AGENDA REGULAR MEETING OF THE CITY OF SUISUN CITY PLANNING COMMISSION 7:00 P.M., OCTOBER 13, 2015

COUNCIL CHAMBERS 701 CIVIC CENTER BOULEVARD SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC15-17

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 22, 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.

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.)

5. 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. Request for Granting a Conditional Use Permit at 400 California Street for the Conversion of a Multi-use Office and Residential to a Sole Use of Residential Multiple Dwellings.
- Adoption of Resolution No. PC15-____. Resolution PC15-____; A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit NO. UP 15-6-002 for the Conversion of Commercial to a Multi-dwelling Residential Facility Located at 400 California Street, APN 0032-130-090.

7. COMMUNICATION:

- A. Staff
 Projects Update
- B. Commissioners
- C. Agenda Forecast

8. ADJOURN.

a&m/151013.pca

MINUTES

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

Next Resolution No. PC15-16

1. ROLL CALL:

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

Absent:

Commissioner Adeva

Pledge of Allegiance Invocation

2. ANNOUNCEMENTS:

None

3. MINUTES:

Commissioner Ramos moved to approve the Planning Commission minutes of September 8, 2015. Commissioner Smith seconded the motion. Motion passed 6-0 by roll call vote.

4. AUDIENCE COMMUNICATIONS:

None

5. CONFLICT OF INTEREST NOTIFICATION

None

6. PUBLIC HEARINGS:

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

Jason Garben explained that the staff report had been prepared by Contract Planner Paul Junker, who was not able to attend the meeting. Mr. Garben explained that in light of comments received within the prior few days, Mr. Kearns would highlight the concerns throughout his presentation and all of the emails were available to the Commission and on the back table for the public. He further explained that the City Council had considered an item at their June 30, 2015 meeting regarding the Revenue-Based Land Use Policy.

John Kearns presented the staff report, explaining that the project was originally approved in 2005 with 19 single family homes, 10 live work units, and a commercial parcel with a mezzanine above. The request

before the Commission was request for a recommendation to the City Council regarding an amendment to the McCoy Creek Planned Unit Development.

Mr. Kearns explained the request was specific to the 0.31 acre parcel of the McCoy Creek project. He explained that the entire project had been suspended for several years and recently the developer has submitted building permits plans for the remaining residential units.

Mr. Garben explained the direction from the City Council had provided through consideration of the Revenue-Based Land Use Policy. He pointed out that the nearby vacant lands as well as the vacancies within the nearby shopping centers made the market for commercial space very challenging.

Mr. Kearns spoke about specifics of the proposed project, indicating the project characteristics would include 8 luxury apartments, 2 live-work units, and 8 covered parking spaces on-site. He also stated that there would be approximately 563 sq. ft. of commercial space for each live/work unit.

Mr. Kearns explained the current parking requirements for the project. He stated there were 58 parking spaces that front McCoy Creek Way, which would accommodate the live/work units, the commercial space, the carriage units, and the new proposed project.

Mr. Garben explained that when the project was first approved, staff looked at the current City parking standards to determine the required parking, which would total 68 spaces. He further explained that the current proposed project, based on the City parking standards, would only require 52 spaces explaining further that the demand would decrease by 17 spaces and the supply would increase by 5 spaces.

Mr. Kearns explained that projects are routinely circulated through each City department, as well as Suisun Solano Water Authority (SSWA), Solano Irrigation District (SID), and the Fairfield-Suisun Sewer District (FSSD). Comments that are received are then made into conditions of approval in the resolution. Mr. Kearns then explained the publication and notification process. He also stated that the project was also routed to the Solano Airport Land Use Commission and they approved the project at their August 25, 2015 meeting.

Mr. Kearns read into the record the emails received from the following residents:

Reese Canlas, 1201 Gray Hawk Lane

- Apartment plans do not effectively account for the additional parking demands.
- Increase in housing density will cause congestion and affect the peaceful enjoyment of existing residents.
- Apartments will bring in many transient renters into a neighborhood of single family homes, thus changing the development's original intent and design.
- Property values will most likely decline.

Clarence Foreman

- Project would destroy property value.
- Parking will be a heartache.

Laura Shaskey

• Questions whether the developer has good intentions for the neighborhood.

- The PUD specifically states this is a single family home neighborhood.
- The apartment residents would be transient renters, not homeowners.
- Development was poorly designed with regard to parking.
- The applicants and planning department's assessment that a commercial property is not viable in that location is erroneous.
- Michael Baker International's review of the application materials to determine the necessary environmental review was based on incorrect information.
- Existing homeowners and residents were not given sufficient time to fully review and comment on the proposed changes.

Brian Winogradov, 1277 Gray Hawk Lane

- Opposed the apartment complex as part of the single-family development.
- The project is expected to significantly devalue the property.
- Changes to the PUD were a significant misrepresentation.
- The analysis of the impacts were inaccurate and insufficient.
- Increased density housing would significantly impact the availability of residential parking.
- The nighttime parking impacts would be significantly more severe than originally planned.
- Population assessment as part of the environment review was only based on 8 new residential units and not 10.
- Proposal will directly affect equity as well as quality of life.

Mr. Kearns asked that the Commission to consider the addendum as appropriate. The PUD was stated to be consistent and subject to conditions of approval with the City Municipal Code and recommended approval of the Planned Unit Development and Precise Development Plan.

Chairperson Clemente opened the Public Hearing.

Camran Noojomi, owner/applicant presented the Commission with a brief background and his relationship with the City. He explained his involvement with the revitalization of the waterfront and that he owns businesses in town. He stated that this unique project with contemporary design meets the needs of the millennial. He further explained that the project, due to the economy, was placed on hold for 8 years but he never wavered and stuck with the project.

Commissioner Smith asked if the apartments would be leased and Mr. Noojomi indicated they would be leased.

Commissioner Smith asked if there would be requirements that the live-work units be used as commercial space. Mr. Noojomi indicated it was his intention that the space be used as commercial but would allow for living space should the space not be leased for commercial use.

Commissioner Holzwarth stated that it was a very nice project but had concerns with the apartments. He would like to see condominiums that were owner-occupied. He was also concerned there would be a requirement from the State for a specific number of low- income units.

Mr. Garben stated that low-income housing was not on the table for this project.

Commissioner Ramos asked for clarification if these were condos or apartments and if in the future they would be sold making them owner-occupied.

Mr. Nojoomi stated that it was a possibility for future sales.

Commissioner Osborne stated his concern was ownership and whether it was possible to sell them from the beginning.

Mr. Nojoomi stated that these units would be leased at a higher rate which would bring in higher income residents for the units.

Commissioner Osborne stated he felt apartments are temporary, and by selling them it brings in people that truly would want to put roots down in the community.

Mike Rice, Main Street West Builder/Developer in the community, stated that he felt the project was very well designed, kept with the creative spirit, and would only bring up property values. He stated his support for the project.

Brian Winogradov, 1277 Grey Hawk Lane, spoke against the proposed amendment citing there could be as many as 12 apartments, not 8, the impact study had not been updated to account for the apartments, parking concerns, and felt there had been misrepresentation on what the development was to be when he purchased his home.

Joseph Saniya, Jr. recalled his move from San Francisco, and had a lot of faith in Mr. Nojoomi and felt the project was a wonderful idea if the proposal were for condos. He suggested that the City purchase the land north of the development and Mr. Nojoomi move forward with the remaining home construction and then revisit the commercial piece at a later date.

Dale Sarles, 1237 Grey Hawk, stated he moved to Suisun City in January 2014. He continued stating that he had owned rental properties and felt there was a big difference between a homeowner and rental and that 99% of the time it is quite visible. He also felt that ownership of condos would be a better way to go with this project.

Winston Baker, 1229 Grey Hawk stated that he loves his home, but did not like the proposed project.

Rene Canalas, 1201 Grey Hawk, and owner of Suisun Seafood Center stated that being an investor of both condos and houses he did not feel that these units would rent for \$2000 as previously stated. He also stated the parking was a big concern and would only be made worse when the other nine single family homes were built without the apartment units and totally disapproves of the proposed changes to the project.

Clarence Foreman, 1217 Grey Hawk, stated that he loves the area and currently had a rental home next to him with undesirables. He felt that if apartments were built it will only be worse. He disapproved of the proposed project.

Mr. Garben clarified that there are a total of 10 units—8 apartments and 2 live-work units. He explained that based on comments received staff went back and revisited the analysis and the CEQA document had

been amended to reflect the fact there were 10 units. He further stated that when the project was initially approved the residential units that face Gray Hawk Lane were analyzed with 2 parking spaces in the driveway, 2 car garages and a total of 16 on-street parking spaces for a total of 132 spaces which totals 4.5 spaces per unit. Mr. Garben explained that the City standard for single family homes included only 1 covered parking space and 1 uncovered parking space.

Mr. Garben further explained that the updated trip generator showed 96 trips per day for the residential units which was up from the initial study of 77 trips. He stated that the same trip generation factor was used for the subject project that was also used in the original traffic analysis for the original project even though the single-family residences were larger.

Mr. Nojoomi clarified that the homes facing Gray Hawk were designed to be single family residences and everything that faced McCoy Creek was to be commercial. He stated this would be an upscale high price apartment project.

Commissioner Pal questioned whether the change would reduce the square footage of the impact with the added parking.

Mr. Garben stated that the actual square foot increases would be de minimus. The project demand of the project would decrease by 17 spaces.

Commissioner Pal clarified a previous statement of the current vacancy rate being 22%.

Mr. Garben stated that reference came from a quarterly report put out by Collier.

Commissioner Pal asked Mr. Nojoomi to verify whether he had leased some of the homes in the subdivision before they were sold. Mr. Nojoomi stated yes.

Commissioner Pal asked to clarify what direction was given in 2005. Mr. Kearns stated that the Council granted entitlements to the project that included commercial, single family residences, 10 live/work units and 5 carriage units. Commissioner Pal clarified that the Commission was not the final approval and that the project had to still go before the Council.

Commissioner Pal thanked everyone for coming to the meeting, noting that the public had some very valid questions and concerns.

There being no further comments, Chairperson Clemente closed the Public Hearing.

Commissioner Smith asked how the parking for McCoy Creek affected Gray Hawk Lane. She stated that she did not understand why someone would park on Gray Hawk Lane and walk all the way around to McCoy Creek Way, as there was no direct access to the apartments or the live-work units from Gray Hawk Lane.

Mr. Garben explained that the analysis provided for parking for the residential to be handled entirely along Gray Hawk Lane and the commercial parking to be handled by McCoy Creek Way.

Commissioner Smith stated that she did not fully understand how the apartments for the subject project would affect property values.

Mr. Garben stated that was a perception of some that apartments automatically attract an element that could degrade property values. He stated that Mr. Nojoomi was trying to create a project that was unique to the market. Referencing his conversation with the Suisun City Housing Authority, Mr. Garben noted that the apartments along Sunset Avenue, including the Henley Apartments, rented for \$1,400 but did not have the amenities the project before them proposed.

Chairperson Clemente called for a 5 minute recess.

The meeting was called back to order at 8:47 pm.

Commissioner Holzwarth did not feel the parking was the biggest issue. He stated that he did not want to see the apartments in the area.

Commissioner Ramos moved to approve Resolution No. PC 15-16 to amend the McCoy Creek PUD, and forward the request to the City Council for their consideration. The motion was seconded by Commissioner Pal.

The motion passed 5-1 by a roll call vote.

7. GENERAL BUSINESS

Discussion and Direction Regarding Downtown Waterfront Specific Plan Update Policies.

John Kearns presented the staff report. He explained during the update process the Commission had made recommendations to staff that were taken to the City Council for final policy direction. He stated that staff felt there were a few outstanding issues that required Commission direction. Those topics included:

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

Disallowed Uses

He explained that the existing Specific Plan dated 1999 raised a lot of concern about automotive-oriented uses and how they became disallowed uses. He explained that the focus was to determine whether there were additional uses to be added to the list and whether the uses along Main Street should be treated differently than the uses for the Marina Shopping Center or the 30 acre site north of Highway 12, for example.

