



April 10, 2024

Applicant's 7/9/2024 Response: City's comment letter dated 4/10/2024 is reflected below. Applicant's response is inserted below each City comment.

Doug Chen, RCE, LS
AD Seeno Construction Co.
4021 Port Chicago Highway
Concord, CA 94520

Re: Rose Estates, Design Review and Tentative Map Application
Project Number PLN-24-9

APNs: 0080-010-030, -110, -120; 0080-030-060, -070, -100, -140, -160; 0181-260-060, -070

Via U.S. Mail and Email to: dchen@seenohomes.com

Dear Mr. Chen,

On March 12, 2024, you submitted an application for Design Review and Tentative Map for the proposed residential and commercial/flex space development at the property known as "Rose Estates" (APNs: 0080-010-030, -110, -120; 0080-030-060, -070, -100, -140, -160; 0181-260-060, -070). The City of Benicia has reviewed the application materials and determined that your application is **incomplete** at this time. Additional information is needed to deem the application complete.

The comments provided on the Planning Application do not constitute a construction permit review or permit approval. Permits from the Building, Fire, and/or Public Works departments may be required by means of separate applications and are the responsibility of the applicant.

General Procedural Background: This is a housing development project (meeting the affordability requirement under GC 65589.5.(d)) protected under housing laws including HAA, HCA, and SDBL. A Preliminary Application was submitted on 9/15/2023 pursuant to SB330, the Full Application was submitted electronically and in-person on 3/12/2024. Per GC 65589.5.(o)(1), for a housing development project (which this project is), submittal of a Preliminary Application freezes development standards and fees as of the submittal date.

Per GC 65943, if the Full Application is determined to be incomplete, City shall provide Applicant with an exhaustive list of items that were not complete

pursuant to the City's checklists (i.e., City cannot require items not on the checklists); information not included in the initial list of deficiencies cannot be requested in subsequent reviews. Accordingly, please limit your additional review comments, if any, to ensure compliance with SB330.

Please note that Applicant is also requesting non-discretionary bonus units, incentives and concessions, and unlimited waivers, all under SDBL (GC 65915) to remove, as needed, any general plan, zoning, and other development standards which preclude the construction of this Project (GC 65915.(e)(1), "*In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section...*").

Application Completeness

PLANNING, BUILDING, PUBLIC WORKS COMMENTS

Fees & Cost Recovery :

1. The applicant submitted \$16,933.00 to the City. Below is the itemized list of fees² with remaining balance required to be paid by applicant:
 - a. Design Review – Commission (New Structure or Major Alteration - \$5,756.00
 - b. General Plan Amendment - \$7,631.00
 - c. General Plan Maintenance - \$2,450.35
 - d. Technology - \$7351.05
 - e. Vesting Tentative Map (5 or more lots) - \$13,909.00
 - f. Zone Change (including map) - \$7,709.00
 - g. Total - \$44,806.40
 - h. Amount Paid - \$16,933.00
 - i. Amount Due and Payable - \$27,873.40

7/9/2024 Response: The correct amount should be \$12,533.40 (removed fees for GPA and ZA. \$27,873.40 - \$7,631.00 - \$7,709.00 = \$12,533.40).

2. A cost reimbursement agreement is attached for your review and signature.

7/9/2024 Response: Please note that Applicant already signed a cost recovery agreement. There is approximately \$33k remaining on the Applicant's North Study Area deposit. Please transfer that remaining fund to the current application. In addition, Applicant is providing another \$100k for the City to continue processing the current application, with the understanding that the City will provide accounting information to back up its expenditure. Applicant will supplement its deposit account based on said accounting information.

² City of Benicia Master Fee Schedule is available at: https://beniciacarebuild.govoffice2.com/vertical/Sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/Master_Fee_Schedule_with_Revised_Fees.pdf

Application¹:

3. The existing project site has a General Plan Land Use and Zoning designation of Limited Industrial and General Commercial, which is not consistent with the proposed project. The proposed project will therefore require a General Plan Amendment, per the City of Benicia General Plan, and a Zoning Map Amendment/Zone Change, per BMC Chapter 17.120. Additionally, a Design Review at the Planning Commission level (BMC Chapter 17.108) and a Tentative Map (BMC Chapter 16.12) is required. Revise the Planning Application Form accordingly.

7/9/2024 Response: Revised Planning Application Form included. Applicant is not seeking a GPA or Rezone.

4. Based on new information provided in the applicant's resubmittal, the City reserves the right to find that additional permits (e.g., Right-of-Way Vacation, Tree Removal Permit, Grading Permit) may be required.

7/9/2024 Response: No response required.

5. Clarify if any government program funds will be used for this project. In some cases, the funding source(s) or program(s) conditions will trigger additional requirements such as ADA upgrades or CBC 11B and/or 11A regulated elements for applicable structures and common areas.

7/9/2024 Response: Not anticipated.

Written Statement¹:

6. Provide a description and documentation of any previous land use.

7/9/2024 Response: See Revised Written Statement.

7. Provide the anticipated number of employees, clients, customers, and residents.

7/9/2024 Response: See Revised Written Statement.

8. Describe the type and mix of vehicle traffic anticipated (e.g., auto, truck, drop off) for the proposed project.

7/9/2024 Response: See Revised Written Statement.

9. Describe the delivery schedules and location of loading activities for restaurant, retail, or similar uses.

7/9/2024 Response: See Revised Written Statement.

10. State if there will be any sources of odors, noise, dust, or glare associated with the proposed use or proposed construction activities. If so, the expected frequency and duration of such effects shall be described.

7/9/2024 Response: See Revised Written Statement.

11. Describe the nature and duration of temporary equipment or storage (if applicable).

7/9/2024 Response: See Revised Written Statement.

12. State if there will be any hazardous materials, as defined in the California Fire Code. List the quantities and storage methods of such materials and provide copies of their Safety Data Sheets.

7/9/2024 Response: Not anticipated.

13. Identify any known or potential permit requirements of Federal, State and regional agencies (e.g., BCDC, BAAQMD, ACOE, etc.).

7/9/2024 Response: See SB330 Preliminary Application, and Revised Written Statement.

Proposed General Plan and Zoning Map Amendments¹:

14. Provide a written statement describing the reason for the proposed General Plan land use and zoning designation amendments and any pertinent information to support the request.

7/9/2024 Response: See #3 above.

15. Provide a map showing the location, boundaries, assessor's parcel numbers (APNs) and addresses of the properties for the change in General Plan land use and zoning. The map shall also include a list, drawn from the last equalized property tax assessment roll, showing the names and addresses of the owner of record of each lot within a 300 feet of the boundaries of the property per BMC Section 17.120.030.

7/9/2024 Response: See #3 above. See 500' radius notification package.

16. Provide a description of the current zoning and General Plan land use designations and proposed zoning and General Plan land use designation for the parcels.

7/9/2024 Response: See #3 above. See Revised Written Statement.

Master Plan¹:

17. Provide a Master Plan, which is required for the project per the City of Benicia's General Plan. General Plan Policy 2.3.1 states that "the master plan requirement also applies to other large properties...which may in the future be purchased or assembled for development or private redevelopment..."

7/9/2024 Response: See Revised Written Statement.

General Notes for All Plan Sheets¹:

18. Include a Title Block with the project name, revision date, sheet title, preparer's name, preparer's contact info, and sheet number.

7/9/2024 Response: Tentative Map plan set updated.

19. Include the site address and assessor's parcel number (APN) on each sheet.

7/9/2024 Response: Tentative Map plan set updated.

20. Plans shall be stamped, signed, and dated by the licensed architect, engineer, designer, or equivalent.

7/9/2024 Response: Tentative Map plan set updated.

21. Plans shall be provided at an engineer scale no smaller than 1"=40' or an architect scale no smaller than 1/8"=1'.

7/9/2024 Response: Plans are drawn to scale, so they can be plotted at any scale. Instructions have been added to the tentative map on how to plot to no smaller than 40 scale.

22. Include a graphic scale and north arrow on each sheet.

7/9/2024 Response: Tentative Map plan set updated.

23. Ensure that all details and information necessary to demonstrate zoning conformance are provided (including but not limited to floor area, required yards, underground utilities, and mechanical screening).

7/9/2024 Response: See Tentative Map and Design Review Booklet.

Photographs¹:

24. Identify the date, location, and aspect of each photograph. This can be done by providing an overview map with numbered locations that correspond to each photograph.

7/9/2024 Response: See revised overview map with locations numbered.

Tentative Map¹:

25. Provide the subdivision number.

7/9/2024 Response: Applicant requested this information from the Planning Dept. on 5/20/2024 and was informed by Vivien Togonon that this information does not need to be provided as part of the second resubmittal.

26. Provide the names and numbers of adjacent subdivisions, and the names of owners of adjacent unplotted land.

7/9/2024 Response: Tentative Map plan set updated.

27. Clarify and/or provide the widths, location, and identity of all existing easements. Provide letters of non-interference for all existing easements identified in the title report and on the underlying maps.

7/9/2024 Response: Tentative Map plan set updated. Letters of non-interference are not a completion item, and easements do not have exclusive rights over fee-title parcels.

28. The Tentative Subdivision Map provided appears to be conceptual. Although this tentative vesting map provides valuable information, additional information and detail is required for this completeness review, add the following:

- a. Legal description to define the boundary of the proposed subdivision.

7/9/2024 Response: Sheet 1 of the Tentative Map plan set has been updated.

- b. Basis of Bearings and Benchmark source of existing contours.

7/9/2024 Response: Sheet 1 of the Tentative Map plan set has been updated.

- c. A statement of the existing and proposed zoning and land uses for the site:
 - i. Revise the proposed General Plan land use designation(s) to be consistent with the City's land use definitions.

7/9/2024 Response: See #3 above.

- ii. Remove the note under "Existing General Plan & Zoning" that states, "not applicable due to SB 330" as this is not accurate.

7/9/2024 Response: Sheet 1 of the Tentative Map plan set has been updated.

- iii. Provide proposed zoning.

7/9/2024 Response: See #3 above.

- d. All natural features including wetlands and streams. Indicate the centerline and top of bank for streams.

7/9/2024 Response: Tentative Map plan set updated. Maps were provided in SB330 Preliminary Application showing approximate widths. A formal delineation will be conducted as the Project advances into CEQA.

- e. All existing trees with a trunk diameter of four inches or more, measured 24 inches above existing grade. Elevations shall be provided and trees shall be numbered; trees to be removed shall be designed with an "X". Note: This information can be provided as part of the Arborist Report.

7/9/2024 Response: See Arborist Report dated July 8, 2024.

- f. The location and outline of existing structures, identified by type. Structures to be removed shall be noted on the map.

7/9/2024 Response: Tentative Map plan set updated.

- g. The approximate location of all areas subject to inundation or storm water overflow, and the location, width, and direction of flow of each watercourse.

7/9/2024 Response: See notes on Sheet 1 of the Tentative Map plan set.

- h. The location and size of existing sanitary sewers, fire hydrants, water mains, and storm drains. The approximate slope of existing sewers and storm drains. The approximate slope of existing sewers and storm drains shall be indicated.

7/9/2024 Response: Tentative Map plan set updated.

- i. The location of existing overhead utility lines on existing peripheral streets.

7/9/2024 Response: Tentative Map plan set updated.

29. Revise the existing contours sheet to:

- a. Include at least 100 feet beyond its boundary.

7/9/2024 Response: Tentative Map plan set updated.

- b. Provide a source and date of existing contours.

7/9/2024 Response: Sheet 1 of the Tentative Map plan set has been updated.

- a. Revise existing contours to be shown at intervals of not more than five (5) feet, and, if the slope of the land is less than ten (10) percent, at intervals of not more than two (2) feet.

7/9/2024 Response: Tentative Map plan set updated.

30. All proposed improvements shall be shown including, but not limited to:

- a. The location and radius of all curb returns and cul-de-sacs.

7/9/2024 Response: Tentative Map plan set updated.

- b. The location, width, and purpose of all retained and proposed easements.

7/9/2024 Response: Tentative Map plan set updated.

- c. The angle of intersecting streets, if the angle deviates from a right angle by more than four degrees.

7/9/2024 Response: Tentative Map plan set updated.

- d. Engineering data showing the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, the top and toe of cut and fill slopes to scale, grading quantities (excavation, fill and site balance) and the number of each lot.

7/9/2024 Response: Tentative Map plan set updated.

- e. A water and sewer plan indicating the location of fire hydrants.

7/9/2024 Response: Tentative Map plan set updated.

- f. Any proposed recreation sites, trails, and parks for private or public use.

7/9/2024 Response: Tentative Map plan set updated.

- g. Any proposed common areas and areas to be dedicated to public open space.

7/9/2024 Response: Tentative Map plan set updated.

- h. A planting plan for slopes, erosion control, street trees, any other landscaping, and fencing.

7/9/2024 Response: A Preliminary Landscape Plan is included.

- i. A list of potential street names for any unnamed streets in the subdivision.

7/9/2024 Response: A list of potential street names is included.

31. If the site will be developed in phases, provide information on the proposed units and the sequence of construction.

7/9/2024 Response: See Revised Written Statement.

Preliminary Grading and Drainage Plan¹:

32. Submit topographic survey prepared by a California licensed land surveyor or civil engineer. the survey shall include any and all public utility easement.

7/9/2024 Response: Not a completion item; however, the aerial topo and preliminary grading plans were prepared by a licensed surveyor and/or civil engineer. Final Map and construction documents will be prepared in accordance with the SMA and BPC.

33. Provide total grading quantities (excavation, fill, and site balance). If any quantity of grading will occur, complete and submit a Grading Plans Checklist available at City of Benicia Public Works Department, or online at

https://www.ci.benicia.ca.us/vertical/sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/Grading_and_Drainage_Submittal_Requirements.pdf.

If import or export will be required estimate the distance travelled, total trucks, and timing/phasing of the grading.

7/9/2024 Response: Total grading quantity is approximately 7,000,000 CY cut to fill, leaving a balanced site. The Grading Plans Checklist is not a completion item; Applicant will address when required.

34. Provide proposed grades and slopes for all accessible paths of travel (as required by the California Building Code).

7/9/2024 Response: Tentative Map plan set updated.

35. Ensure that accurate contours and/or elevations of existing and finished grade within forty feet (40') of project property line are provided.

7/9/2024 Response: Tentative Map plan set updated.

36. Provide location and elevations of proposed retaining walls.

7/9/2024 Response: Tentative Map plan set updated.

37. Provide additional information and detail to the preliminary grading and utility plans

to identify the service connection points for all utilities. Include supporting information such as utility atlas sheets and or development plans for the supporting utilities.

7/9/2024 Response: Tentative Map plan set updated. Supporting information is not a completion item; Applicant will address when required.

38. It appears that the flow lines for streams and natural drainage courses are shown; Add the top of bank boundaries. Identify regulatory agency jurisdictional areas.

7/9/2024 Response: Tentative Map plan set updated. Maps were provided in SB330 Preliminary Application showing approximate widths. A formal delineation will be conducted as the Project advances into CEQA.

39. A DMA map and treatment summary was provided; provide a preliminary hydrology study to address upstream tributary areas, onsite control, capture, conveyance, treatment, mitigation, overland release and emergency overflows. Ensure the study also addresses the draw down of the open basins.

7/9/2024 Response: Not a completion item. A H&H Study will be provided as the Project advances into CEQA.

40. Ensure that best management practices for erosion and sediment control are shown on the plan in conformation with Benicia Municipal Code Section 15.70.090. Complete an Erosion and Sediment Control Checklist, available at City of Benicia Public Works Department, or online at [https://www.ci.benicia.ca.us/vertical/sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/Benicias Checklist for Erosion Sediment Control Plan.pdf](https://www.ci.benicia.ca.us/vertical/sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/Benicias%20Checklist%20for%20Erosion%20Sediment%20Control%20Plan.pdf).

7/9/2024 Response: Tentative Map plan set updated.

41. Provide location of berms, swales, ridges, brow ditches, down drains and other surface and subsurface drainage facilities on plans.

7/9/2024 Response: Tentative Map plan set updated.

42. Provide a water and sewer plan indicating the point of connection to the City's system and a preliminary design of the pipe locations and sizes.

7/9/2024 Response: Tentative Map plan set updated.

43. Indicate all existing trees with a trunk diameter of four inches or more, as measured 24 inches above existing grade. Include elevations and protected zones, and number trees to correspond with the Arborist Report.

7/9/2024 Response: See Arborist Report dated July 8, 2024.

44. Confirm that the provided Stormwater Control Plan is based upon Benicia Municipal Code Section no. 15.070.090.E.3 and including development of full hydromodification measures and further based on the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual: Design

Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa and Solano Counties, available at City of Benicia Public Works Department, or online at https://www.ci.benicia.ca.us/vertical/sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/BASMAA_Post_Construction_Manual_2019.pdf.

7/9/2024 Response: Confirmed.

45. Submit an on-line application through the City's on-line permit center for a Grading Permit for the project in full compliance with Benicia Municipal Code Section no. 15.73.

7/9/2024 Response: Not a completion item. Applicant will address when required

46. Grading between October 15 and April 15 requires additional conditions per BMC 15.73.140 including a letter from the Geotech/Engineering approving wet weather work, stormwater control plan, wet weather BMPs, and additional inspection fees/security.

7/9/2024 Response: Not a completion item. Applicant will address when required

47. Provide map showing construction access routes.

7/9/2024 Response: Not a completion item. Applicant will address when required

48. Pre and post construction documentation (video and pictures) of construction access routes on City road network to determine impact of construction on public road network. Installation of pavement repairs/surface treatment may be required at the City's sole discretion.

7/9/2024 Response: Not a completion item. Applicant will address when required

Soils Report/Geotechnical Report¹:

49. Ensure that the provided geotechnical report is stamped and signed by a professional engineer licensed in the State of California.

7/9/2024 Response: Geotechnical report will be signed upon final.

