



**BENICIA PLANNING COMMISSION
CITY COUNCIL CHAMBERS**

REGULAR MEETING MINUTES

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

I. OPENING OF MEETING

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**

PLANNING COMMISSION

Present: Chair Fred Railsback, Commissioners Richard Bortolazzo, Kyle Daley,
Dan Healy, Mike Ioakimedes, Bonnie Silveria and Scott Strawbridge
Absent: None

Staff Present: Community Development Director Charlie Knox
Contract Attorney Kat Wellman
Administrative Secretary Gina Eleccion

- C. 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.**

II. AGENDA CHANGES AND DISCUSSION

Gina Eleccion noted that revised minutes of January 17th were submitted to Commissioners. The original minutes included errors regarding Commissioner Bortolazzo's attendance, as well as an omission of Commissioner names in one of the votes. Those errors have been fixed in the revised minutes.

III. COMMUNICATIONS FROM AUDIENCE

None.

IV. CONSENT CALENDAR

A. Approval of Agenda

On motion of Commissioner Silveria, seconded by Commissioner Bortolazzo, the agenda was approved by the following vote:

Ayes: Commissioners Bortolazzo, Daley, Healy, Ioakimedes, Silveria, Strawbridge and Chair Railsback
Noes: None
Absent: None
Abstain: None

B. Planning Commission Minutes of January 11, 2007

On motion of Commissioner Silveria, seconded by Commissioner Healy, the Minutes of January 11, 2007 were approved by the following vote:

Ayes: Commissioner Daley, Healy, Silveria, Strawbridge and Chair Railsback
Noes: None
Absent: None
Abstain: Commissioners Bortolazzo and Ioakimedes

C. Planning Commission Minutes of January 17, 2007

On motion of Commissioner Silveria, seconded by Commissioner Healy, the Minutes of January 11, 2007 were approved by the following vote:

Ayes: Commissioner Daley, Healy, Silveria and Chair Railsback
Noes: None
Absent: None
Abstain: Commissioners Bortolazzo, Ioakimedes and Strawbridge

V. REGULAR AGENDA ITEMS

A. 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.

Dan Schiada gave a brief overview.

The public hearing was opened. There was no public comment. The public hearing was closed.

The Commissioners commented on the timelines for some of the project. Dan Schiada noted that a lot of those decisions are part of the budget process.

On motion of Commissioner Strawbridge, seconded by Commissioner Silveria, the above item was determined to be consistent with the General Plan by the following vote:

Ayes: Commissioner Bortolazzo, Daley, Healy, Ioakimedes, Silveria,
Strawbridge and Chair Railsback
Noes: None
Absent: None

B. 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.

Charlie Knox, Community Development Director, gave a brief report on the project. He noted that the purpose of the hearing is to discuss and to comment to City Council on the adequacy of the Draft EIR. The City Council will make the finding of adequacy of the document. The public comment period for the Draft EIR is still open until February 26th. All comments made will be responded to in the Final EIR. City Staff had no input into the content or substance of the document. Charlie Knox noted that at this point, only comments regarding the adequacy of the document will be forwarded to the City Council at this time. Comments regarding the project itself will be addressed during project review.

Adam Weinstein, Consultant, introduced his associates from LSA. He noted that his presentation is focused on significant environmental impacts only. An overview of the project and the EIR process was given. A PowerPoint presentation was given. Significant impacts and project alternatives were identified.

Commissioners questioned the economics of the proposal and what assumptions were made to determine the impacts. Adam Weinstein noted that the fiscal analysis was done by a Consultant based on acreage and floor area ratios. The consultant worked with the project sponsor. Charlie Knox noted that the property owner has the right to propose uses to be included in the analysis.

Commissioners questioned the soil stability based on cut and fill. There is some concern over what is reasonable and safe. Adam Weinstein noted that there are background documents with more information. This will be further addressed in the Response to Comments in the Final EIR.

Regarding traffic and accidents, there are conflicting recommendations. Adam Weinstein noted that there are mitigation measures to reduce the impacts of the project.

The public hearing was opened.

Bob Craft, 323 Columbia Circle – He is concerned with cumulative impacts. Land use, hydrology, biology, air quality and visual impacts are not appropriately mitigated. He believes there are at least 21 conflicts with the General Plan. He is concerned with the grading plan. He would like a 3-dimensional model of the project. He is concerned with energy uses.

Sue Wickham, 411 Duvall Court – She will be submitting written comments on the project. She questioned why public comments from earlier meetings weren't included in this Draft EIR. She does not believe all of the mitigation measures are detailed enough. She commented on culverting and bike lanes. She encouraged the Commission to look

at the alternatives to the project. There are significant impacts to Lake Herman Regional Park. The development should help pay for improvements to this park. She noted concerns from Marilyn Bardet over cumulative air quality concerns and water.