Mr. Garben added for clarity, that the Commission might want to consider more restrictive uses along Main Street and the Historic Core, area versus along the property fronting Highway 12. He suggested the Commission may want to consider allowed uses and everything else would be subject to a conditional use permit. Mr. Garben mentioned there had been interest for a Dutch Brothers Coffee but because the existing Plan did not allow for drive-thru's it could not be considered at one of the "pad" locations.

Commissioner Smith agreed that there was a significant difference in the areas that have been added to the Specific Plan. She also stated that she felt tattoo studios could be located closer to Highway 12 and could benefit more from the traffic as well as drive-thru businesses like a coffee shop or a bank.

Mr. Kearns clarified that the properties closer to Highway 12 should be more oriented to a drive-thru use.

Commissioner Holzwarth asked when Dutch Brothers Coffee had considered a Suisun location. Mr. Garben stated that it was a while back prior to the recession.

Commissioner Holzwarth stated that he felt consideration needed to be given to those types of businesses and look at them individually.

Commissioner Pal stated that applications should be looked on a case by case basis.

Mr. Garben stated that perhaps the drive-thru uses could be completed through a conditional use permit on a case by case basis.

Commissioner Osborne asked about wholesale businesses not being allowed and whether it was due to the lack of a retail component.

Mr. Garben stated that typically a wholesale business did not lend itself to a pedestrian community which was the core of the Specific Plan.

Commissioner Pal asked if the City allowed a coffee drive-thru whether it would be obligated to automatically allow others.

Mr. Garben stated that conditional use permits run with the land and that the conditions could regulate what specifically could be there.

Mr. Kearns also stated that traffic studies would also be required and how traffic circulation would affect the downtown area.

Access between Fairfield and Suisun.

Mr. Kearns explained that on April, 2015 the Commission discussed "vision" and "Land Use Alternatives," and ultimately provided recommendations to the City Council to discuss access opportunities. He further stated that, at that time, Council directed staff to work with the City of Fairfield staff to determine their interest, but the City of Fairfield was not yet in a position to provide specific interests regarding improved access. Mr. Kearns further explained that discussions had always centered on the Main Street to Union Avenue access, but recently another access utilizing the 30 acre site to either Texas Street or Clay Street in Fairfield had been suggested.

Commissioner Holzwarth stated that there was an existing pedestrian/bike connection to Fairfield, and that the biggest hurdle would be for the railroad to allow reopening a Main Street crossing, but thought the 30 acre site might be a viable location.

Mr. Kearns stated that access from the 30 acre site would enhance the economic viability of that site.

Commissioner Smith commented that the Office of Emergency Services being located on Clay Street and questioned if that was something they would object to because they would need to keep it clear for emergency purposes. The street was also narrow and well-developed.

Commissioner Osborne stated that they would like to see a viable connection to Fairfield either pedestrian, bike, vehicle, or a combination of all three.

Chairperson Clemente stated he had no problem with the existing vehicle access into Fairfield but agreed that with the Armijo High School another access was necessary.

Treatment of historic resources

Mr. Kearns stated that staff had been given direction to preserve the historic character of the Waterfront District, particularly along the west side of Main Street and to also provide some flexibility to deal with "historic resources". Mr. Kearns stated that as part of the General Plan Update adopted May 2015, Volume II, Technical Background Reports, the consultant provided a list under "Cultural Resources" and "Suisun City Historic District Contributing Resources". He asked the Commission to provide direction for the Main Street Commercial District regarding preservation policies.

Commissioner Pal asked if staff had inquired with property owners to see if their home was on the historic list and to discuss what the process was for getting on the list. Mr. Kearns explained that there was a process beginning with the Office of Historic Preservation which had the forms to complete and submit.

Mr. Garben stated that staff was attempting to pin down how to define historic. He further explained that the General Plan had resources and that some properties were on the historic list and some are listed as simply being eligible to be on the state list. He stated that staff was recommending that the City use the list as provided in the General Plan.

Mr. Kearns explained that if an application came in for the Historic Residential District there was a 6 month timeline that included consultation with historic architects. Staff was asking whether those same policies should be applied to the commercial districts. He also stated that a requirement could be to require a fiscal analysis proving that preservation is not feasible and what type of policies would be needed to implement.

Chairperson Clemente stated that the Commission has had several conversations regarding the old bank building and to preserve as much as possible.

Commissioner Pal stated that the city needed to do its due diligence in providing the Main Street property owners policy information.

Mr. Garben stated that replacing exactly what is there may be extremely difficult. He felt that building a new structure and preserving the character using the same bricks and same façade along the roof line could make it feasible for something to happen sooner rather than later.

Mr. Kearns stated that new construction needed to be harmonious with the existing area.

Mike Rice, Main Street West and local builder/developer. He asked the Commission when they are looking at historic preservation to keep an open book on requirements. He stated that when they were

looking at the old bank building they could knock it down, clean the bricks, put a new foundation in and put up the same exact building for 40% of the cost rather than saving what is there. He further stated that from the 700 block of Main Street north to Highway 12 the elevation goes downhill and only creates additional complex problems especially regarding flood plain issues. He felt some latitude was needed regarding heritage issues, costs and how to solve the problems.

8. COMMUNICATION:

A. Staff

Mr. Garben asked the Commission to keep a place holder on their calendars for the Planning Institute in March 2016 in San Ramon.

Mr. Kearns stated that he had provided the new business listing for July through mid-September.

B. Commission

None

C. Agenda Forecast

Mr. Kearns stated that the regular meetings for October were the 13th and 27th. Commissioner Osborne stated that he would not be available October 13th Commissioner Pal stated that he would be gone most of October but should be available for the 27th.

8. ADJOURN.

There being no further business the meeting was adjourned at 9:50 pm.

