

## **CITY OF FAIRFIELD**

### **RESOLUTION NO. 2020-24**

#### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD UPHOLDING THE APPEAL AND OVERTURNING THE PLANNING COMMISSION'S DECISION DENYING A USE PERMIT TO PERMIT WHOLESALE, STORAGE, AND DISTRIBUTION: LIGHT OR MEDIUM AND MANUFACTURING AND ASSEMBLY: MEDIUM USES IN THE PDC: BUILDING A PROJECT LOCATED ON BUSINESS CENTER DRIVE IN THE GREEN VALLEY CORPORATE PARK (APNS: 0148-540-250, -260, -300)**

**WHEREAS**, on December 6, 2018 and April 24, 2019, applications for Development Review (DR2019-5), Environmental Review (ER2019-17) and Use Permit (UP2018-17) for a 200,915 square foot industrial building on a vacant 11.29-acre site on Business Center Drive (APNs: 0148-540-250, -260, -300) (the "Project") were properly filed with the Community Development Department in accordance with the rules and regulations governing the official filing of such applications; and

**WHEREAS**, City staff has presented substantial factual information regarding the proposed PDC: Building A project; and

**WHEREAS**, the Planning Commission has held a duly noticed public hearing on November 27, 2019. The City staff presented substantial factual information regarding the proposed Project in staff reports and through oral presentations before the Commission, and the Planning Commission considered all public testimony and information presented during the public hearing regarding this application; and

**WHEREAS**, the Planning Commission, at the public hearing, voted 4-0 to deny Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses on site; and

**WHEREAS**, pursuant to Section 25.44.2 of the Zoning Ordinance, Panattoni Development Company filed an appeal of the Planning Commission's decision to deny the request to permit Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses; and

**WHEREAS**, Panattoni Development Company has appealed the denial of the Use Permit request to the City Council; and

**WHEREAS**, the City Council held a duly noticed public hearing on February 4, 2020, to consider the appeal; and

**WHEREAS**, the City Council adopts the following findings in support of this Use Permit, to wit:

- (a) The location, size, design, and operating characteristics and intensity of the proposed use are compatible with the existing and anticipated future land uses in the vicinity. *The location, size, design and operating characteristics of the proposed uses on site are compatible with the land uses in the vicinity. Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses are a light industrial use compatible with the surrounding office uses. The Project is compatible with anticipated future land uses in the vicinity in that the General Plan encourages light industrial and office uses, including administrative centers, research and development facilities, and supporting businesses and services and the Zoning Ordinance has identified this type of development as an approvable use. Conditions of Development Review approval and the Use Permit will ensure that the project's operating and design characteristics are compatible with existing land uses in the vicinity.*
- (b) The proposed use is consistent with the General Plan and Zoning Ordinance, and any applicable Areawide or Specific Plan. *The site is designated as Business and Industrial Park on the General Plan Land Use Diagram and is in the IBP-NC (Industrial Business Park – North Cordelia) zoning district. The General Plan anticipates light industrial and office uses, including administrative centers, research and development facilities, and supporting businesses and services. The Project is also compatible with multiple General Plan objectives such as: General Plan Land Use Element Objective LU 18 (Encourage infill development and compact growth); as well as General Plan Economic Development Element Objectives ED 2 (Effectively concentrate industrial and commercial uses) and ED 4 (Select industrial locations which are convenient, while compatible with the growth and future service needs of the community); and General Plan Urban Design Objective UD 8 (Encourage and approve infill development which is compatible with the surrounding area). The Project is consistent with the Zoning Ordinance in that Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses are permitted in the IBP-NC district with the approval of a Conditional Use Permit.*
- (c) Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated. For this reason, the proposed Conditional Use Permit complies with the California Environmental Quality Act (CEQA). *The adopted Green Valley Corporate Park Mitigated Negative Declaration properly identifies and mitigates potentially significant air quality,*

*biological resources, cultural resources, and traffic impacts through mitigation measures that regulate construction activities and development. Such mitigations will ensure air pollutants are reduced, biological surveys are conducted, cultural resources are preserved, and traffic is efficiently managed.*

- (d) *Adequate facilities, such as roads, utilities, and City services are provided to serve the use, or will be provided as conditions of approval for the Use Permit. The subject site is comprised of three vacant parcels accessible by Business Center Drive. The Project will be required to meet several Development Review conditions as contained in Exhibit B, which will ensure that it is provided adequate utilities and City services. This will include a number of Public Works Department requirements, including the Project annexing into Community Facilities District #2012-2, which is an Open Space, Public Safety, and Park Maintenance Mello Roos District. Property owners within the District will be required to pay special on-going annual assessments to be used for the following: Purchase of open space within the Fairfield area; Police and Fire protection, including but not limited to expenses for personnel, equipment, and supplies; and ongoing maintenance of neighborhood parks.*
- (e) *The proposed use will not create either an imbalance or overabundance of similar uses in the vicinity. The Project will not create an imbalance or overabundance of Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses in the area. There are no existing Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses in the project area. There is currently only one other site north of Interstate 80, located approximately 800 feet west of the subject site, where such uses may potentially occur. The specific use of each site has not been identified.*
- (f) *The proposal will not constitute a nuisance or be detrimental to the health, safety, morals, peace, or the general welfare of the surrounding neighborhood and the City. The Project has been designed to complement and enhance the existing visual character of the site and its surroundings. The Project as proposed, the conditions of Development Review, and the Use Permit requirements will ensure that it does not bear an adverse effect on the general welfare of the surrounding neighborhood and the City. The project has been conditioned to meet or exceed City of Fairfield design and development regulations and comply with all applicable sections of the Zoning Ordinance.*

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:**

Section 1. The Appeal (APP2019-001) by Panattoni Development Company is hereby upheld.

Section 2. The Amended Use Permit (UP2018-017), as attached hereto, to allow Wholesale, Storage and Distribution: Light or Medium and Manufacturing and Assembly: Medium uses on site is hereby approved.

**PASSED AND ADOPTED** this 4<sup>th</sup> day of February, 2020, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK