

## City of Fairfield Planning Commission

### RESOLUTION NO. 2019-11

#### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD APPROVING DEVELOPMENT REVIEW (DR2019-7) AND USE PERMIT (2019-11) FOR A 103-ROOM HOTEL WITH AMENITIES, 66,000 SQUARE FEET OF FLOOR AREA, HEIGHT OF 54 ½ FEET, AND ASSOCIATED SITE IMPROVEMENTS ON A 1.9 ACRE SITE ON HOLIDAY LANE (APN: 0150-160-260)

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

SECTION 1. On May 20, 2019, Development Review (DR2019-7) and Use Permit (UP2019-11) applications for a proposed 103-room hotel with amenities, 66,000 square feet of floor area, and a height of 54 ½ feet located on Holiday Lane (APN: 0150-160-260) (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 September 11, 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.

SECTION 3. The Planning Commission has determined that the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15332 In-Fill Development Projects.

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

- (a) The project is consistent with the General Plan and Zoning Ordinance, and any applicable Areawide or Specific Plan. *The site is designated as Highway and Regional Commercial on the General Plan Land Use Diagram and is located in the CR (Regional Commercial) district. The General Plan anticipates commercial uses that serve a market beyond the Fairfield/Suisun area, such as hotels, for properties with the Highway and Regional Commercial designation. The Project is also consistent with multiple General Plan Objectives: Objective LU14: Develop sufficient employment generating uses to maintain a positive City fiscal condition and housing balance; Objective LU18: Encourage infill development and compact growth; Objective ED3: Attract and retain commercial uses to support a strong, diverse economic base. These uses should be in balance with the ultimate growth of the community; Objective UD4: Ensure high standards of quality in development; and Objective UD8: Encourage and approve infill development which is compatible with the*

*surrounding area. Overall, the Project fulfills these General Plan Objectives in that a hotel of this scale and type is considered an employment-generating use and will contribute to Fairfield's diverse economic base. Additionally, the Project is a well-designed infill-development that complements the existing development in the surrounding area. The Project is consistent with the Zoning Ordinance in that hotels are permitted in the CR zoning district with the approval of a Conditional Use Permit.*

- (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 specific Zoning Ordinance and Design and Development Guidelines standards and conditions to ensure that the architectural design, site improvements, lighting, and landscaping are compatible with surrounding developments. Together the design features and Project conditions will ensure that the Project will not cause the industrial area too economically, physically, or visually decline.*
- (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 for development under Zoning Ordinance Section(s) 25.22.3, 25.30.7, and 25.34, and the City's Design and Development Guidelines for commercial projects, as proposed and conditioned. Architecturally, the proposed building contains standard design elements that are typical of many new Hyatt House hotels across the United States and not unique to Fairfield. The hotel provides design elements that create visual interest; such as, a contrasting color scheme, varied roofline heights, movement in the façade creating multiple planes on single elevations, and an enhanced entrance. Additionally, the project is effective in breaking up the expanse of the building with an outdoor patio at the hotel entrance as well as employing both vertical and horizontal design elements the hotel uses a variety of building materials such as porcelain tile veneer, metal awnings, aluminum window framing and storefront windows, and cement siding in a finish to resemble wood. As proposed and conditioned, the project meets all of the minimum required landscape setbacks and planting standards. Project landscaping consists of a variety of trees, shrubs, and groundcovers to soften and complement the hardscape improvements. The parking lot, which surrounds the building, contains a collection of trees to provide shade and screening.*
- (d) *Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated. For this reason, the proposed project complies with the California Environmental Quality Act (CEQA). The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15332 In-Fill Development Projects.*

**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 location, size, design and operating characteristics of the hotel facility is compatible with the land uses in the vicinity. Zoning Ordinance Section 25.22.4.2 Hotels and Motels outlines several operational and design regulations to ensure that hotels/motels do not create negative impacts on the surrounding environment and existing transient lodging facilities when developed. The project's Conditional Use Permit contains several operational conditions to ensure that the project does not bear an adverse effect on the surrounding neighborhood. Furthermore, a market study, prepared by HVS Consulting & Valuation found that there is a demand for the project and determined that existing hotels in Fairfield with comparable amenities and facilities would not be negatively impacted, as a result.*
- (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 Highway and Regional Commercial on the General Plan Land Use Diagram and is located in the CR (Regional Commercial) district. The General Plan anticipates commercial uses that serve a market beyond the Fairfield/Suisun area, such as hotels, for properties with the Highway and Regional Commercial designation. The Project is also consistent with multiple General Plan Objectives: Objective LU14: Develop sufficient employment generating uses to maintain a positive City fiscal condition and housing balance; Objective LU18: Encourage infill development and compact growth; and Objective ED3: Attract and retain commercial uses to support a strong, diverse economic base. These uses should be in balance with the ultimate growth of the community; Objective UD4: Ensure high standards of quality in development; and Objective UD8: Encourage and approve infill development which is compatible with the surrounding area. Overall, the Project fulfills these General Plan Objectives in that a hotel of this scale and type is considered an employment-generating use and will contribute to Fairfield's diverse economic base. Additionally, the Project is a well-designed infill-development that complements the existing development in the surrounding area. The Project is consistent with the Zoning Ordinance in that hotels are permitted in the CR zoning 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 Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15332 In-Fill Development Projects.*
- (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 Holiday Lane with a shared driveway*