Anita Skinner, Commission Secretary

a&m/150922pca

AGENDA TRANSMITTAL

MEETING DATE: October 13, 2015

PLANNING COMMISSION AGENDA ITEM: PUBLIC HEARING: Request for Granting a Conditional Use Permit at 400 California Street for the Conversion of a Multi-use Office and Residential to a Sole Use of Residential - Multiple Dwellings.

Resolution PC15-___; A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit NO. UP 15-6-002 for the Conversion of Commercial to a Multi-dwelling Residential Facility Located at 400 California Street, APN 0032-130-090

ENVIRONMENTAL REVIEW: This project is categorically exempt from the California Environmental Quality Act (CEQA), per section 15303. New Construction or Conversion of Small Structures Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

BACKGROUND: The building located at 400 California Street was built in 1901 and has been deemed to have historic value to the City of Suisun City. At one time, this building was owned by the City and had been the home of the police and fire departments, as well as City Hall. Following relocation of City functions to other buildings, the City lacked funds to renovate the building. In July 2001, the City sought interested parties to renovate and reuse the building. In November 2001, a review committee accepted Jim Pitcher's proposal and the building was renovated and operated in the fashion that the City set forth in a 2002 agreement with Mr. Pitcher. The agreement between the City and Mr. Pitcher stipulated allowed uses for the property for a period of two years. That period having passed, the use stipulation established in 2002 is no longer in effect. Additionally, the Suisun City Planning Commission considered and approved Use Permit No, UP02-07 for the subject property, thereby establishing the currently allowed combination of office and residential uses.

Mr. Pitcher has since sold the building, which is currently owned by Raymond Goodrich. The building continued to operate in the multiuse fashion of office and residential until October 1, 2014 when the commercial tenant vacated the building. The owner has attempted to lease the space as a commercial unit but has not been able to find a proper tenant that would be compatible with the area and the residential uses in the building. This lack of commercial interest has caused the owner to request a change to residential which he believes to be in higher demand. This change of use requires a new Conditional Use Permit that is the subject of this report.

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

<u>Description of Application</u> – The application is for the conversion of existing commercial space to two additional residential units. This would result in three, three bedroom apartments and two, one bedroom apartments in the building.

PREPARED BY: REVIEWED/APPROVED BY: <u>Physical Characteristics of Proposed Use</u> – Below are descriptions of the interior and exterior site characteristics.

- Site Characteristics-Interior The interior currently has two, three bedroom units and one, one bedroom unit. There is no change to the second floor to the building. On the first floor a storage room that is currently used for storage will be converted into a one bedroom unit. The commercial space on the first floor will be renovated and changed into a three bedroom unit. Because of the existence of bathrooms and a kitchen in the commercial space the conversion will only require new walls and a new bathroom.
- **Site Characteristics-Exterior** The exterior of the building is currently in good condition. There will be minor alterations to the exterior. These exterior changes will include:
 - 1. The removal of the large garbage area doors on the west side of the building, replacing them with a window and an entry door to match those along that side of the building
 - 2. The addition of three windows on the north side of the building
 - 3. The addition of two windows on the east side of the building.

ANALYSIS:

<u>Required Approvals</u>- The applicant seeks to convert the existing commercial and residential mix of uses to a multiple dwelling use within the existing building. The project site is located within the boundaries of the Downtown Waterfront Specific Plan and, under the Specific Plan; a use permit is required for multiple dwelling use.

<u>Design Review Criteria</u> – The exterior changes proposed for this project are minor in nature and, if the Planning Commission approves the requested use permit, the project will be subject to an Administrative Design Review of proposed building modifications.

• Prior to issuance of building permits the applicant shall get approval from the Development Services Department for a Minor Design review per section 18.14.150 of the zoning code.

Zoning Code and Specific Plan Conformance: This project is located in the Downtown Waterfront Specific Plan (DWSP) and therefore subject to special regulations unless the Downtown Waterfront Specific Plan is silent. This project is zoned Downtown Waterfront and designated Historical Residential.

- **Setbacks** requirements in the HR district are outlined in section 18.14.090 through 18.14.110
 - o The minimum front yard building setback line in the H-R district is ten feet.
 - o The minimum side yard required in the H-R district is three feet.
 - o The minimum rear yard required in the H-R district is five feet

Because of the historic nature of the building and its location on a corner lot it has unique setbacks:

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Side – North: 3'
Side – East: 5'
Front – South(California street): 20'
Side – West(Suisun Street): 0'
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• Parking – The uses upon the project site currently do not conform to City parking standards, and therefore the use is considered legal, non-conforming with regard to parking. The building with its current use demands thirteen parking stalls. Converting the use to residential will lower the overall demand to eleven parking spaces. The proposed site plan provides for two parking spaces and one ADA compliant space. On-street parking maybe used for the one required visitor parking space. This leaves a demand for seven parking spaces unaccounted for.

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Parking calculations:
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3 - 3 bedrooms = 6 parking spaces
2 - studios = 3 parking spaces
+ 1 visitor
+ 1 ADA
Building requires 11 parking spaces
(35% of spaces can be compact)
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Zoning Regulations (Suisun City Municipal Code) – There are a few sections of the Municipal Code and the DWSP that staff suggest the Commission consider in the process of reviewing the proposal (below):

The proposed use has been deemed to be consistent with <u>18.14.035 - Conditional uses HR Historic Residential District "Conditional Uses"</u> – Multiple dwelling, dwelling groups, rooming houses and boardinghouses;

18.14.140 - Exceptions to standard zoning ordinance requirements

Due to the unique conditions of design and construction in the H-R district where structures were sometimes built close to lot lines, residential densities are mixed, and parcel configurations have changed over the years, it is sometimes in the public interest to provide for a higher quality of design and/or enhance the historic character of this neighborhood by making an exception to normal setback, parking, landscaping, fencing and screening requirements, where such an exception does not interfere with the public health or safety. Within the H-R district, where it is deemed that such an exception is warranted and will not adversely affect neighboring properties, the planning commission may grant a use permit for such exception to be made pursuant to Chapter 18.66 of this code governing applications for use permits. The planning commission shall review all such requests and take action with respect to approval, conditional approval or denial.