Arborist Report¹:

50. Provide an Arborist Report if the updated Planning Application will result in site grading, removal of a protected or heritage tree as defined by BMC Chapter 12.24, or as otherwise determined by the Planning Division or City Arborist. The Arborist Report must include the following:

- a. Botanical and common name of tree(s) by tree number.
- b. Diameter at Breast Height (DBH, 24 inches above grade) by tree number.
- c. Dripline radius (measure longest radius) by tree number.
- d. Condition of tree (e.g., health, vigor, and structure), by tree number.
- e. Care recommendations of arborist (e.g., fertilizing, cabling, pruning, watering, etc.), by tree number.

- f. Specific and general tree preservation measures recommended by arborist, by tree number for construction and post-construction activities.

7/9/2024 Response: See Arborist Report dated July 8, 2024.

Site Plan¹:

51. Provide a zoomed in site plan(s) that shows each subdivided parcel and includes the following:

- a. Vicinity map showing abutting streets, alleys, and major cross streets within 300 feet.
- b. Property lines, dedications, easements of record, and lot area.
- c. Location of proposed buildings and structures with distance measurements to all property lines and nearby structures.
- d. Location of all outdoor activities including but not limited to common areas, dining and entertainment areas, and storage.
- e. Location of proposed walls, fences, open spaces, driveways, parking areas and pedestrian walkways. Detail and material specification shall be provided for fences and walls.
- f. Site accessibility improvements (as required by the California Building Code and Americans with Disabilities Act).
- g. Location of all site entrances, exits, and walkways.
- h. Exterior ground-mounted mechanical equipment and utilities including transformer boxes, valves, air conditioners, fire department connections, backflow prevention assemblies, standpipes, etc.
- i. Location of all exterior lighting.
- j. All planted areas and areas to be planted (include location of existing trees).
- k. Summary of project statistics including zoning, square footage, lot coverage, floor area ratio (as applicable), site landscaping and parking requirements.

7/9/2024 Response: Tentative Map plan set updated.

52. Provide parking and circulation details, either as part of the site plan or a separate sheet(s), that includes the following:

- a. Parking spaces individually numbered and labeled by type: standard, compact, handicap, motorcycle, bike, etc.
- b. Designated loading areas
- c. Circulation areas, including drive aisles and pedestrian pathways.
- d. Table with building floor area and use, required parking ratio, and number of required and proposed parking spaces per requirements of BMC Chapter 17.74.

7/9/2024 Response:

Lot	Bldg. Sq. Ft.	Total Sq. Ft.	Est. Floor Area	Use	Est. Required Parking Ratio	Number of Parking	
						Required	Proposed
B	15,714	109,998	109,998	Flex	4.00 (1 per 2500±sf)	440	440
C	50,480	50,480	50,480	Flex	1.34 (1 per 750±sf)	68	68
D	50,480	100,960	100,960	Flex	1.34 (1 per 750±sf)	136	136

- e. If off-site parking will be utilized, include a diagram demonstrating compliance with the standards of BMC Chapter 17.74.
- f. If a reduction to the parking requirement is requested, or if it is deemed relevant by the Zoning Administrator, a parking study shall be prepared by a qualified professional.

7/9/2024 Response: Tentative Map plan set updated.

53. Provide the proposed uses and add detail for the parking lot areas, access, driveways, ingress, egress and utility connections for LOT B and LOT C (commercial/flex) spaces.

7/9/2024 Response: Tentative Map plan set updated. Commercial flex is being proposed to allow the parcels to adapt to changing needs of the City. Uses include grocery and general merchandise retail, offices, R&D, light manufacturing, etc.

Landscape Plan¹:

54. Provide a landscape plan that includes:

- a. Location of all required landscaping pursuant to BMC Section 17.70.190.
- b. Total area of existing and proposed landscaping, expressed in square feet.
- c. Location and species of all existing and proposed trees. Indicate if existing trees will remain or be removed.
- d. A Plant Legend in table form for all trees, shrubs, and ground cover. Include the following information in the Plant Legend:
 - i. Botanical & common name
 - ii. Quantity
 - iii. Size
 - iv. Water usage (L,M,H).
 - v. Total landscape coverage (square feet), and compliance with all landscape coverage, perimeter and parking lot landscape requirements.
 - vi. Location of proposed turf (grass) areas.
- e. Height and spread of ultimate growth. Replace height & width with typical spacing for ground cover.
- f. Shading calculations for parking areas.
- g. All hardscape and screening features (perimeter fencing, enhanced paving,

trash enclosures, etc.). Provide details for all features if not shown on site plan.

- h. Indicate whether site landscaping will be irrigated. Irrigation plans delineating coverage must be submitted with plans for building permits.

7/9/2024 Response: A Preliminary Landscape Plan is included.

