

City of Fairfield Planning Commission

RESOLUTION NO. 2021-02

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD
RECOMMENDING CITY COUNCIL APPROVAL OF AN ORDINANCE
AMENDING THE ZONING OF TWO PARCELS FROM LIMITED INDUSTRIAL
(IL) TO NEIGHBORHOOD COMMERCIAL (CN) AND, CONTINGENT UPON
CITY COUNCIL ACTION, APPROVING MINOR DEVELOPMENT REVIEW
(MD2020-010), AND USE PERMIT (UP2020-010) FOR A GASOLINE SERVICE
STATION, CONVENIENCE MARKET WITH ALCOHOL SALES, CAR WASH AND
ASSOCIATED SITE IMPROVEMENTS OF SITE IMPROVEMENTS ON TWO
PARCELS LOCATED AT THE SOUTHWEST CORNER OF CEMENT HILL ROAD
AND PEABODY ROAD (APNs 0170-250-030, AND -040)**

THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD HEREBY RECITES, FINDS, DETERMINES, ORDERS, AND RESOLVES AS FOLLOWS:

SECTION 1. On October 20, 2020, applications for Zone Change (ZC2020-004), Minor Development Review (MD2020-010), Use Permit (UP2020-010), and Environmental Review (ER2020-033) to allow the development of an approximately 3-acre site with a gasoline service station, approximately 5,000 square foot convenience market, and self-service car wash on two parcels located at the southeast corner of Cement Hill Road and Peabody Road (APNs 170-250-030 AND 040) (the "Project") were properly filed with the Community Development Department in accordance with the rules and regulations governing the official filing of such applications.

SECTION 2. The Planning Commission has held a duly noticed public hearing on February 10, 2021. 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.

SECTION 3. Based on information provided by staff, The Planning Commission found the project Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA). under Section 15332, In-Fill Development Projects. For this reason, the proposed Use Permit complies with CEQA.

SECTION 4. The Planning Commission adopts the following findings in support of this Zone Change and Development Review request:

- (a) *Subject property is currently zoned Limited Industrial (IL). The General Plan designation for the site is instead "Mixed Use-Neighborhood Commercial". The proposed Zone Change will make the project is consistent with the General Plan and Zoning Ordinance, and any applicable Areawide or Specific Plan. The project is consistent with the General Plan in that it anticipates neighborhood serving retail uses at a key intersection commercial retail specialty shopping centers that may be smaller in size than other. The Project is also consistent with multiple General Plan objectives: Objective LU 13: Minimize conflicts between land uses; Objective LU 18: Encourage infill development and compact growth; Objective UD 4: Ensure high standards of quality in development; and 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 a Convenience Market, Service Station, and Minor Automobile Repair and Repair are permitted uses with the approval of a Conditional Use Permit. The Project is also consistent with the applicable Zoning Ordinance development regulations, as proposed and conditioned.*
- (b) The exterior design and appearance of the project will not cause the nature of the neighborhood to economically, physically, or visually decline. *The Project will be developed to meet specific Zoning Ordinance and other City code requirements, and standard and special Development Review conditions of approval to ensure that the architecture, site improvements, landscaping, and lighting are compatible with developments within close proximity and the greater surrounding area.*
- (c) The project is of high-quality design consistent with applicable design policies and standards of the City. *The project is consistent with the applicable standards of the Zoning Ordinance and the City's Design and Development Guidelines for commercial projects, as proposed and conditioned. Architecturally, the proposed buildings are typical of many new service stations and self-serve car washes in basic layout and architectural design and is not unique to Fairfield. However, the project exemplifies many of the City's design guidelines in that it uses a variety of building materials and elements. Project landscaping consists of a variety trees, shrubs, and groundcovers to soften and complement the hardscape improvements.*
- (d) Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated through project design and conditions of approval. In addition, the site is considered an infill project and is thus categorically exempt under the California Environmental Quality Act (CEQA)

SECTION 5. The Planning Commission adopts the following findings in support of this Use Permit request:

- (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 greater project area contains a collection of commercial and industrial land uses that are auto-oriented in nature, including commercial buildings of a comparable size and type. Development in the Train Station Specific Plan which abuts the project site to the north and east does envision a pedestrian-oriented, mixed use land use. However, the site is outside of the Train Station Specific Plan boundary, and the proposed automobile service and oriented land uses are suitable for Cement Hill Road. The Project is designed in a manner to facilitate a harmonious relationship with existing developments in close proximity.*
- (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 Mixed Use-Neighborhood Commercial on the General Plan Land Use Diagram and upon adoption of an Ordinance by the City Council will be located in the Neighborhood Commercial (CN) zoning district. The project is consistent with the General Plan in that it anticipates smaller scale neighborhood serving retail uses, such as a convenience market. The Project is also consistent with multiple General Plan objectives: Objective LU 13: Minimize conflicts between land uses; Objective LU 14: Develop sufficient employment generating uses to maintain a positive City fiscal condition and housing balance; Objective LU 18: Encourage infill development and compact growth; Objective UD 4: Ensure high standards of quality in development; and 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 drive-through sales with food service is permitted in the CC district with the approval of a Conditional Use Permit. The Project is also consistent with the applicable Zoning Ordinance development regulations, as proposed and conditioned.*
- (c) Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated through project design. As an infill site, the project is categorically exempt from further review under the California Environmental Quality Act.
- (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 has direct access to Cement Hill Road and Vanderbilt Drive. The parcel is within City limits and can be served by utilities and City services. 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. *Cement Hill Road and Peabody Road contain a collection of auto-oriented uses. The nearest service station, convenience, and car wash uses are one-half mile from the site, accessed from a Peabody Road, a different access street. The Train Station Specific Plan does not anticipate additional automobile-oriented retail uses along Cement Hill Road. It is not atypical for a site located at a major intersection to contain retail uses and services for automobiles. With limited existing and potential for similar uses in the area, the use will not create an imbalance or overabundance of similar uses in the vicinity.*
- (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 conditions and limitations on the use identified in the conditions of the Use Permit will assure the use does not bear an adverse effect on the surrounding neighborhood. *The Project as proposed and the Conditions of Development Review and the Use Permit will ensure that it does not bear an adverse effect on the general welfare of the surrounding neighborhood and the City. Notable conditions include a Property Maintenance Agreement between the property owner, operator, and the City of Fairfield that will be recorded on the property; limitations on noise, and light associated with the operation; and a prohibition on loitering.*

SECTION 6. Based upon the written findings set forth in Sections 3 and 4 of this Resolution, the Planning Commission hereby recommends the Fairfield City Council adopt the proposed Ordinance, attached hereto as Exhibit A, amending the Zoning Map to change the designation of the properties from IL to CN.

SECTION 7. Contingent upon the adoption of the Zoning Map amendment in Section 6, the Planning Commission and based upon the written findings in Sections 3, 4, and 5, the Planning Commission hereby grants the following approvals:

- (a) Minor Development Review (MD2020-010) subject to the conditions contained in the attached Exhibit B; and
- (b) Use Permit (UP2020-010) subject to the conditions contained in the attached Exhibit C.

SECTION 7. The record of proceedings shall be located at the City's Community Development Department and the Director of Community Development shall be the custodian of such documents.

PASSED AND ADOPTED this 10th day of February, 2021.

AYES: COMMISSIONERS: Jerome CHILDS / ~~Michael COAN~~ / Melissa CRUZEN / Lerecia EVANS / Chris MATTHEWS (Vice) / William WESLEY / Charles WOOD (Chair)

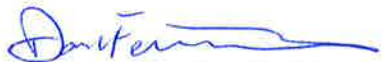
NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: COAN


CHARLES WOOD, Chairperson

ATTEST:



DAVID FEINSTEIN, Secretary

USE PERMIT

CITY HALL, CIVIC CENTER
FAIRFIELD, CA 94533

CHANDI BROTHERS is hereby granted a Use Permit (U.P. 2020-010) to allow the establishment of **Service Station, Automobile Maintenance and Minor Repair, and Convenience Market** land uses in the **proposed Neighborhood Commercial (CN)** Zoning District on property at Cement Hill Road (**APNs 0170-250-030 and -040**) under the provisions of Section 25.40.6 of the Zoning Ordinance.

The following findings meet the requirements of Section 25.40.6 of the Zoning Ordinance for the grant of Use Permit:

1. The location, size, design, and operating characteristics and intensity of the proposed uses are compatible with the existing and anticipated future land uses in the vicinity.
2. The proposed uses are consistent with the General Plan and will be consistent with the Zoning Ordinance, and any applicable Areawide or Specific Plan.
3. Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated through development review and conditions of approval. For this reason, the proposed Conditional Use Permit complies with the California Environmental Quality Act (CEQA).
4. Adequate facilities, such as roads, utilities, and City services are provided to serve the uses, or will be provided as conditions of approval for the Use Permit.
5. The proposed uses will not create either an imbalance or overabundance of similar uses in the vicinity.
6. The proposed uses 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 conditions and limitations on the uses identified in the Conditions of the Use Permit will assure the use does not bear an adverse effect on the surrounding neighborhood.

This grant is made pursuant to the application of **CHANDI BROTHERS** on file in the Department of Community Development and is subject to compliance with the following conditions:

1. Approval of the Use Permit is contingent upon adoption by the City Council of an Ordinance changing the Zoning from the current Industrial Limited (IL) zoning district to the Neighborhood Commercial (CN) zoning district.
2. Operation of the Convenience Market shall be substantially in accord with the petition for Use Permit and plans dated "Received, 2021" except as modified by conditions stated herein;

3. The City will review calls for police service related to illegal activities, public disturbances or nuisances and compare the amount of calls for service at similar establishments. A pattern of service calls that are disproportionate in comparison to other convenience markets in the City may result in revocation of the Use Permit. Revocation may be initiated for violations including, but not limited to the following:
 - a. Sales of alcoholic beverages to minors or intoxicated persons;
 - b. Arrests for the consumption of alcoholic beverages on the property; and
 - c. Public nuisance conditions associated with the business or its customers, including but not limited to: open container violations; excessive noise; harassment of passersby; and other violations of law on the property or attributable to customers of the business.
4. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the owner/operator shall be removed or painted over within 48 hours of being applied.
5. The owner/operator shall be responsible for maintaining and removing litter from the premises and adjacent areas over which they have control.
6. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or directly adjacent to the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
7. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines", which have been aged for two years or more.
8. The sale of beer or malt beverages, not including "high end imported beers", in quantities of quarts or similar size containers is prohibited.
9. Alcoholic beverages cannot be sold by single containers less than 12 oz., but must be sold in manufacturer pre-packaged multi-unit quantities.
10. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Window displays of alcoholic beverages primarily directed to the exterior shall be prohibited.
11. No pay phone will be maintained on the interior or exterior of the premises.
12. The display of alcoholic beverages shall not exceed 30% of the square footage of the premises accessible by patrons.
13. Loitering is prohibited and owner/operator shall police the area under their control at 3650 Nelson Road in an effort to prevent the loitering of persons about the premises.

14. The owner/operator shall post and maintain a professional quality sign facing the parking lot(s) that read as follows:
 - a. NO LOITERING, NO LITTERING
NO DRINKING OF ALCOHOLIC BEVERAGES
VIOLATORS ARE SUBJECT TO ARREST
 - b. The sign shall be at least two feet square with two-inch block lettering; and
 - c. The sign shall be in English and Spanish.
15. Items placed on or in front of the windows may only cover a total of 1/3 of the surface of each window to ensure visibility into the premises. This includes, but is not limited to, advertisements, plywood, and display shelving.
16. The market shall utilize CCTV, with no less than 1/3" high resolution color cameras, digital surveillance and recording equipment that is able to view the inside of the entire public access area of the premise and the exterior parking lot areas. The video must be recorded and saved for no less than 30 days. The Fairfield Police Department shall be included in determining the placement of the cameras.
17. Compliance with the CN (Neighborhood Commercial) zoning provisions applicable to this site.
18. The Use Permit shall be obtained and shall be continually exercised in such a manner that the following conditions are fully complied with:
 - a. The Use Permit was obtained without fraud or misrepresentation;
 - b. The Use Permit has been exercised by the person(s) granted the Use Permit or his representative, successors, or assignees, in compliance with the conditions of approval, and in accordance with any statute, ordinance, law, or regulation not excused by the Permit; and
 - c. The Use Permit is being or has been exercised in a manner which is not to be detrimental to the public health, safety, and general welfare or so as not to constitute a nuisance.
19. Nothing contained in the above conditions shall prevent the exercise of any provision of the Zoning Ordinance relative to revocation of the Use Permit.;
20. Operation of the use shall be in compliance with all State and City Codes.
21. The Use permit shall be obtained and shall be continually exercised in such a manner that the following conditions are fully complied with:
 - a. The Use Permit was obtained without fraud or misrepresentation; and
 - b. The Use Permit has been exercised by the person(s) granted the Use Permit or his representative, successors, or assignees, in compliance with the conditions of approval, and in accordance with any statute, ordinance, law, or regulation not excused by the Permit; and

