided to date from the Public, as well as the Planning Commission and City Council, there are certain topics in which additional discussion and direction will aid in completing a more relevant draft of the Specific Plan Update.

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**STAFF REPORT:** The update of the Downtown Waterfront Specific Plan (the “plan”) is intended to retain its current core structure. However, there is a need to clarify and update the Plan, as it was last amended in 1999. One of the primary objectives of the update is to increase both the function and user-friendliness of the Plan. As stated previously, staff anticipates that this would be the final step to receive additional direction on the update of the plan.

Staff requests the Commission provide direction on the following three topics:

- Disallowed Uses.
- Access between Fairfield and Suisun City (Particularly near the train station).
- Treatment of Historic Resources.

Appropriate questions were posed to facilitate discussion on each of the aforementioned areas.

### **Disallowed Uses**

In the 1999 Plan (“current plan”) there is a discussion of prohibited uses (Attachment 1). This discussion centers on the intent of strengthening the pedestrian-oriented traditional retail atmosphere and moving away from automotive-oriented uses. Below is a listing of prohibited uses in the current plan (even with a Conditional Use Permit):

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**PREPARED BY:**  
**APPROVED BY:**

John Kearns, Associate Planner  
Jason Garben, Development Services Director





- Drive-in restaurants, banks or other drive-in uses.
- Auto sales (new or used).
- Automotive service or repair.
- Industrial or quasi-industrial uses normally found in business parks or manufacturing districts.
- Wholesale businesses.
- Warehousing as a primary use.
- Distribution, supply, or preparation of construction materials, automotive components or other materials or components used for manufacturing, assembly or packaging of finished products.

Given the expansion of area contained within the updated Specific Plan Area, and the significant amount of commercial development at the north end of the Harbor, with the office and hotel properties, specific locations in which uses are prohibited should be revisited. For example, the pad locations that front Lotz Way and other vacant lands at both the northwest and southwest corners of Marina Boulevard and Highway 12, may lend themselves to drive-through uses, but would currently be prohibited under the policies of the existing plan.

Since the adoption of the current plan, there have been requests to establish uses that were not clearly identified in the plan, such as a tattoo studio, a smoke shop, and mortuary. This required staff or Planning Commission interpretation. There are several options to consider that are intended to help make the plan clear and more user-friendly regarding use, while still meeting the original intent of creating a quality pedestrian oriented atmosphere. Further, staff has provided the adopted “Vision Statement” for reference of the Planning Commission (Attachment 2).

### **Potential Options**

- Focus on a robust listing of prohibited uses and continue with the traditional approach of including both permitted and conditionally permitted uses; or
- Retain a listing of prohibited uses, focus on a listing of permitted uses and make all other uses conditionally permitted subject to the discretionary review of the Planning Commission.
- Focus on a listing of permitted uses and make everything else a conditionally permitted use subject to discretionary review?

### **Questions**

- Does the Planning Commission agree with the types of uses that are included in the current plan, (found above)?
- Are there additional types of uses (permitted or prohibited uses) that need to be included in the updated plan?

- Should staff prepare a list of permitted uses, perhaps 15 or so, and provide a policy that any use not included as permitted must apply for a Conditional Use Permit which is subject to Planning Commission consideration?
- If a listing of prohibited uses is included in the plan, should there be locational requirements?

### **Access between Fairfield and Suisun City (Particularly near the train station)**

On April 14, 2015, the Planning Commission discussed “Vision” and “Land Use Alternatives” and ultimately provided recommendations to the City Council. As part of the Commission’s discussion, there was a recommendation from the Planning Commission to the City Council to discuss access opportunities between the downtown areas of Suisun City and Fairfield. On May 5, 2015, and subsequently on June 9, 2015, staff described the access between the two cities as “a potential at-grade connection between the downtowns of Fairfield and Suisun City (Union Avenue to Main Street.) Vehicular connection would improve development viability of vacant and underdeveloped parcels within the Priority Development Area.” At that time, the City Council directed staff to work with City of Fairfield staff to determine their interests and understand any direction they has been given. Unfortunately, the City of Fairfield is not yet in a position to provide specifics interests regarding improved access between the cities. However they have expressed their intent to include a discussion in their plan. A bike and pedestrian circulation concept has been provided to stimulate discussion (Attachment 3).

### **Questions**

- Should this plan consider bicycle/pedestrian or vehicular policies for a Main Street/Union Avenue crossing?
- Should there be access in a different location such as connecting Clay Street to the land located at the northwest corner of Marina Boulevard and Highway 12?

### **Treatment of Historic Resources**

Direction has been provided to preserve the historic character of the Waterfront District, particularly along the west side of Main Street and in the neighborhood generally located at the northwest quadrant of Cordelia Street and Main Street, east to the rail line, and north to Common Street. Staff has also received direction to provide some flexibility to deal with “historic resources.” It is important to define what a “historic resource” means in the updated plan, and provide some guidance that will lead to policies that provide for flexibility to encourage new development that retains the historic character created by the “historic resources.”

As a part of the General Plan Update (adopted May 2015), the Cultural Resources chapter of Volume II, Technical Background Reports, lists out both known “Cultural Resources” and “Suisun City Historic District Contributing Resources”. This information has been provided to the Commission (Attachment 4). These pages essentially define what is recommended to become the definition of what an “historic resource” is under the Specific Plan Update.

### **Historic Residential**

As part of the current plan, *Appendix A: Architectural Review, Demolition and Renewal Procedures in the HR Zone* (Attachment 5), there are policies regarding how to handle certain types of requests in the Historic Residential (HR) district, including demolition requests. Unfortunately, it is unclear if these policies are applicable to properties within other districts, including Main Street Commercial.

### **Commercial Districts**

In Section 7.5 “Commercial Development Guidelines” and in particular Sections 7.5.B and 7.5.C, design standards and guidelines for properties along Main Street is provided. The stated intent of this section is to preserve the historic character and small town flavor of Old Town Suisun City. Although the intent of these districts is clear, the section does seem to primarily focus on new development versus how to handle existing historic resources.

### **Questions**

- Should properties within the Historic Residential District and Main Street Commercial District, for example, be treated the same regarding preservation policies?
- For historic resources, what policies should there be to handle requests of demolition or remodel/reconstruction? One example may be to require a fiscal analysis be prepared to prove preservation is not feasible.
- If preservation proves to be infeasible, what kinds of policies should there be to accomplish the direction of to preserving historic character, while providing flexibility for development? One example of this might be to include a requirement that the project use forensic architecture or reuse of existing building materials.

### **Next Steps**

Staff intends to take the Planning Commission recommendation to the City Council for discussion and direction on October 20, 2015. A draft of the Specific Plan document is expected to be complete for Planning Commission and City Council consideration in late 2015. The Specific Plan must be completed and adopted by the City Council by May of 2016, pursuant to the requirements of the grant that is funding this effort.

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### **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission:

- Receive Staff Presentation; and
- Take any Public Comments; and
- Provide Staff with Discussion, Direction, and Comments.

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### **ATTACHMENTS:**

1. Existing Prohibited Uses, Downtown Waterfront Specific Plan
2. Adopted Vision Statement
3. Bike and Pedestrian Circulation Concept
4. Cultural Resources Excerpt from 2035 General Plan Volume II
5. Appendix A, Downtown Waterfront Specific Plan

#### IV. Land Use Regulations

##### 4.1 Land Use Map/Development Program

###### A. Land Use Map

###### B. Development Program

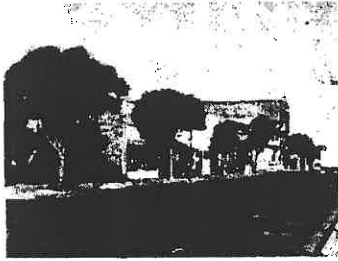
##### 4.2 Land Use Districts

###### A. Residential Districts

###### B. Commercial Districts

##### 4.3 Public Facilities/Open Space

##### 4.4 Parking Regulations



Main Street

and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use, and prevents deterioration dilapidation, and decay of the exterior portions of the structure and premises, such as lack of paint, peeling, chipping, crumbling, breakage, accumulation of dirt and/or similar evidence. This Section is not intended to preclude normal construction activities in conjunction with a valid Building Permit, provided that the completion of such activities is diligently pursued in accordance with the standards of the Uniform Building Code.

###### h. Mobile Homes Boats Trailers and Campers.

No mobile home as defined by the Zoning Ordinance, camping unit designed to be carried or towed by a motor vehicle, tent, mobile living unit, boat, trailer or freight van shall be stored in any front or side yard adjacent to a public street within the HR District longer than seven (7) consecutive days without obtaining a Temporary Use Permit. Storage beyond the time allotted for a Temporary Use is prohibited.

## B. COMMERCIAL DISTRICTS

### 1. Downtown Commercial Districts

#### a. Intent and purpose

This district applies to a large portion of the commercial redevelopment sites surrounding the Waterfront. The areas covered include the Sheldon Oil Company/Agency Site (Parcel F, Figure 2-5); the Town Square and adjacent Waterfront commercial site (Parcel G); and the existing commercial frontage on the west side of Main Street; and Parcel 1, east of Kellogg Street, south of the proposed townhouse development site and north of the Boat Launch expansion site. Each of the above sites is treated as a distinct subdistrict, with specific land use regulations designed to suit the individual development program anticipated for those particular sites/districts.

#### b. Disallowed Uses – All Commercial Districts

Because the intent of this district is to preserve and strengthen the pedestrian-oriented, traditional Downtown retail atmosphere, commercial uses which are automotive-oriented, such as drive-in uses and automotive service/repair are inconsistent by their very nature and should be avoided.

The following list of uses are specifically not allowed, even by Conditional Use Permit, within the Downtown Commercial District:

- Drive-in restaurants, banks or other drive-in uses
- Auto sales (new or used)
- Automotive service or repair
- Industrial or quasi-industrial uses normally found in business parks or manufacturing districts
- Wholesale businesses

- Warehousing as a primary use
- Distribution, supply, or preparation of construction materials, automotive components or other materials or components used for manufacturing, assembly or packaging of finished products.

**c. Main Street Commercial (MC)**

**Purpose and Intent.** This district is primarily devoted to preserving and enhancing the mix of retail, specialty and related uses traditionally found within the older, central retail districts of small cities. This traditional mix of uses typically consisted of a retail or personal service business in the ground floor storefront facing Main Street; small commercial, professional offices or residential uses could be found on the upper floor(s) and behind the Main Street frontage use. Main Street retailers sold a combination of convenience items and services for everyday needs (e.g., butcher, baker, shoe shop) and specialty items such as clothing, jewelry, gifts and antiques. Restaurants, cafes and similar eating and entertainment establishments were also commonplace. Large bulk retail businesses, such as furniture sales, automotive or wholesale uses were generally found only on the fringes of the Downtown, if at all.

The Town Square area is to be developed to recreate the traditional downtown's "focus". Here, because of the large setback from Main Street and the unique characteristics of the buildings, office uses are expected to locate on the ground floor as well as the upper floors. Businesses and buildings on Main Street shall face or orient toward Main Street; buildings on adjacent streets shall face the Square.

**Permitted Uses.** Where a "U" is denoted next to a particular use or business on the following list, that use is permitted only on the upper floor(s) or other areas of a building which do not front onto or have direct access to Main Street.)

*Main Street.*

- Apparel and accessory stores, not including used items
- Artist's studio; art supply stores
- Antique or antique reproductions shop, not including recently manufactured "used furniture" items
- Bakery, creamery
- Bookstores
- Business schools, art, modeling, music and/or dancing studios — (U)
- Eating and drinking places where food service is the primary use (restaurants)
- Florist shops
- Hardware stores, not including lumber, building materials and the like
- Paint, decorating and wallpaper stores
- Beauty, barber shops and salons
- Delicatessen, sandwich shop
- Business services, not including establishments engaged in the renting or leasing machinery, tools and other equipment — (U)
- Clothing and costume stores
- Communication services — (U)
- Finance, insurance and real estate offices — (U)
- Health services, including medical/dental services — (U)

**IV. Land Use Regulations**

**4.1 Land Use Map/Development Program**

**A. Land Use Map**

**B. Development Program**

**4.2 Land Use Districts**

**A. Residential Districts**

**⇒ B. Commercial Districts**

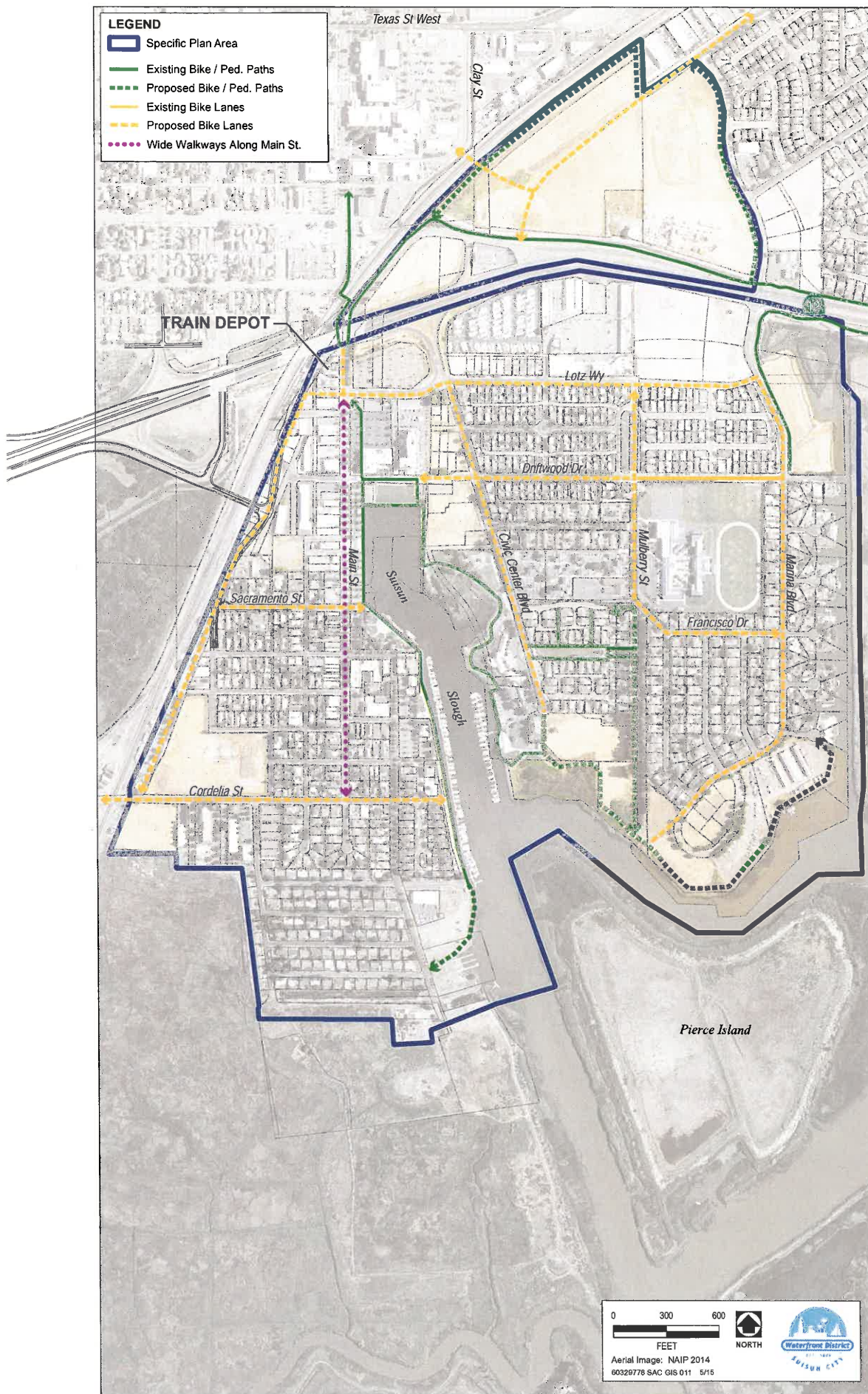
**4.3 Public Facilities/Open Space**

**4.4 Parking Regulations**

**Downtown Waterfront Specific Plan “Vision Statement”**

1. Historic Downtown Waterfront Suisun City is a unique waterfront community with a marina; traditional Downtown commercial main street and historic residential neighborhoods within “Old Town,” and a South Waterfront district under development, west of the marina; and a civic center area and the Whispering Bay and Victorian Harbor residential neighborhoods, east of the marina.
2. Historic Downtown Waterfront Suisun City is pleasant to live in and at the same time serves as a local and regional destination, supporting shopping, entertainment, hospitality, tourism, and recreation. The changes in the region around Suisun City have created the opportunity for the Downtown to evolve and develop into a place that attracts new residents, jobs, businesses, and shoppers.
3. The entire Historic Downtown Waterfront needs to be focused on maximizing waterfront access on the Suisun Channel, which is its major and central feature and on improving public access to the train depot, another key asset in Historic Downtown Suisun City.
4. The Waterfront should maintain its extraordinary mix of natural wetlands and urban edge.
5. The historic Suisun City train depot and Amtrak station, on the north end of Main Street, should serve as a transit gateway into Historic Downtown Suisun City.
6. The circulation system should be enhanced to support safer and more convenient access between homes and destinations and between Historic Downtown Waterfront Suisun City and Downtown Fairfield – for pedestrians, cyclists, transit users, and motorists.
7. The Historic Downtown Waterfront needs a cohesive Open Space system that enhances the pedestrian experience and supports community access.
8. Gateways to the Historic Downtown Waterfront area, including from Highway 12 and from the Amtrak station should be enhanced to ensure a positive visual first impression.
9. Development adjacent to the historic residential area should be compatible in scale and architectural themes.
10. Where feasible and consistent with building codes, existing buildings should be re-purposed with more economically viable uses that contribute to Downtown vibrancy.





Source: AECOM, 2015

August 2015

**Downtown Suisun Waterfront Specific Plan  
Bike and Pedestrian Circulation Concept**

## CITY OF SUISUN CITY GENERAL PLAN

## Geologic Unit Summary

Geological units and their associated paleontological sensitivity in the vicinity of Suisun City are shown in Exhibit CUL-3.

### **Holocene Alluvium (Holocene: 11,000 years old – Present Day)**

Holocene-age alluvial fan and Bay Mud deposits overlie older Pleistocene alluvium in the Planning Area, and consist of sand, silt, and gravel deposited in fan, valley fill, or basin environments. Holocene alluvium is typically found in smooth, flat valley bottoms, in medium-sized drainages, and other areas where the terrain allows a thin veneer of this alluvium to deposit, generally in shallowly sloping or flat environments (Graymer et al. 2002). By definition, in order to be considered a fossil, an object must be more than 11,000 years old. Therefore, the Holocene-age alluvium would not contain “unique” paleontological resources.