General Plan Analysis

Staff would like to draw attention to the following Policies and Objectives of the General Plan that apply to this development:

Community character and design:

Objective 4: To preserve Suisun City's Historic Structures, Landmarks, Sites, and Neighborhoods.

Policy 9: The City will implement Specific Plan design guidelines which address preservation and compatibility of new development with historic structures, The Specific Plan has incorporated the City's zoning code provisions for the preservation of historic structures and will also implement the City's historic preservation ordinance.

Land Use: Residential Goal:

Policy 12: The following land use intensity standards shall apply Citywide:

e) Historic Residential: The purpose of this classification is to preserve and enhance the existing residential neighborhood in Old Town that contains a substantial number of historic single family dwelling units. Because dwelling units in this area were constructed prior to modern building and subdivision standards, lot sizes are often smaller then permitted in the low density classification, and lot coverage and development characteristics may be different than would be expected in a present-day residential development. The Downtown/Waterfront Specific Plan implements the intent of this policy. The Specific Plan recognizes and seeks to preserve the unique character of this part of Suisun City. Residential densities will vary according to the provisions of the Specific Plan.

SUMMARY OF DEPARTMENT REVIEW:

<u>Police Department Review</u> – Police supplied Planning with concerns but no Conditions of Approval. Planning Department contacted the applicant and passed on the suggestion for the installation of surveillance cameras.

Fire Department Review- No comments were generated from fire.

<u>Public Works Review</u> – Public works has provided comments ranging from ADA requirements to the review of sewer laterals and hookups.

<u>Suisun-Solano Water Authority</u> — The owner shall have the option to remove the backflow preventer at their own cost. If this is done the owner does not need to pay the maintenance fee may be waved.

Fairfield-Suisun Sewer District – No Comments.

<u>Suisun City Development Services Department</u> – All exterior changes to the building shall be compatible to the existing building design and façade. No landscaping plan was submitted so the Planning department has determined that any proposed landscape changes shall not occur, unless it is a reduction that is required to comply with another condition of approval.

<u>Proposed Conditions</u> – Staff has prepared draft conditions of approval which can be found in the resolution recommending approval of the Conditional Use Permit application. Staff wanted to point out some of the more unique conditions which staff hopes will spur Commission conversation. A list of these conditions can be found below:

- The building currently has a backflow preventer assembly as required by the SSWA Cross-Connection Control Resolution No. 99-01 for commercial buildings. With the conversion to a residential building, the backflow prevention assembly will not be required.
- Prior to issuance of building permit the applicant shall get approval from the Development Services Department for a Minor Design review per section 18.14.150 of the zoning code.

<u>Proposed Findings for Planning Commission Consideration</u>- In order for the Planning Commission to approve a Conditional Use Permit, very specific findings must be made. Proposed draft findings can be found below:

- 1. Notice has been given in the time and in the manner required by State Law and City Code because a public notice was published on or before October 3, 2015 in the *Daily Republic* newspaper and mailed to surrounding property owners on or before October 3, 2015.
 - a. Public Notice has been published in the Daily Republic ten days ahead of the public hearing and has been posted in places accessible by the public
- 2. The proposed project, when subject to the conditions will not conflict with the Goals, Objectives, and Policies of the General Plan or the purposes of the zoning district in which the site is located.
 - a. The Historic Residential General Plan classification provides for similar uses through a conditional permit process, and 18.14.140 Exceptions to standard zoning ordinance requirements allow for this type of development.
- 3. The proposed use, when subject to the conditions, 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.
 - a. Based on information submitted to the City, the City has taken necessary precautions to diminish any concerns through the Conditional Use Permit process.
- 4. That the proposed project has been considered through a Conditional Use Permit process as required by the Suisun Zoning Ordinance as the public hearing took place on October 13, 2015.
 - a. Testimony and materials were considered by the Planning Commission prior to adoption of the resolution.
- 5. That the proposed use, when subject to the conditions, will have all the adequate utilities, access roads, drainage and/or other necessary facilities.
 - a. 18.14.140 Exceptions to standard zoning ordinance requirements allow for this type of development
- 6. The project is exempt from the California Environmental Quality Act (CEQA) per section 15303. New Construction or Conversion of Small Structures Class 3 consists of construction and location of limited numbers of new, small facilities or structures.

Planning Commission Options

The Planning Commission has several options in considering the application:

- Planning Commission could approve the submitted application; or
- Planning Commission could disapprove the submitted application; or
- Planning Commission could add a condition regarding review provisions.

It is important to note the Planning Commission has discretion when considering Conditional Use Permit applications. Also of importance is that fact that through Section 18.66.550 "Revocation through noncompliance, lapse in use", a Conditional Use Permit can be revoked, modified or extended if conditions of the use permit have not or are not being complied with at any time.

STAFF RECOMMENDATION: Adopt Resolution PC15-____; A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit NO. UP 15-6-002 for the Conversion of Commercial to a Multi-dwelling Residential Facility Located at 400 California Street, APN 0032-130-090.

ATTACHMENTS:

- 1. Resolution PC15-____; A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit NO. UP 15-6-002 for the Conversion of Commercial to a Multi-dwelling Residential Facility Located at 400 California Street, APN 0032-130-090.
- 2. Application Materials

RESOLUTION NO. PC15-

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. UP 15-6-002 FOR THE CONVERSION OF COMMERCIAL TO A MULTI-DWELLING RESIDENTIAL FACILITY LOCATED AT 400 CALIFORNIA STREET, APN 0032-130-090

WHEREAS, the Planning Commission at their regular meeting on October 13th reviewed the application for the approval of Conditional Use Permit No. UP15-6-02; and