- c. The Use Permit is being or has been exercised in a manner which is not to be detrimental to the public health, safety, and general welfare or so as not to constitute a nuisance;

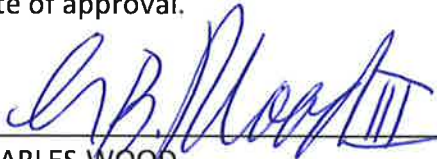
22. All parking provided for the vacuum cleaners associated with the car wash use shall be available at all times to all patrons of the project, including convenience store customers.

23. **CHANDI BROTHERS and property owner(s), and their successors in interest**, shall indemnify, defend and hold harmless the City, its officials, officers, agents and employees (collectively "Indemnitees") from and against any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this permit by the City, the performance of the use authorized by this permit or the exercise of the rights granted by this permit. This indemnification obligation shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the Indemnitees in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit. The City shall promptly notify **CHANDI BROTHERS and property owners** of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. In the event such a legal action is filed, the City shall estimate its expenses for litigation. **CHANDI BROTHERS or property owners** shall deposit such amount with the City or enter into an agreement with the City to pay such expenses as they become due.

CHANDI BROTHERS and property owners shall reimburse the City, and each of the Indemnitees for any and all legal expenses and costs incurred by it in enforcing the indemnity herein provided.

Approved by action of the City of Fairfield on the 10th day of February, 2021. (effective date of permit).

The Use Permit is automatically revoked and terminated unless used within twenty-four (24) months from date of approval.



CHARLES WOOD

Chairperson, Fairfield Planning Commission

Attest:



DAVE FEINSTEIN

Secretary

STAFF REPORT

Meeting

Date: February 10, 2021

To: Chairperson and Members of the Planning Commission

From: Community Development Department

Subject: **ITEM B: CEMENT HILL CONVENIENCE MARKET, GAS STATION, AND CARWASH**
Resolution No. 2021 - 02
Zone Change (ZC2020-004)
Minor Development Review (MD2020-010)
Use Permit (UP2020-010)
Environmental Review (ER2020-033).
Location: Cement Hill Road at Peabody Road (APNs 0170-250-030 and -040)
Applicant: Chandi Brothers
Owner: Chandi Brothers

Public Hearing on Request by Chandi Brothers for a Zone Change from the IBP zoning district to the CN zoning district; and to allow the construction of a +/- 5,000 convenience market, gasoline service station, and automated car wash on property located on two parcels at the intersection of Cement Hill Road, Peabody Road, and Vanderbilt Drive (APN 170-250-030 and 040). The project will also require a Use Permit to allow operation of the convenience market. The project has been determined to be categorically exempt under the provisions of the California Environmental Quality Act (CEQA) (Planner: Brian Miller, 707-428-7446; bkmiller@fairfield.ca.gov)

SITE INFORMATION

A. Location: Southeast corner of Cement Hill Road and Peabody Road between Peabody Road and Vanderbilt Drive (APN 0170-250-030 and 040)

B. Parcel Size: 0.58 acres and 1.07 acres, 1.65 acres total.

C. <u>Zoning and Land Use</u> :	<u>Zoning</u>	<u>Land Use</u>
Project Site:	IL	Vacant
North:	TS-PD	Light Industrial
South:	IG	PG&E Substation
East:	TS-PD	Train Station
West:	IG	Vacant

D. General Plan Designations:

Project Site:	Mixed Use (Neighborhood Commercial)
North:	Train Station Specific Plan
South:	General Industrial
East:	Train Station Specific Plan
West:	General Industrial

- E. Site Characteristics/Special Features: The site is a vacant, largely level property with limited vegetation consisting of ruderal non-native grasses that are mowed on occasion.