### **Pleistocene Alluvium (Pleistocene: 1.8 million years old - 11,000 years old)**

The northern portion of the Planning Area is underlain by alluvial fan deposits of late Pleistocene age (Graymer et al. 2002). The Pleistocene alluvium is composed of fresh-water stream deposits along canyons and at the heads of older alluvial fans, and fresh-water marsh deposits. Vertebrate fossils found in Pleistocene alluvium are representative of the Rancholabrean land mammal age from which many taxa are now extinct and include but are not limited to bison, mammoth, ground sloths, saber-toothed cats, dire wolves, cave bears, rodents, birds, reptiles and amphibians (Helley et al. 1979, Savage 1951, Stirton 1951). Because of the number of vertebrate fossils recovered from the Pleistocene alluvium, this formation is considered to be paleontology sensitive.

### **The Tehama Formation (Pliocene: 5.3 – 1.8 million years old)**

The Tehama Formation lies directly below the Montezuma Formation, and is exposed between the Montezuma and the Kirby Hills, as well as north of Vacaville. This formation is composed of sandstone, siltstone, conglomerate, and volcanoclastic (ash fragments) rocks (Graymer et al. 2002). A search of the U.C. Berkeley Museum of Paleontology Database (UCMP) (2012) contains 43 localities from which vertebrate fossils have been recovered in the Tehama Formation throughout northern California. Several hundred specimens have been recovered including horse, deer, coyote, ground sloth, peccary, turtle, tortoise, mammoth, gopher, bony fish, several types of rodents, and elephant. Because of the number of vertebrate fossils recovered from the Tehama Formation, this formation is considered to be paleontology sensitive.

## Regulatory Context

### California Environmental Quality Act

Under the provisions of CEQA, “A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (CCR Title 14[3] Section 15064.5[b]).





CEQA defines a "historical resource" as a resource which meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (CRHR) ;
- Listed in a local register of historical resources (as defined at PRC Section 5020.1[k]);
- Identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code; or
- Determined to be a historical resource by a project's lead agency (CCR Title 14[3] Section 15064.5[a]).

A historical resource consists of any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (CCR Title 14[3] Section 15064.5[a][3]).

CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA planning process (CCR Title 14[3] Section 15064.5; PRC Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided, or the effects mitigated (CCR Title 14[3] Section 15064.5[b][4]). The significance of an historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the California Register of Historical Resources. If there is a substantial adverse change in the significance of a historical resource, the preparation of an environmental impact report may be required (CCR Title 14(3) Section 15065(a)).

Based on the environmental checklist in Appendix G of the State CEQA Guidelines, a project would have a significant impact on paleontological resources if it would directly or indirectly destroy a unique paleontological resource or site.

## Health and Safety Code, Section 7052 and 7050.5

Section 7052 of the Health and Safety Code states that disturbance of Native American cemeteries is a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If determined to be Native American, the coroner must contact the California Native American Heritage Commission (NAHC) in accordance with the California Native American Historical, Cultural and Sacred Sites Act (see below).

## California State Senate Bill 18

California State Senate Bill 18 (SB18), signed into law in September 2004 and implemented March 1, 2005, requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for

the purpose of protecting Traditional Tribal Cultural Places (also referred to as Traditional Cultural Properties). This law directed an amendment to the General Plan Guidelines to require consultation with and advice from California Native American Tribes. According to the Tribal Consultation Guidelines, SB 18 “requires local governments to involve California Native Americans in early stages of land use planning, extends to both public and private lands, and includes both federally recognized and non-federally recognized tribes.”

## Local Codes, Ordinances, and Regulations

The City’s 1992 General Plan mentions historic preservation in the Community Character and Design Element. Policy 6 in this Element discusses the need for development in the Downtown/Waterfront Specific Plan Area to “reflect the relationship between the historic buildings, redeveloped areas, and the waterfront...” (City of Suisun City 1992). Policy 9 of this Element expresses the City’s intent to implement design guidelines to address historic preservation along Main Street and the adjacent historic residential area. Policy 10 discusses the need to periodically update the inventory of historic buildings and sites in the Old Town area.

The City’s 1989 Development Guidelines for Architecture and Site Planning addresses various aesthetic and functional aspects of the built environment. On Page 8, the City indicates that this document “primarily addresses the newer, suburban neighborhoods,” and that “the special needs of Old Town and Waterfront areas are already addressed by the City’s Historic Residential District and the design criteria established by the Downtown/Waterfront Specific Plan.” (City of Suisun City 1989).

The City’s Zoning Code includes three zoning districts designed, in part, to maintain the physical remnants of historic areas of the community as a highly valued part of the City’s heritage (see Title 18 of the City’s Municipal Code for more information):

- 18.14 H-R Historic Residential District.
- 18.16 HRC Historic Residential/Commercial District.
- 18.22 DW Historic Downtown and Waterfront District.

The City’s 1999 Downtown Specific Plan (also known as the Downtown/Waterfront Specific Plan) includes a “Historic Residential” Land Use District, which is intended to implement Specific Plan policies to “preserve and build upon the historic character of older residential and commercial structures within the Planning Area” (City of Suisun City 1999). As noted in the Downtown Specific Plan, the text describing the purpose and intent of the Historic Residential Land Use District is the same as provided in Chapter 18.14 of the City’s Zoning Code, which describes the Historic Residential zoning district.

## Known Cultural Resources

Several cultural resources investigations within the Sphere of Influence and its vicinity have occurred in recent years. Record searches conducted by the Northwest Information Center (NWIC) of the California Historical Resources Information System within and in the vicinity of the Sphere of Influence were completed during the years 2006, 2008, 2010, and 2012. These record searches included reviews of previously recorded prehistoric and historic sites, as well as reviews of the following sources:

- National Register of Historic Places (NRHP) (National Park Service 2010);



- California Inventory of Historic Resources (State of California 1976);
- California Historical Landmarks (State of California 1996);
- California Register of Historical Resources (State of California 1976 and updates);
- California Points of Historical Interest (State of California 1992 and updates);
- Caltrans State and Local Bridge Survey (State of California 1989 and updates);
- Office of Historic Preservation (OHP) Property Directory (2010); and
- 1872 J.S. Henning Map of Solano County, California, and 1908 USGS Antioch Quadrangle map

## Historic Architecture

The record searches indicated that several previous cultural resource studies have been conducted within the study area. Previously evaluated resources within and in the immediate vicinity of Suisun City are listed in Table CUL-1:

**Table CUL-1  
Known Cultural Resources**

<b>Resource</b>	<b>Reference Number</b>	<b>California Historical Resource Status Code</b>
Martin Samuel House		1S (Listed on the NRHP)
Suisun Masonic Lodge No. 55 ) 623 Main Street	N/A	1S (Listed on the NRHP)
407 California Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
821 Main Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
216 Morgan Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
301 Morgan Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
400 Morgan Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
406 Morgan Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
501 Morgan Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
221 Solano Street	N/A	2S (Determined Eligible for the NRHP; Listed in the CRHR)
K I Jones House 308 California Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Lambie Ranch 6054 Mauds Lane	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Suisun City Fire Department 701 Suisun Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Suisun City First Church of Christ Science 901 Main Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Suisun Fairfield Depot 201 Main Street	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Vogel/Morrison Home 2438 Morrison Lane	N/A	2S2 (Determined Eligible for the NRHP; Listed in the CRHR)
Rockville Schoolhouse, Suisun Nisei Club	N/A	Unevaluated

In addition to the resources above, the Bank of Suisun was listed as a California Point of Historical Interest in 1982.



## Suisun City Historic District

As a part of a project involving an interchange for Interstates 80 and 680 and State Route 12, the California Department of Transportation (Caltrans) requested concurrence that the Suisun City Historic District is eligible for listing on the National Register of Historic Places. In a March 20<sup>th</sup>, 2010 letter, the State Office of Historic Preservation agrees that the Suisun City Historic District meets eligibility requirements for listing.

The Historic District is roughly bounded by Sacramento Street to the north, West Street to the west, Cordelia Street to the south, and Kellogg and Main Streets to the east (Exhibit CUL-4). The district is comprised of 95 contributing buildings and 34 non-contributing buildings. The boundary includes residences, commercial and social/religious buildings that have historically been associated with the downtown core of Suisun City and retain integrity. This section of Main Street included in the district boundary was Suisun City's primary shopping venue and it reflects the city's economic growth as well as the diversity of the commercial businesses. Main Street's commercial enterprises included banking, general stores, stables/liveries, restaurants/saloons, movie theaters, and jewelers.

**Table CUL-2**  
**Suisun City Historic District Contributing Resources**

Resource	Reference Number	California Historical Resource Status Code
200, 204 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
212 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
211 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
215 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
219 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
223 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)

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227 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
300 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
304 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
308 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
406 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
407 California Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
306, 308 Cordelia Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
315 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
400 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
401 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
404 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
420 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
500 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District



		Determined Eligible for the NRHP; Listed in the CRHR)
504 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
508 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
511 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
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515 Line Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
601 Main Street/ 409 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
607 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
613 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
623 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
627 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
701 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
707 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)

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715 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
801 805 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
807 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
901 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
907 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
908 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1000 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1001 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1004 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1005 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1008 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1012 Main Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
210 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District





		Determined Eligible for the NRHP; Listed in the CRHR)
216 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
220 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
224 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
300 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
301 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
304 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
307 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
311 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
400 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
401 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
405 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
406 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)

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501 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
507 Morgan Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
200, 204 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
208 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
215 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
225 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
301, 303 Sacramento	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
310 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
400 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
401 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
406 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
407 Sacramento Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
610 School Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District



