

NOTICE OF PUBLIC HEARING

Regular Meeting Benicia Planning Commission

**Thursday, April 10, 2008, 7:00 p.m.
City Hall Council Chambers**

The Planning Commission will hold a public hearing to consider the following application:

BENICIA BUSINESS PARK VESTING TENTATIVE MAP, MASTER PLAN AND REZONING

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.

PROPOSAL

The revised project reverses the prior open space/development ratio, with approximately 60 percent open space. The application seeks City Council approval of a Vesting Tentative Map, Master Plan, and Rezoning to subdivide the 527.8-acre Benicia Business Park site into 80 lots ranging in size from 1.5 to 5.2 acres, plus five large open space lots. The applicant has characterized this final project application as a combination of two environmentally superior alternatives analyzed in the EIR: the Waterway Preservation and Hillside/Upland Preservation alternatives.

The project is proposed to be constructed in phases, with the initial phase comprising the 35-acre (14-lot) commercial portion of the project, plus two lots at the East 2nd Street/Industrial Way intersection that will be used for new public service facilities, including a Fire Department sub-station and Police department office. If the project is approved, conditions will be necessary to ensure that necessary infrastructure is installed prior to occupancy of each phase.

On February 19, 2008 the City Council certified the Environmental Impact Report (EIR) for the Benicia Business Park project; however, Council also determined that the project as proposed could not be approved due to inconsistency with the City's General Plan. A revised Vesting Tentative Map, Master Plan and Rezoning application was submitted March 20, 2008. The Subdivision Map Act requires the Planning Commission to make a report regarding the proposed Vesting Tentative Map to the City Council within 50 days of EIR certification. State law also requires a Planning Commission recommendation on a rezoning proposal.

RECOMMENDATION:

Adopt a resolution that (1) comprises a report to the City Council regarding the proposed Vesting Tentative Map, (2) makes a recommendation to the City Council regarding the proposed rezoning, and (3) may include findings and conditions for Council to consider in the event Council chooses to approve the project.

ENVIRONMENTAL ANALYSIS:

The City Council certified the project EIR on February 19, 2008 by Resolution No. 08-13.

The application materials and files are available for public review in the Community Development Department and on the City's website (www.ci.benicia.ca.us). The Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). The meeting agenda and packet materials are also available at the Benicia Public Library several days before the meeting date. Any interested person may comment on the project.

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.

BY ORDER OF THE PLANNING COMMISSION

CHARLIE KNOX, SECRETARY