PROJECT DESCRIPTION

- A. Building Area/%Coverage: 9,540 square feet (convenience market and carwash)/13.2%

- B. Landscape Area/% Coverage: 18,698 square feet/26.0%

- C. Parking Required/Provided: 35 spaces/45 provided

D. <u>Setbacks:</u>	<u>Required</u>	<u>Provided</u>
Front:	25'	27.5' (to property line)
Rear:	10'	16' (minimum)
Sides:		
West:	20'	46.55
East:	20'	20.27' (to property line)

BACKGROUND INFORMATION

The proposed project is located at the intersection of Cement Hill Road (Future Manuel Campos Parkway) and Peabody Road and incorporates the two parcels between Peabody Road and Vanderbilt Lane. The site is just outside the boundaries of the Train Station Specific Plan to the west of the Hannigan (Fairfield-Vacaville) Capital Corridor Station across Peabody Road. The site was originally intended to be developed as a commercial site as part of the previously approved Hawthorne Mill project. While Hawthorne Mill did not proceed as originally planned, the commercial uses in this project remain consistent with the General Plan land uses still applicable to the site.

ANALYSIS FOR PLANNING COMMISSION

- A. General Plan/Zoning Consistency: The site has a General Plan designation of Mixed Use-Neighborhood Commercial. The project site is, however, zoned Limited Industrial (IL), which is not consistent with the General Plan designation. A Zone Change application is required to correct this inconsistency. Approval of the project is thus contingent upon the requested Zone Change from Limited Industrial (IL) to Neighborhood Commercial (CN), the latter of which will permit the development of the project as proposed.
- B. Development Review:

The proposed project consists of a +/-5,000 square-foot convenience market, a gasoline service station pump island with ten pumps under an all-weather canopy and a separate 3,120 square-foot automated car wash building with a small office. The car wash operation includes outdoor vacuum cleaner stations.

A conceptual landscape plan was submitted for the proposed project. With the exception of frontage along Vanderbilt Drive, the plans meet minimum landscape dimension requirements. For the CN Zone along Vanderbilt, 15 feet of landscaping is required, however portions of the frontage include only 4 feet of landscaping. Proposed conditions of approval require 15 feet of landscaping in this location. Complying with this condition will require that the car wash building be shortened on its west side with the entry aisle into the car wash tunnel be adjusted as well. Staff and applicant have discussed this requirement and are in agreement that it can be satisfied. In addition, conditions are proposed to ensure that a sufficient number and size of street trees are provided. A minimum of 13, 24-inch box species are required, with plantings on the project site and within the sidewalk landscape planter strips. Furthermore, conditions have been placed to ensure that the landscape materials are consistent and compatible with the future residential projects to the west.

Additional conditions are proposed to address challenging access issues for the site. The site is located at an intersection of two major arterials: Peabody Road and Cement Hill Road. Cement Hill Road will be widened in this location in the future, however, its ultimate width, either four or six lanes is undetermined at this time. Following detailed review by the City's Traffic Engineer, the project will be allowed right-in/right-out only access from Cement Hill Road, with left turns onto Cement Hill Road only allowed from Vanderbilt Drive in the near term. Long term left turn access to Cement Hill Road from Vanderbilt Drive will depend on the final configuration of Cement Hill Road. Left turns would not be allowed if a six-lane configuration for Cement Hill Road is constructed by City. In this case, a median would be installed to prohibit left turns from Vanden Road. Currently, the City has not determined this final configuration, which depends on the ultimate traffic generated by development in the Train Station Specific Plan area.

Stormwater treatment areas have been incorporated through vegetated swales along the north edge of the property to meet all code requirements.

The architecture is typical of higher quality convenience market/gasoline service stations with the use of colorful materials and varied forms. The automated car wash building is also typical of “high tech” designs seen in other Fairfield car wash locations and meets the intents of the City’s Design and Development Guidelines.

In conclusion, as conditioned, the final site plan and buildings will meet all requirements of the City.

C. Conditional Use Permit

The Zoning Ordinance requires a Conditional Use Permit for any larger convenience market in the City, including in the proposed Neighborhood Commercial (CN) zoning districts. The applicable conditions for the CUP are typical of those applied to other convenience markets and focus particularly on controlling alcohol sales.