WHEREAS, notices for the public hearing were published in the Daily Republic on Saturday October 3rd for the Planning Commission; 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.
 - i. Public Notice has been published in the Daily Republic ten days ahead of the public hearing and has been posted in places accessible by the public.
- 2. That the proposed project, when subject to the conditions 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.
 - i. The Historic Residential General Plan classification allow for similar uses through a conditionally permit process, and 18.14.140 Exceptions to standard zoning ordinance requirements allow for this type of development.
- 3. That the proposed project and its uses, when subject to the conditions 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.
 - i. Based on information submitted to the City, the City has taken necessary precautions to diminish any concerns through the Conditional Use Permit process.
- 4. That the proposed project and its uses have been considered through a Conditional Use Permit and Site Plan /Architectural Review process as required by the Suisun CityZoning Ordinance.
 - i. Testimony and materials were considered by the Planning Commission prior to adoption of the resolution.
- 5. That the proposed use, when subject to the conditions, will have all the adequate utilities, access roads, drainage and/or other necessary facilities.
 - i. 18.14.140 Exceptions to standard zoning ordinance requirements allow for this type of development

- 6. The City of Suisun City Development Services Department has conducted an Environmental Review
 - i. The project is exempt from the California Environmental Quality Act (CEQA) per section 15303. New Construction or Conversion of Small Structures Class 3 consists of construction and location of limited numbers of new, small facilities or structures.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby approve Conditional Use Permit Application No. UP 15-6-002; subject to the following Conditions and all other Suisun City Codes and Ordinances:

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, or his designee, 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 improvements shall conform to the approved Elevations Plan, Landscape Plan, and Site Plan provided to Community Services Department.

- 7. 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.
- 8. Pursuant to Section 18.66.560 of the Suisun City Code, the use permit shall expire one year from the effective date unless exercised by the applicant.
- 9. 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

- 10. The applicant shall contact the sewer agency providing service and confirm if new laterals or hookups are required and Public Works shall receive a letter of confirmation from the agency confirming the requirements from sewer has been met before issuance of building permits.
- 11. The length of the parking spaces are to be 19 feet in length per City Standard Detail ST-13, On-Site Parking. The proposed 18-foot long parking spaces need to be extended one more foot.
- 12. If fire sprinklers are required by the Suisun City Building Department, the Applicant is to show in the plans the location of the fire line, meters, backflow preventer, and other necessary appurtenances.
- 13. Direct tapping of City or Suisun-Solano Water Authority(SSWA) water mains is not permitted. Applicant shall install the required fittings in the existing or new main lines. No existing water mains shall be shut down without specific permission from the City Engineer and the Solano Irrigation District.
- 14. 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 City Engineer. All relocated facilities shall meet the latest state and local separation standards.
- 15. The proposed accessible parking space shall comply with the attached Caltrans Standard Plan A90A.

- 16. The driveway approaches/sidewalks shall be upgraded to ADA compliant driveways.
- 17. The proposed ramp to the building, as well as the landing at the bottom of the proposed ramp, shall be ADA compliant. The Site Plans is to include information on the longitudinal and cross slope of the ramp.
- 18. All sidewalks, ramps, parking, and access into the building shall be brought up to ADA compliant standards.
- 19. 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 approved plans shall require review and written approval by the City Engineer.
- 20. 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.
- 21. The Applicant shall obtain all necessary permits from all applicable agencies prior to starting construction.
- 22. All work with 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.
- 23. Any relocation or modification of 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.
- 24. Any existing frontage, or street improvements, which in the opinion of the City Engineer, are currently damaged or become damaged as part of the work shall be removed and replaced as required to the current City Standards, or as directed.
- 25. The project shall utilize infiltration measures to reduce stormwater discharge to the greatest extent feasible.

SUISUN-SOLANO WATER AUTHORITY

26. The building currently has a backflow preventer assembly as required by the SSWA Cross-Connection Control Resolution No. 99-01 for commercial buildings. With the conversion to a residential building, the backflow prevention assembly will not be required.

27. The owner shall have the option to remove the back flow prevention device at their cost, or continue to pay the backflow preventer maintenance fee.

BUILDING DEPARTMENT

28. All buildings shall be subject to current building codes.

DEVELOPMENT SERVICES DEPARTMENT CONDITIONS

- 29. All exterior additions including windows and doors shall be of like materials and visually compatible to the existing architectural features in color, texture and quality.
- 30. There will be no modifications conducted to existing landscaping unless a reduction in landscaping is required to conform to a condition in this permit.
- 31. Prior to issuance of building permit the applicant shall get approval from the Development Services Department for a Minor Design review per section 18.14.150 of the zoning code.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Suisun City approves Conditional Use Permit Application No. UP 15-6-002 to expand the residential use for an existing facility at 400 California Street.

	orgoing motion was made by Commissioner and seconded by Commissioner carried by the following vote:
AYES: NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:
WITNESS my	y hand and the seal of said City this 13 th day of October 2015.
	Anita Skinner
	Planning Commission Secretary



CITY OF SUISUA CITY COMMUNITY DEVELOPMENT DEPARTMENT

701 Civic Center Boulevard ◆ Suisun City, CA 94585 Phone 707-421-7335 ◆ FAX 707-429-3758 E-mail planning@suisun.com

PLANNING APPLICATION FORM

This application form is required as part of any request to process the planning applications listed below. Other required items are indicated on the accompanying instruction materials. It is the applicant's responsibility to insure that application packages are complete and accurate.

APPLICATION REQUESTED General Plan Amendment Planned Unit Development Development Agreement Rezone Variance	☐ Tentative Subdivision M☐ Tentative Parcel Map☐ Lot Line Adjustment☐ Lot Merger☐ Sign		Use Permit Temporary Use Permit Site Plan/Architectural Review Appeal Other	7	
PROJECT DESCRIPTION Project Name Conversion Request for 400 Assessors Parcel No. 0032-130 Summary Project Description Conversion of Conversion of a 1497 sq ft commercial office residential area. Sharply reduces both traffic	Project Size of a 650 sq ft ground floor sl space into a three bedroom	e nop/storage space residence. Becon	(Net) (Gross	•)	
PROPERTY OWNER/APPLICAN	T	2			
Owner Raymond Goodrich Address 140 Rul of son St	Applicant _	Kaymond	Goodrich son St.	_	
Santa Cruz CA 950	Address _	14 & Rulof Santa (r	100 St. UZ CA 95060	-	
Phone (701) 448-0804		707)448-08		-	
DeveloperAddress	Architect/En	gineer		_	
Phone	Phone			_	
I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and acknowledge that the processing of this application may require additional fees and expenses for the preparation of necessary environmental documentation and planning studies. I certify that I have reviewed the current Hazardous Waste and Substances Site List developed pursuant to AB 3750 and found that my project is not on the list is on the list. A copy of the list is on file at the Community Development Department.					
APPLICATIONS WILL NOT BE ACCEPT	ED WITHOUT SIGNATUR	E OF LEGAL OV	VNER OR OFFICIAL AGENT.		
Property Owner Signature	I H Goodriel	Date	1- 15		
Applicant Signature		Date			
DEPARTMENT USE ONLY					
Application No. <u>UP15-6-002</u> Fee <u>446.60</u> Received by <u>JAMES JOHN</u> Date 8/3/15					
Received by JAMES JOH	Date 8/3/15				