Steve Goetz, 347 Goldenslopes – He commented on traffic, air quality and noise. He would like to see I-780 remain 4 lanes and this General Plan policy should be included. He discussed turn lanes and trip generation. There should be air quality receptors. He is concerned with excessive noise. The alternatives need to be seriously looked at.

Dan Smith, 365 Military East – He thanked LSA for their work on this project. He believes the applicant has ignored previous comments and the City’s General Plan. He is happy that all of the alternatives include space for public service. There need to be additional mitigations for transportation. He stated his concern for public safety response time. The project sponsor should be responsible for constructing a public safety facility.

Jan Cox-Golovich, League of Women Voters – She commented on a study of the East 2nd Street Corridor. This should be an official comment to the Draft EIR. She is concerned with safety and air quality since the uses are based on assumptions. She would like Lake Herman to remain a rural area and the impact to this area is significant. There are no guidelines for big box stores. The zoning regulations should be amended. The City should consider the record of this developer.

Dana Dean, Attorney – She spoke on urban decay. CEQA requires mitigations to be real and not deferred. She believes a “worse-case scenario” should be analyzed and mitigated. Charlie Knox noted that if the tenant mix changes significantly, there would likely be a supplement to the EIR. He further noted that a Master Plan requirement will ensure that significant changes will trigger additional review.

The public hearing was closed.

Commissioners discussed the adequacy of the document.

There are concerns with impacts to Downtown and measuring to standards, which are below State average. Marketing and advertising were mentioned. Diversification, air quality and traffic were mentioned.

Urban decay was discussed. There is an opportunity to bring people downtown with the addition of this project.

Commissioners commented on the thorough work that went into the Draft EIR. There are some questions over assessing economic impacts. There are other regional industrial areas that should be looked at. The aesthetic value of creeks was commented on. Green building codes were suggested.

A question was asked about a vesting tentative map. Charlie Knox noted that a vesting tentative map creates a right to go forward with a project. Specific uses and density proposed are all taken into consideration.

A comment was made that an Industrial Park was needed when the Arsenal closed. There will be impacts similar to developing Sky Valley. Bike lanes need to be added to this project.

Air quality concerns were mentioned. With the Water's End development, there are still dust problems. Grading will create a lot of air quality issues.

There was a suggestion to look into energy-efficient building codes.

Public safety is going to be significantly impacted. The City should not bear the financial burden of this impact.

Runoff mitigations were mentioned. Sulphur Springs has been an issue. The cumulative impact of water flow downstream needs to be looked at.

River otters, beaver, deer, mountain lions and other small mammals should be identified in the EIR.

A comment was made that when the entire parcel was segmented, it looked like Lot 34 (see page 69 of Draft EIR) was left out and should be included.

Bike lanes and walking trails should be included.

With the amount of cut and fill, the landslide issue should be looked at further.

Impacts on page 237 show 2 right-turn lanes. Charlie Knox noted that there is a center left/right turn lane.

Regarding recycled water, it doesn't appear that this will happen, so this should not be counted on.

Overloading of a 24" sewer line at peak times is not an acceptable situation. This sewer line should be upgraded.

Commissioners appreciated the amount of work that went into preparing the Draft EIR.

C. 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.

Charlie Knox gave a brief overview of this item. He referenced a memo by Mike Alvarez on the proposed operating parameters of the site.

Commissioners questioned if gym space will be available. Additionally, there was a question as to whether this site was considered for a new police station. Charlie Knox noted that there is no intent to do significant work to the building other than for safety and maintenance purposes. If it is determined that this is a better long-term facility than the current police facility, there is still potential in the future.

Commissioners questioned if citizens are aware of this item. Staff noted that citizens will be noticed when the lease goes to Council for action.

The public hearing was opened.

The public hearing was closed.

RESOLUTION NO. 07-4 (PC) - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BENICIA ESTABLISHING CONSISTENCY WITH THE GENERAL PLAN FOR THE MILLS ELEMENTARY SCHOOL REUSE PLAN AT 380 EAST "L" STREET

On motion of Commissioner Healy, seconded by Commissioner Daley, the above Resolution was approved by the following vote:

Ayes:	Commissioner Bortolazzo, Daley, Healy, Ioakimedes, Silveria, Strawbridge and Chair Railsback
Noes:	None
Absent:	None
Abstain:	None

VI. COMMUNICATIONS FROM STAFF

Charlie Knox noted that we need Strategic Plan feedback from the Commissioners to provide to the City Manager.

Commissioners discussed suggested items and provided direction to staff.

Code enforcement expansion was added. Financial provision for implementation of Downtown and Arsenal plans should be added. Story poles citywide should be added to the list.

VII. COMMUNICATIONS FROM COMMISSIONERS

None.

VIII. ADJOURNMENT

Chair Railsback adjourned the meeting at 9:11 p.m.