In addition, the proposed CN Zone requires a Conditional Use Permit for the operation of a service station and minor automobile repair and maintenance (the car wash). The Use Permit requires that all parking on the site, including parking associated with the vacuum cleaner, be available to the patrons of all uses on the property.

E. Environmental Review:

The project is considered an “infill” development as existing urban development surrounds the parcels on three sides. Thus, it is considered “exempt” under Section 15332, In-Fill Development Projects. For this reason, the proposed Use Permit complies with the California Environmental Quality Act (CEQA).

Note also that the Environmental Impact Report for the original Hawthorne Mill project proposed for the area south of Cement Hill Road found no wetlands or sensitive species on this site.

F. Correspondence: A public hearing notice was published in the Daily Republic newspaper on January 30, 2020, mailed to all persons who own property within 500 feet of the subject property, and posted on site. The City has received no questions or comments regarding this proposal at the time of this writing.

RECOMMENDATION

Staff recommends the Planning Commission adopt Resolution 2021-02 recommending:

- The City Council adopt the proposed Ordinance attached approving the zone change (ZC2020-004) from IL (Limited Industrial) to CN (Neighborhood Commercial)
- Contingent upon the City Council action, approve the Minor Development Review (MD2020-010)
- Contingent upon the City Council action, approve the Conditional Use Permit for the Convenience Market, Service Station, and Minor Automobile Repair and Maintenance (Carwash) (UP2020-010)

ATTACHMENTS:

1. Resolution No. 2021-02, with attached:
 - Exhibit A – Proposed City Council Ordinance approving the zone change from IL to CN (ZC2020-004)
 - Exhibit B – Conditions of Minor Development Review Approval (MD2020-010)
 - Exhibit C – Conditional Use Permit (UP2020-010)
2. General Plan Exhibit
3. Zoning Exhibit
4. Reduced Plans (8.5" x 11")

**CITY OF FAIRFIELD
PLANNING COMMISSION
MINUTES**

Via Teleconference

February 10, 2021
Regular Meeting
6:00 p.m.

I. ROLL CALL

Present: Chairperson WOOD, Chuck
Vice-Chairperson MATTHEWS, Chris
Commissioner CHILDS, Jerome
Commissioner CRUZEN, Melissa
Commissioner EVANS, Lerecia
Commissioner WESLEY, William

Absent: Commissioner COAN, Michael

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Wesley.

III. INFORMATION ON SPEAKER CARDS

IV. APPROVAL OF AGENDA

Commissioner Childs made a motion to approve the agenda as proposed. The motion was seconded by Commissioner Evans. Voting was done by roll call, and the motion was approved unanimously, with Commissioners Coan absent.

V. APPROVAL OF MINUTES OF NOVEMBER 18, 2021

Commissioner Wesley made a motion to approve the minutes of November 18, 2021 as proposed. The motion was seconded by Commissioner Childs. Voting was done by roll call, and the motion was approved unanimously, with Commissioners Coan absent.

VI. PUBLIC COMMENTS

No persons spoke during Public Comments, and no comments were received via the planning@fairfield.ca.gov inbox.

VII. SCHEDULED MATTERS

ITEM A CORDELIA RV DIGITAL BILLBOARD

RESOLUTION NO. 2021-01

RESOLUTION OF THE FAIRFIELD PLANNING COMMISSION APPROVING SIGN PERMIT (SN2020-050) FOR A DOUBLE-FACED FREEWAY FREESTANDING SIGN WITH DIGITAL DISPLAY AT 4850 AUTO PLAZA CT. (APN: 0180-110-040)

Amy Kreimeier made a presentation on the item and answered questions. She also noted a needed amendment to the proposed resolution regarding the CEQA finding, changing the exemption from "Infill" to "Existing Facilities".

The following person spoke during the Public Comments

- Erik Neese, 401 Slobe Avenue, Sacramento on behalf of the applicant

No comments were received via the planning@fairfield.ca.gov inbox.

