

**February 8, 2007**

**BENICIA PLANNING COMMISSION  
CITY COUNCIL CHAMBERS**

**REGULAR MEETING AGENDA**

**February 8, 2007  
7:00 P.M.**

**Please file a speaker's slip if you wish to address the Commission. Anyone wishing to address the Commission regarding the agenda items or during Communications from Audience may speak for a maximum of 5 minutes per agenda item if the subject is before the Commission.**

**Note: All items listed, except under Communications, are for Commission Discussion and/or Action.**

**1. OPENING OF MEETING**

- 1. Pledge of Allegiance**
- 2. Roll Call of Commissioners**
- 3. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.**

**2. AGENDA CHANGES AND DISCUSSION**

**3. COMMUNICATIONS FROM AUDIENCE**

**4. CONSENT CALENDAR**

**Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.**

**\*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Planning Commission meeting, prior to the reading of the Consent Calendar.**

- 1. Approval of Agenda**
- 2. Planning Commission Minutes of January 11, 2007**
- 3. Planning Commission Minutes of January 17, 2007**

**5. REGULAR AGENDA ITEMS**

- 1. GENERAL PLAN CONSISTENCY REVIEW FOR BENICIA'S 2007-2009 CAPITAL IMPROVEMENT PROGRAM (CIP)**

**PROPOSAL:**

The Planning Commission will review the Capital Improvement Program (CIP) and determine if it is consistent with the Goals, Policies and Programs of the Benicia General Plan.

**Recommendation:** Planning Commission review the Capital Improvement Program and determine consistency with the Goals, Policies and Programs of the Benicia General Plan.

**2. BENICIA BUSINESS PARK - DRAFT ENVIRONMENTAL IMPACT REPORT**

Discovery Builders, Inc.

**PROJECT LOCATION**

The Benicia Business Park site is located in the northeastern portion of the City of Benicia in Solano County. The project site consists of a total of 527.8 acres of undeveloped land bounded on the south and east by East 2nd Street. The western boundary is an irregular property line that generally parallels the alignments of West Channel Road and Industrial Way. The northern property line is also irregular and is bounded in part by the City of Benicia Water Treatment Plant and Lake Herman Road.

**BRIEF DESCRIPTION OF PROJECT:** The proposed project would locate commercial development at the eastern end of the project site and industrial development in the central and western portions of the project site. An open space buffer area consisting of primarily undeveloped land is proposed along the south side of Lake Herman Road. In addition, an approximately 54-acre open space "reach" would extend from Lake Herman Road to the southern boundary of the project site. The purpose of the reach is to preserve a key drainage and associated wetlands at the project site. The project sponsor, Discovery Builders, proposes the following actions as part of the project:

- \* Subdivision of the 527.8-acre site into 80 lots (ranging in size from approximately 2.5 acres to 9 acres);

- \* Development of approximately 280 acres of limited industrial uses (with approximately 4,443,000 square feet of building space) and development of 35 acres of commercial uses (with 857,000 square feet of building space);

- \* Provision of approximately 180 acres of open space, including a buffer strip to preserve the rural character of Lake Herman Road, and a "reach" extending from Lake Herman Road to East 2nd Street;

- \* Installation of necessary infrastructure including 10 acres of roadways, water, sewer and utilities;

- \* Installation of two 1,000,000-gallon water tanks that would provide water supply for the proposed development; and

- \* Rezoning of the site to apply a Master Plan overlay and to adjust commercial and industrial zoning designation boundaries to conform to the Master Plan.

**Recommendation:** Planning Commission hold a public hearing to review the sufficiency of the DEIR in discussing possible impacts on the environment, ways in which adverse effects might be minimized, and alternatives to the project.

### **3. GENERAL PLAN CONSISTENCY DETERMINATION FOR THE MILLS ELEMENTARY SCHOOL REUSE PLAN**

#### **PROPOSAL:**

The City is proposing to sign a lease with the Benicia Unified School District to use the former Mills Elementary School as a renovated City Community Center.

**Recommendation:** Planning Commission review the proposal for consistency with the City's General Plan and formally make a finding of this General Plan consistency by adoption of the proposed resolution.

### **6. COMMUNICATIONS FROM THE STAFF**

### **7. COMMUNICATIONS FROM COMMISSIONERS**

### **8. ADJOURNMENT**

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#### **Public Participation**

The Benicia Planning Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on agendized and non-agendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.

Should you have material you wish to enter into the record, please submit it to the Secretary.

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#### **Disabled Access**

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Diane O'Connell, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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#### **Meeting Procedures**

All items listed on this agenda are for Commission discussion and/or action. In accordance with the

**Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the Commission.**

**The Planning Commission may not begin new public hearing items after 11 p.m. Public hearing items which remain on the agenda may be continued to the next regular meeting of the Commission, or to a special meeting.**

**Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.**

**Appeals of Planning Commission decisions which are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 days of the date of action.**