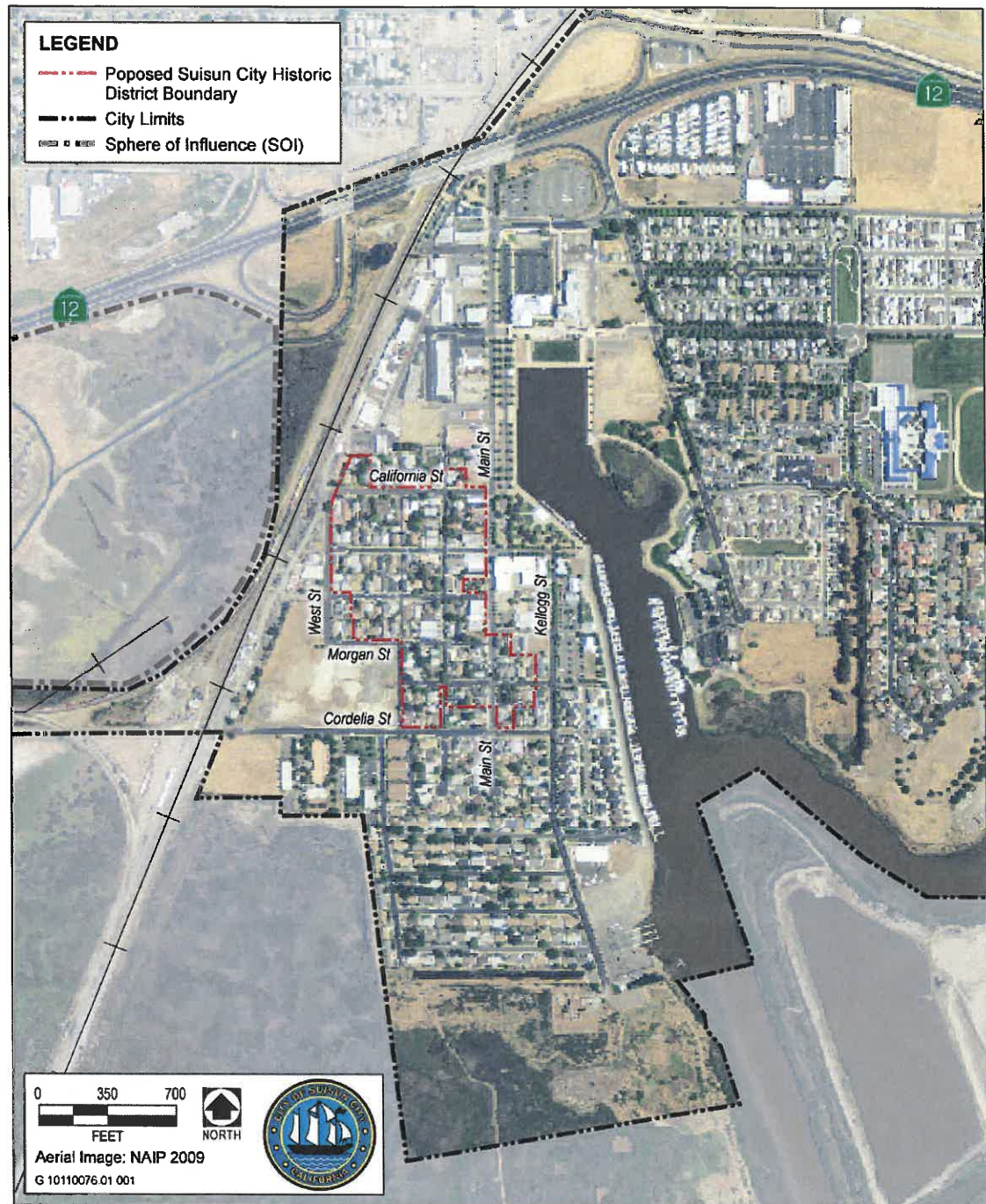
		Determined Eligible for the NRHP; Listed in the CRHR)
611 School Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
612 School Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1010 School Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
1012 School Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
200 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
201 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
204, 206 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
205 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
210 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
215 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
216 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
220 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)

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221 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
224 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
300, 302 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
301 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
308 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
309 Solano Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
601 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
607 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
615 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
621 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
701 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
706 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)
907 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District



		Determined Eligible for the NRHP; Listed in the CRHR)
911 Suisun Street	N/A	2D2 (Determined Eligible for the NRHP As a Contributor to a District Determined Eligible for the NRHP; Listed in the CRHR)



Source: ICF 2009; adapted by AECOM 2010

## ***Appendix A: Architectural Review, Demolition and Renewal Procedures in the HR Zone***

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### **A.1. In General**

Architectural Review in the HR District of any proposed alteration, enlargement, construction, removal or demolition of any structure in the HR district shall be subject to Architectural Review, prior to issuance of building permits or commencement of any work. Architectural Review shall be conducted as prescribed by this Section. Architectural Review and approval shall be the responsibility of the Community Development Department.

### **A.2. Applicability**

Architectural Review shall not apply to the following types of Building Permit applications:

- Re-roofing and residing with like materials.
- Masonry repairs with like materials.
- Chimney repair with like materials.

NOTE: "Like Materials" shall mean the exact same materials as those being replaced. Any deviation from the original shall be reviewed by and may be referred to the Planning Commission.

### **A.3. Criteria**

Specific standards and criteria for any activity subject to review as stated above, are found in Section 7.3 of Chapter of this Plan. The Community Development Department staff or the Planning Commission as the case may be, shall consider the proposed demolition, new construction or addition, in the context of the architectural or historical value and significance of the site and structure. These considerations shall include the visual relationship of proposed architectural design elements to the surrounding area, including scale, height, rhythm of building spacing, pattern of windows and doorways, building siting and landscaping, roof pitch, architectural style, and structural details, materials, and textures.

#### **A. For demolitions and removals**

- The Demolition Permit may be approved immediately if the Chief Building Official finds that the structure presents an immediate hazard to the public health and safety. Absent of a finding of immediate threat to the public health or safety, no Demolition or Moving Permit shall be issued for any structure within the HR District without prior review and approval by the Planning Commission. To assist in this evaluation, the Community Development staff shall submit a report and recommendation to the Planning Commission. If, after review of the request for a Demolition Permit, the Planning Commission determines that the structure itself has historical, architectural or cultural interest or value, the Commission may withhold approval for demotion or removal for 180 days (from the date of the Planning Commission action) or until environmental review is completed, whichever occurs later.

During the 180 days, the Planning Commission may direct the Community Development staff to consult with recognized historic preservation organizations and other civic groups, public agencies and interested citizens, make recommendations for acquisition of property by public or private bodies or agencies, explore the possibility of moving one or more structures or other features, and take any other reasonable measures.

At the end of the 180-day period, the Demolition Permit may be issued if environmental review determines there will not be significant impact on the environment including cultural, architectural and historical impacts, and all requirements of this Chapter are met. The permit may also be issued if there are found to be substantial environment impacts, and specific health, safety, or welfare considerations are also found to make unfeasible the mitigation measures or alternatives identified during environmental review.

- If, after review of the request for a Demolition or Moving Permit, the Planning Commission determines that the building or structure has no substantial historical, architectural, or cultural interest or value, a Building Permit for demolition or removal may be issued.

## **B. For new improvements.**

The Community Development staff or the Planning Commission shall not grant architectural review approval for any new improvements unless it finds that the proposed new improvements will be compatible with and help achieve the purposes and intent of the HR District. In reviewing an application, the following general design principles shall be considered:

- **Height and Scale:** New buildings should be constructed to a height, which bears a reasonable relationship to the average height of existing adjacent buildings.
- **Spacing of Buildings on Street:** The existing rhythm of the recurrent building masses to separations should be retained.
- **Relationship of Materials and Textures:** Choice of building materials and textures (smooth and rough) should enhance desired neighborhood qualities such as compatibility, similarity and continuity.
- **Relationship of Architectural Details and Roof Shapes:** Choice of architectural details and roof shapes should ensure compatible appearance with surrounding structures.
- **Walls of Continuity:** Physical ingredients such as low brick walls, wrought iron and picket fences, and evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street in keeping with the historic character of the district.
- **Landscaping:** Landscaping should reflect the historic quality and quantity of landscaping within the surrounding area. The concern here is primarily with mass and continuity.
- **Directional Expression of Front Elevations:** Structural shape, placement of openings, and architectural details should be used to give a compatible appearance with adjacent structures, which may be horizontal, vertical or non-directional in nature. Location and emphasis of major entries should also be compatible with the adjacent structures.

## **C. For Alterations, Additions or enlargements of Existing Structures:**

This section contains criteria for reviewing all applications for Building Permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any existing structure more than (30) years old within the HR District, and for any interior modification which requires the issuance of a Building Permits for a publicly owned and publicly accessible structure. In reviewing an application, the Community Development staff or Planning Commission shall consider the following general standards and principles:

- Every reasonable effort shall be made to provide a compatible use for property that requires minimal alteration of the building structure or site and its environment, or use a property for its originally intended purpose.
- The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.

- All buildings, structures, and sites shall be recognized as products of their own time. Alterations, which have no historic basis and/or seek to create an earlier or later appearance shall be discouraged.
- Changes, which may have taken place over the course of time, are evidence of the history and development of a building, structure, or site and its environment. If the Community Development staff or Planning Commission finds that these changes have acquired significance in their own right, this significance shall be recognized and respected.
- Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
- Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage older building materials shall not be undertaken, without prior approval of the The Community Development Department.
- Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

## **A.4. Effective Date.**

Decisions of the Community Development Department staff or the Planning Commission shall be final on the tenth day after the date of the decision, unless appealed as prescribed by Chapter 8.

## **A.5. Economic Hardship of Waiver.**

If an applicant for design approval presents evidence of inability to meet the cost of complying with a Condition of Approval, the Planning Commission may grant the approval with the requirement that all conditions be met within a period of up to two years. The exact waiver period granted is at the discretion of the Community Development Director or Planning Commission. If such conditions are not met within the stated time, the property owner shall be subject to the enforcement provisions of Chapter 8.