Vice-Chairperson Matthews made a motion to adopt Resolution 2021-01, with a modification that the CEQA exemption should be Section 15301 Existing Facilities, rather than Infill. The motion was seconded by Commissioner Childs. Voting was done by roll call, and the motion was approved unanimously, with Commissioner Coan absent.

ITEM B CEMENT HILL CONVENIENCE MARKET, GAS STATION, AND CARWASH

RESOLUTION 2021-02

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD RECOMMENDING CITY COUNCIL APPROVAL OF AN ORDINANCE AMENDING THE ZONING OF TWO PARCELS FROM LIMITED INDUSTRIAL (IL) TO NEIGHBORHOOD COMMERCIAL (CN) AND, CONTINGENT UPON CITY COUNCIL ACTION, APPROVING MINOR DEVELOPMENT REVIEW (MD2020-010), AND USE PERMIT (UP2020-010) FOR A GASOLINE SERVICE STATION, CONVENIENCE MARKET WITH ALCOHOL SALES, CAR WASH AND ASSOCIATED SITE IMPROVEMENTS OF SITE IMPROVEMENTS ON TWO PARCELS LOCATED AT THE SOUTHWEST CORNER OF CEMENT HILL ROAD AND PEABODY ROAD (APNs 0170-250-030, AND -040).

Associate Planner Brian Miller made a presentation on the item and answered questions. Planning Division Manager Dave Feinstein and Associate Civil Engineer Alvin Lei also answered questions.

The following person spoke during the Public Comments:

- Julio Tinajero, 1500 Peterson Road, Suisun City, on behalf of the applicant

No comments were received via the planning@fairfield.ca.gov inbox.

Commissioner Childs made a motion to adopt Resolution 2021-02. The motion was seconded by Commissioner Evans. Voting was done by roll call, and the motion was approved unanimously, with Commissioner Coan absent.

ITEM C 2021 DENSITY BONUS ORDINANCE UPDATE

RESOLUTION 2021-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD AMENDING CHAPTER 25, ARTICLE I, SECTION 25.38

OF THE FAIRFIELD CITY CODE (ALSO KNOWN AS THE DENSITY BONUS ORDINANCE OF THE CITY OF FAIRFIELD) TO CLARIFY DEFINITIONS, CLARIFY APPLICATION PROCEDURES, AMEND REQUIREMENTS FOR RECEIVING A DENSITY BONUS AND RELATED BENEFITS, AND DEFINE FINDINGS FOR THE DENIAL OF A REQUEST FOR INCENTIVES AND CONCESSIONS AND WAIVERS OF DEVELOPMENT STANDARDS, ALL TO BRING THE FAIRFIELD MUNICIPAL CODE INTO CONFORMANCE WITH CURRENT STATE LAW.

Associate Planner Brian Miller made a presentation on the item and answered questions. Planning Division Manager Dave Feinstein and Assistant City Attorney Casey Strong also answered questions.

No persons spoke during the Public Comments and no comments were received via the planning@fairfield.ca.gov inbox.

Vice-Chairperson Matthews made a motion to adopt Resolution 2021-03. The motion was seconded by Commissioner Childs. Voting was done by roll call, and the motion was approved unanimously, with Commissioner Coan absent.

VIII. INFORMATION AND COMMUNICATIONS

A. DIRECTOR'S REPORT AND COMMISSIONER'S COMMENTS

Planning Division Manager Dave Feinstein highlighted the previous night's joint City Council-Planning Commission study session on the General Plan Update, and invited members of the public to attend one of the two workshops that week. He also noted the Commission's comments on seeking to facilitate housing and density, and noted that the General Plan Update is the right opportunity to address those issues. Mr. Feinstein indicated that there will be items scheduled for the next Commission meeting, and at least one, if not both March meetings. He noted that the remodel to the Commission's regular meeting space in the City Council Chambers was nearly complete, and that when the Commission meets in person again, it will be in the Chambers. Lastly, he updated the Commission regarding the annual Planning Commissioners Conference, normally held in early March. He indicated that the League of California Cities intends to hold the conference remotely this year, either in late March or in April, at a date still to be scheduled. Mr. Feinstein will provide more details for the Commission as they become available.

IX. ADJOURNMENT TO NEXT MEETING OF FEBRUARY 24, 2021

Respectfully submitted,

DAVID FEINSTEIN
Planning Commission Secretary