Pamela Cooke 292 Alamo Dr. Suite 3 Vacaville, CA 95688 (707) 448-0804

July 27, 2015

Suisun City Planning Commission 701 Civic Center Boulevard Suisun City, CA 94585

Dear Commissioners:

I am writing on behalf of my father, Raymond Goodrich, to request that the property which he owns at 400 California St. in Suisun be converted to solely residential use.

Currently, the ground level of the building is comprised of a vacant commercial office space, a vacant large shop/storage space, and a one bedroom one bath apartment. Two 3 bedroom 2 bath apartments comprise the second floor.

The proposal for the ground floor is to convert the 1497 sq. ft. commercial office space into a three bedroom two bath apartment like those on the second floor and to convert the 650 sq. ft. of shop/storage space into a one bedroom one bath apartment like the one next to it on that level. There would be no change in the second floor of the building.

The commercial space contains five offices, a 260 square foot reception area, and a large kitchen and bathroom. It was most recently occupied by a multi-level marketing business. Numerous "consultants" ran meetings and sales demonstrations at the office, rotating their schedules to enable the flow of new consultants to also have space to run their own businesses from the building. 20-35 customers would attend the sales demonstrations which took place during regular business hours as well as in the evenings and on weekends. Though there was ample parking available on the street and in the sparsely-used public lot which is located one door down from the building, the vehicle and foot traffic in and out of the building was high for the neighborhood. The business left precipitously Oct. 1, 2014. A previous owner of the building had originally leased the space to that business.

Despite continuously advertising the commercial space since that time, no suitable tenant has been found. Tenants that have been interested would, by the nature of their businesses, not have been suitable for the neighborhood or for the quiet tenants already in the building.

The large number of clients and consultants coming and going from the commercial space created a much higher activity level in the neighborhood than would a couple or small family occupying the space as a residence. Converting the commercial space into a residence would greatly reduce the noise level as well as the number of vehicles coming and going in the neighborhood.

The shop/storage area will either be rented as such or be made into the proposed small apartment D for a quiet single person or couple. The latter alternative would be preferable for the neighborhood as well as for the owner. A residence creates less activity than a shop/storage and tends to have less turnover. We check references carefully and visit previous residences in order to protect our unusually well-appointed apartments and to ensure a tranquil environment for our long-term tenants and neighbors. Neither of the two proposed apartments will have any outdoor living space, so there is no possibility of clutter or an unkempt yard.

Regarding parking, 400 California St. has four off-street standard parking spaces. The only unit which would not have an off-street parking space is Apartment D. Even with the previous high commercial traffic load, there has been no shortage of parking spaces.

Since this proposal will result in a major reduction in parking needs for the building and in traffic for the neighborhood, we are requesting to be allowed street parking for the one bedroom Apartment D. This would be in keeping with this neighborhood of older homes, many of which do not have garages. There is ample street parking.

There are currently five residents of the building. Each of the two 3 bedroom apartments on the second floor is occupied by a couple without children. A single person who is deployed more than half the year occupies the one bedroom apartment on the main floor. The proposed one bedroom Apartment D would probably be similarly occupied. Apartment C would be ideal for a couple needing a home office and a guest room, though it could be occupied by a family with children.

The only alterations to the ground floor exterior of the building will be:

- The removal of the large garbage area doors on the west side (Suisun St. side) of the building, replacing them with a window and an entry door to match those along that side of the building.
- 2. The addition of three windows on the north side of the building.
- 3. The addition of two windows on the east side of the building.

As seen in the floor plans, the project entails only minor modifications to the interiors of the two spaces. There would be no alteration of the second floor exterior or interior of the building.

Refuse pickup would continue to be on the Suisun Street side of the building, but would be kept behind a locked door and be out of sight from the street. The current configuration with the large doors open to the street has encouraged people to use the space around the garbage toters as a sheltered area for sleeping. The proposed configuration for Apartment D would remedy this problem.