Photometric (Lighting) Plan¹:

55. Provide a photometric (lighting) plan, prepared by a qualified professional, that includes:

- a. Location and type of fixed exterior lighting, both fixed to the building and free standing, for circulation, security, landscaping/building accent purposes.
- b. Light levels (expressed in footcandles) on-site, on adjoining right-of-way and on adjoining properties.
- c. Lighting (pole and fixture) cut sheets with specifications.

7/9/2024 Response: A Photometric Plan is included.

Elevations¹:

56. Indicate the direction of each façade (e.g., north, south, east, west) for each elevation.

7/9/2024 Response: The direction of each façade has been added to the Design Review Booklet (DRB).

57. Provide labeled dimensions including the height of all structures, as measured per BMC 17.70.170 for each elevation.

7/9/2024 Response: Labeled dimensions have been added to the DRB.

58. Specify the proposed construction type (e.g., masonry, tilt-up) for each elevation.

7/9/2024 Response: The residential construction type will be wood frame and the commercial buildings will be tilt-up.

59. For each elevation, indicate if there is any proposed exterior equipment and/or mechanical equipment, including rooftop and ground-mounted equipment, standpipes, and backflow prevention devices. Show screening for all equipment.

7/9/2024 Response: Exterior and mechanical equipment has been added to the DRB.

60. Provide side and rear elevations with required details for all residential plans and elevation types in each village.

7/9/2024 Response: Side and rear elevations have been added to the DRB.

61. All building accoutrements, including wall-mounted lights, must be labeled on each

elevation.

7/9/2024 Response: All building accoutrements have been added to the DRB.

62. Provide a description and details of all exterior building materials, treatment, and colors for each residential elevation type as they relate to the residential materials board (file titled, "Submittal 2," p. 37-38).

7/9/2024 Response: Sheets titled 'Color Chart and Exterior Materials' have been added to the DRB.

63. Clarify the purpose of the greyed-out shading on the right and left side of each residential elevation.

7/9/2024 Response: The greyed-out shading is to show the approximate location of the fence line.

64. Clarify and clearly label why there are two different commercial/flex space front elevations. See file titled, "Submittal 2," p. 39 and 40.

7/9/2024 Response: The labeling has been revised to indicate that one is 'Retail Commercial' and the other is 'Flex Commercial'.

65. Provide material and color details for the rear and side elevations for the commercial/flex space.

7/9/2024 Response: Side and rear elevations will be consistent with front.

66. Ensure that all material/color notes provided on the multi-family residential elevations are accurate. For example, see call-out 4 on file titled, "Submittal 2," p.46. Revise as needed.

7/9/2024 Response: Material and color notes have been corrected in the DRB.

Floor Plans¹:

67. Include a small sized schematic diagram for each floor plan to indicate which areas were included in the floor area calculation.

7/9/2024 Response: Floor area calculation includes all conditioned living areas and all exterior walls, excluding the garage walls.

68. For each floor plan, identify locations of proposed fire protection equipment as applicable for occupancy or use.

7/9/2024 Response: Locations will be identified when CDs are submitted.

69. Identify the storage and use locations of any hazardous materials.

7/9/2024 Response: No hazardous materials will be stored or used on site.

70. Demonstrate compliance with egress and accessibility requirements as applicable

based upon the California Building Code.

7/9/2024 Response: Compliance will be demonstrated when CDs are submitted.

71. Identify the structure type classification (e.g., VB, IIB) and occupant load.

7/9/2024 Response: The construction type for the residential is 'VB' with an occupancy of 'R3' and 'U' for the garage. The commercial construction type is 'IIIA' with potential occupancies of 'A', 'B', and 'M'.

72. For residential floor plans, provide a square footage breakdown of main home living area, JADU living area, garage area, etc.

7/9/2024 Response: Square footage breakdown has been added to the DRB.

73. Ensure that all floor plan sheets are titled correctly. For example, file titled, "Submittal 1," p. 7 and 9 should be titled, "Plan 1 Floor Plan" and "Plan 3 Floor Plan," respectively.

7/9/2024 Response: All floor plan sheets are titled correctly.

74. Ensure that there are no breaks in floor plan lines. For example, see file titled, "Submittal 1," p. 9 wall near great room; file titled, "Submittal 1," p. 12 second floor plan; file titled, "Submittal 2," p. 23 second floor primary suite.

7/9/2024 Response: There are no breaks in floor plans.

75. Label all rooms accurately. For example, "Bedroom 5" of Plan 5 (see file titled, "Submittal 1," p. 2) and "Bedrooms 3 and 4" of Plan 6 (see file titled, "Submittal 2," p. 7) have a kitchenette and should be labeled as JADUs or revised as needed. Also revise Plan 5 (file titled, "Submittal 2," p. 33).

7/9/2024 Response: All rooms are labeled accurately.

76. Provide floor plans for the commercial/flex building(s).

7/9/2024 Response: Floor plans have been added to the DRB.

Roof Plans¹:

77. Provide roof plans, inclusive of ridgeline, valleys, eave projects, and roof slopes for the commercial/flex building(s).

7/9/2024 Response: Roof plans have been added to the DRB.

78. Provide the roof slope for all multi-family residential building roof plans, including amenity buildings and accessory structures.

7/9/2024 Response: Roof slopes have been added to the DRB.

Housing Addendum¹:

79. For a project creating ten (10) or more new dwelling units, submit a draft resale control agreement or affordable rental restriction agreement and a written statement describing the manner in which the project complies with the Inclusionary Housing Ordinance, BMC Section 17.70.320, including but not limited to:
- a. Number, income category, and location of any affordable units provided; and/or request for in lieu fee in accordance with the provisions of the Benicia Municipal Code and applicable State law.
 - b. Size and amenities of any affordable units.

7/9/2024 Response: See draft Affordable Rental Restriction Agreement.

80. For a project requesting a density bonus, submit plans showing a “base project” that complies with all applicable Zoning Ordinance requirements and a Density Bonus Eligibility Statement describing the manner in which the project complies with the Affordable Housing Density Bonus and Other Incentives Ordinance, BMC Section 17.70.270, including but not limited to:
- a. Number of “base project” units.
 - b. Number and percent of affordable units and income category.
 - c. Percent density bonus requested and allowed pursuant to Government Code Section 65915.
 - d. Waivers or modifications of development standards necessary to physically accommodate “density bonus” units (e.g., increased height or FAR, reduced setbacks or parking, etc.).
 - e. Explanation of why each waiver or modification is needed to accommodate “density bonus” units.
 - f. If the project is requesting an incentive or concession, describe each incentive or concession being requested in addition to (or instead of) waivers or modifications necessary to accommodate density bonus.

7/9/2024 Response: See Revised Written Statement.

Visual Aid¹:

81. A visual aid is required for any new primary structure that requires design review pursuant to BMC Chapter 17.108. A visual aid is a photo simulation, perspective diagram or other scaled graphic representation of the project based on a graphic image of the site and surroundings with the proposed facility superimposed or represented in a manner that accurately shows the scale, shape and color of the facility. The purpose of a visual aid is to assist in understanding the visual impact and/or final appearance of the facility. Provide a visual aid(s) that includes:
- a. The proposed project as an overlay over the subject property, showing the relation of the project to adjacent and confronting properties.

- b. A clear representation of the project as viewed from eye level (appx. 5 feet above grade) from public vantage points.
- c. A map or plan showing the locations, direction and angle of the visual aid (e.g., with an arrow) keyed to the image.
- d. Massing of the proposed building(s) in relation to existing conditions.
- e. Accurately depicted color, materials, eave lines, and wall articulation of the proposed building elevations.
- f. Landscaping, including mature trees and proposed site landscaping at no more than five (5) years growth, unless plant maturity is indicated in various stages on separate overlays.

7/9/2024 Response: See proposed project overlay and map included with #24.

82. Visual aids must be accompanied with a statement from a licensed architect or surveyor verifying that the image accurately depicts existing and proposed conditions.

7/9/2024 Response: Acknowledged.

Traffic and Roadway Analysis¹:

83. The Traffic Analysis shall include a trip generation analysis with an estimate of daily trips from the site/development.

7/9/2024 Response: See attached scoping memorandum from DKS Associates.

84. As determined by the Planning Division or City Engineer, the City may require submittal of a report analyzing a project's transportation impacts. The report shall document the project's estimated peak hour vehicle trips and total daily vehicle trips, it must be prepared by a transportation engineer or other qualified professional, consistent with the technical guidance from the California Office of Planning and Research. https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

7/9/2024 Response: See attached scoping memorandum from DKS Associates.

85. The City may require that traffic analysis include modeling for intersection or roadway capacity, vehicle safety, or other elements of circulation.

7/9/2024 Response: See attached scoping memorandum from DKS Associates.

86. Provide a traffic analysis addressing the project's transportation impacts and mitigation measures. The report shall document the project's estimated peak vehicle trips and total daily vehicle trips and possible impacts to the nearby freeway on/off ramps. A Transportation Engineer must prepare the report.