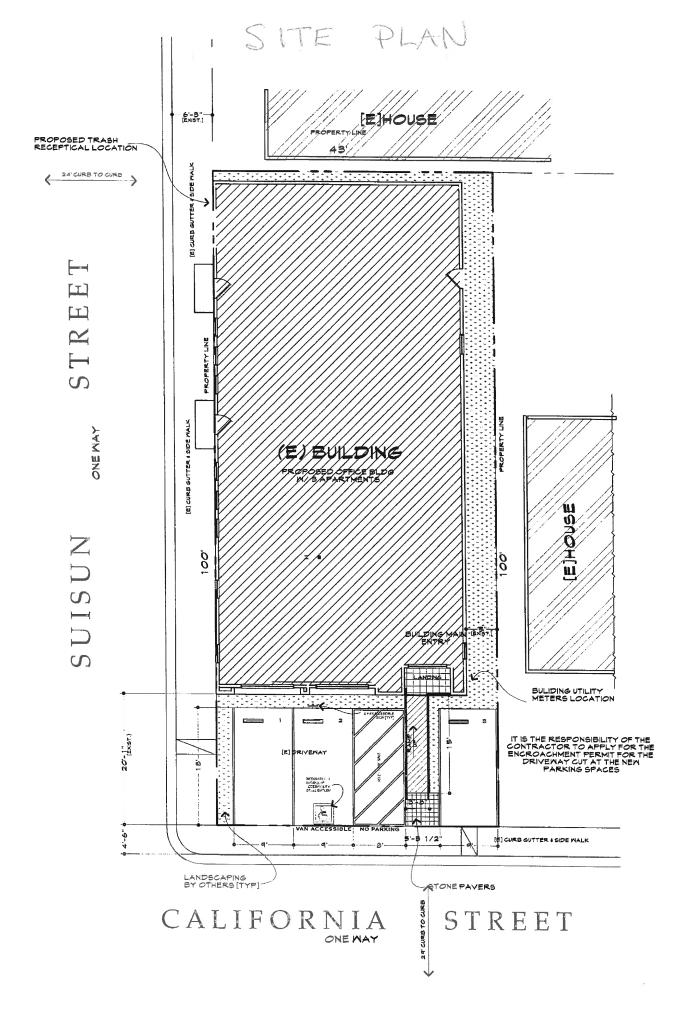
The conversion of the two spaces to residential use will not produce ongoing outdoor work, any outdoor storage, any services or products offered, or any odors, dust or glare. No hazardous or volatile materials or chemicals would be being used for any type of production on the site. Deliveries would be reduced to the level typical for a residential setting. The residential renewable annual lease used for the building precludes tenants from making any alterations of the premises, including installing antennae or satellite dishes, placing signs, displays or exhibits.

The very attractive conversion of the rest of this building to residential use several years ago has enhanced the beauty of the area. The minor modifications to be done for this proposed remaining conversion to residential use would be done to the same standard and likely be accomplished by the same company.

Please feel free to contact me for any further information. Thank you for your consideration of this request.

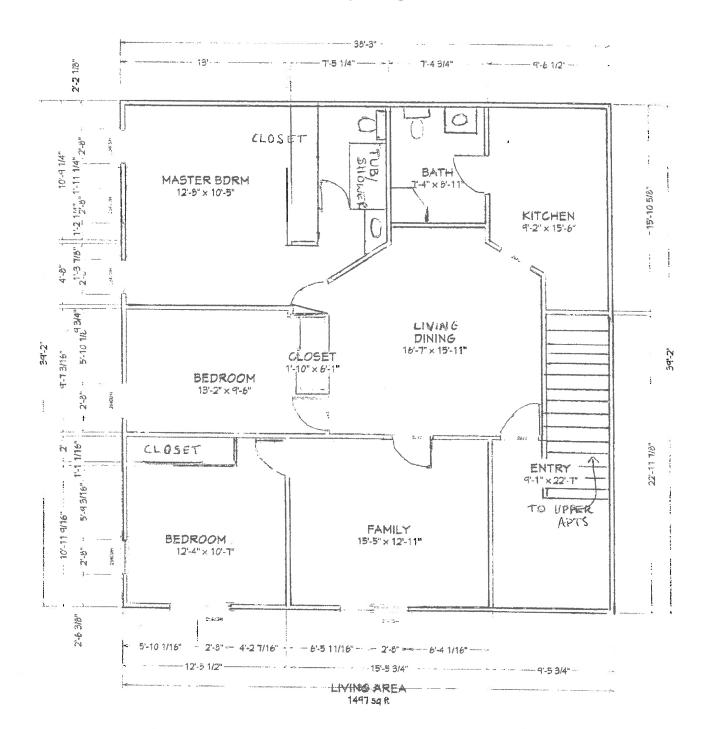
Sincerely.

Hamela Cooke



Conversion Request for 400 California Street, Suisun City

Floor Plan of Proposed Apartment C



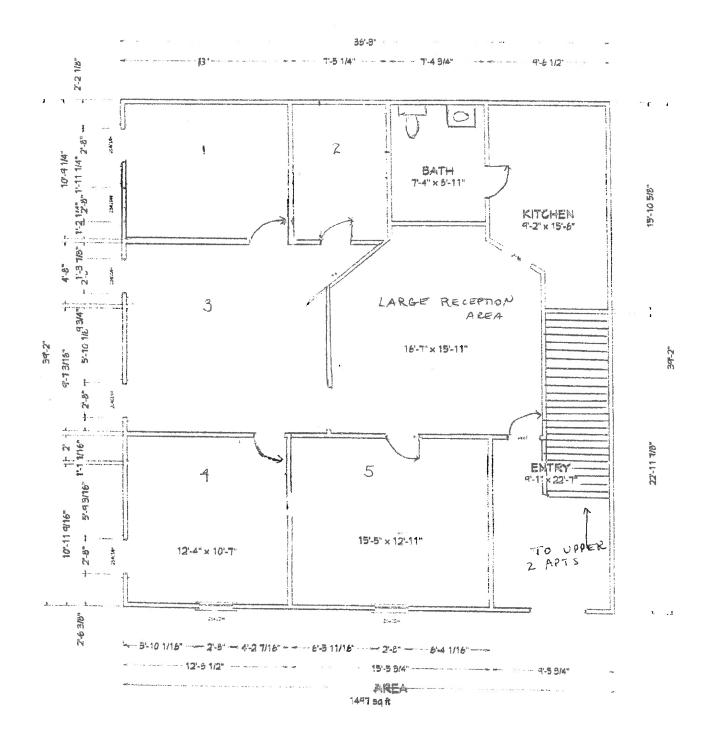
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Conversion Request for 400 California Street, Suisun City

Floor Plan of Proposed Apartment D

Conversion Request for 400 California Street, Suisun City

Floor Plan of Existing Office Spaces



(707) 421-7337 PHONE (707) 429-3758 FAX

MEMORANDUM

DATE:

October 13, 2015

To:

Suisun City Planning Commission

FROM:

John Kearns, Associate Planner

SUBJECT:

Projects Update

With new Planning Commissioners and a number of projects that have been on hold due to economic conditions, staff felt it appropriate to provide an update to the Commission regarding active projects. A presentation will be provided at the Commission meeting regarding the specifics of each project.