7/9/2024 Response: Not a completion item. Applicant will address when required

87. In addition to the standard elements, ensure the analysis also includes modeling for the likely intersection improvements at primary access points. Traffic signals, street

widening, turn lanes and transitions may be required to manage increased traffic. The proximity to the I-680 suggests that this could be a convenient location for commuters; this could result in a concentrated flow of traffic during peak egress and ingress time frames. Intersections of particular concern:

- a. Intersection – East 2nd Street and Industrial Way.
- b. Intersection – Lake Herman Road and East 2nd Street.
- c. Intersection – Blvd. "B" and Lake Herman Road.

7/9/2024 Response: Not a completion item. Applicant will address when required

88. As part of the over-all analysis, ensure to address and/or clarify the following elements:

- a. Proposed offsite roadway infrastructure upgrades.
- b. Right-of-way acquisition and dedication.
- c. Public transportation opportunities and infrastructure.

7/9/2024 Response: Not a completion item. Applicant will address when required

89. Interior Streets appear to meet the requirements in the Benicia 1992 Engineering Design Standards however adjustments are needed based on the Fire Department access requirements in BMC Chapter 8.28. Additionally, there is no indication of perimeter street improvements around the proposed development. Ensure the traffic analysis addresses the following:

- a. East 2nd Street – Improvements (Major Arterial/Truck Route)
- b. Industrial Way appears to be realigned or replaced (Major or Minor Arterial)
- c. Lake Herman Road – Improvements (Major or Minor Arterial)
- d. Reservoir Road to be abandoned. Discuss with the City Engineering Division and Public Safety.

7/9/2024 Response: Not a completion item. Applicant will address when required

90. Ensure that the traffic analysis addresses evacuation routes and timing for the project.

7/9/2024 Response: Not a completion item. Applicant will address when required

91. Submit signing and striping plans prepared by a California licensed traffic engineer or civil engineer, qualified to practice traffic engineering.

7/9/2024 Response: Not a completion item. Applicant will address when required

Utilities ¹:

92. The project is of sufficient size that a water supply assessment (WSA) is required by state law. Submit a WSA demonstrating that the City of Benicia can provide adequate water service for domestic use, fire suppression, landscaping, commercial

uses, and amenities.

- a. Water supply assessment.
- b. Will serve letter based on the results of the WSA.
- c. Fire Flow – Per Table B105.1(1) and Table B105.2 of BMC Chapter 8.28.

7/9/2024 Response: Not a completion item. Applicant will address when required

93. Clarify and/or provide evidence that the City of Benicia can provide adequate service for domestic, commercial uses, and amenities.

- a. Sanitary Sewer feasibility study.
- b. Will serve letter.

7/9/2024 Response: Not a completion item. Applicant will address when required

94. Clarify and/or provide evidence that the local utility providers can provide adequate services for domestic, commercial uses, and amenities. Address the feasibility of undergrounding the proposed utilities based on challenges associated with topography and locations of potential service access points.

- a. Electrical service/Transmission lines.
- b. Data and Comm/Internet.

7/9/2024 Response: Not a completion item. Applicant will address when required

95. Feasibility studies shall also include the following:

- a. Water:
 - i. Water resources capacity (water supply), distribution system infrastructure and capacity, and water treatment plant capabilities and capacity. If the item(s) cannot be met with the city's current resources/assets, additional studies will be needed to determine upgrade needs.
 - ii. Disclosure of large water users.

7/9/2024 Response: Not a completion item. Applicant will address when required

- b. Sewer:
 - i. Collections system infrastructure and capacity and wastewater treatment plant capabilities and capacity. If the item(s) cannot be met with the city's current resources/assets, additional studies will be needed to determine upgrade needs.
 - ii. Disclosure of large wastewater users.

7/9/2024 Response: Not a completion item. Applicant will address when required

California Environmental Quality Act (CEQA):

Your proposal has been preliminarily reviewed in accordance with CEQA, and it has been determined that the project does not qualify for either a statutory or categorical exemption. Because of probable significant and unavoidable impacts, an environmental impact report (EIR) will be required for consideration of the project. Once the information requested in this letter is provided the City will develop a scope and fee for preparation of the EIR and will require a funding agreement before awarding the contract for the EIR.

7/9/2024 Response: Acknowledged.

I look forward to receiving your subsequent application materials and assisting you with this process. Note that additional comments may be provided following review of your submittal. Revisions may be required for plans submitted to the City for review as part of this application. Please do not hesitate to contact me at (707) 746-4277 or JHade@ci.benicia.ca.us if you have any questions.

Sincerely,

DocuSigned by:

8D1D51567CDA4EE...

Jason Hade, AICP Planning Manager
Community Development Department

cc: Mario Giuliani, City Manager Benjamin Stock, City Attorney
Suzanne Thorsen, AICP, Community Development Director

Attachment: Cost Reimbursement Agreement