*with 1350 Holiday Lane and a second planned driveway on the same street. The project site has direct access to Business Center Drive with one shared driveway and another right-out only egress. 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 areas adjacent to Interstate 80 near the subject site contain a collection of hotels and motels. However, these uses only comprise a portion of the uses near this section of the Interstate 80. Furthermore, it is not uncommon for areas along and in close proximity to major freeways and highways to contain a variety of transient lodging facilities. Finally, the market study for the Project that was prepared by HVS Consulting & Valuation found that there is current market demand for increased hotel rooms.*
  
- (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 conditioned 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 the length and type of occupancy; the creation and implementation of a management plan that addresses how the hotel will handle potential criminal activities at the site. Additionally, the Use Permit will contain conditions that require lighting to be sufficient enough to allow a police officer to observe the entire property from a patrol car.*

**SECTION 6.** The Planning Commission adopts the following findings in support of this request for a Hotel in accordance with Zoning Ordinance Section 25.22.4.2.C:

- (a) *The proposed project will not create urban decay due to the significant loss of business at existing hotel/motel projects or at proposed hotel/motel projects either under construction or in planning review. HVS Consulting & Valuation prepared a market study for the Project that was reviewed and accepted by*

*the City's Economic Development Division. The market study found that there is a demand for the Project and determined that existing hotels in Fairfield with comparable amenities and facilities would not be negatively impacted, as a result.*

- (b) The proposed project is located in an area with substantial unmet demand for a Hotel/Motel or a Hotel/Motel-Extended Stay, such as within sight of a freeway, in a major business, industrial or office park, or in the downtown of the City. *The Project is located within sight of Interstate 80. The market study prepared by HVS Consulting & Valuation found that there is adequate existing market demand to support the Project.*

**SECTION 5.** Based upon the written findings set forth in sections 3 and 4 of this Resolution, the Planning Commission hereby approves:

- (a) Development Review (DR2019-7) subject to the conditions contained in the attached Exhibit A; and
- (b) Use Permit (UP2019-11) subject to the conditions contained in the attached Exhibit B.

**SECTION 6.** 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 11<sup>th</sup> day of September, 2019.

AYES: COMMISSIONERS: Jesse BRANCH / Jerome CHILDS / Michael COAN (Chair) / Chris MATTHEWS / Perry PATTIZ / William WESLEY/ Chuck WOOD (Vice)

NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

  
MICHAEL COAN, Chairperson

ATTEST:  
  
DAVID FEINSTEIN, Secretary

**PLANNING COMMISSION**  
**CONDITIONS OF APPROVAL**

Project Name: Hyatt House  
Address: 1340 Holiday Lane (APN: 0150-160-260)  
Hearing Date: September 11, 2019  
File No.: DR2019-007, ER2019-021, UP2019-011

Development Review approval has been granted subject to compliance with the following conditions which must be satisfied prior to issuance of building permits, unless noted otherwise:

**1.0 SPECIAL CONDITIONS**

- 1.1 Applicant shall incorporate the following special conditions reflecting the modifications and/or needed information into their plans as part of their submittal to the Building Division of the Community Development Department:
- a) Submit design details for the proposed bike racks subject to review and approval by the Community Development Department. Plans for the design and installation of the bike rack shall verify the ability to provide space for a minimum of five bikes without intrusion into the pedestrian walkways.
  - b) The number and density of shrubs and groundcover shall be increased in both the frontage landscape area and the planting area located on the eastern side of the building subject to the review and approval by the Community Development Department. Only live groundcover is allowed in high visibility and pedestrian areas and large areas of exposed soil are prohibited.
  - c) Provide a stucco finish on the CMU wall trash enclosure to match the proposed building.
- 1.2 Comply with the conditions of the Department of Public Works as contained in the attached memo dated July 17, 2019;
- 1.3 Comply with the conditions of the City Fire Prevention Division as contained in the attached memo dated May 29, 2019;
- 1.4 The proposed development is within the Fairfield Tourism Improvement District. Property owners within the District are required to pay special on-going quarterly special assessments to provide sales and marketing programs to all lodging businesses located within the City. Contact the City of Fairfield Finance Department at 707-428-7036 for more details.

**2.0 APPROVAL TIME LIMITS/REVOCATION**

- 2.1 Approval of this application shall expire two (2) years from the date of approval. If building permits are not issued and diligently pursued toward completion, or the approved use has not commenced if no permits are required, the approval shall be void. A time extension



may be granted if a written request is submitted by the applicant to the Community Development Department prior to the expiration of the application.

### **3.0 GENERAL REQUIREMENTS**

- 3.1 The project shall proceed only in accordance with the approved plans titled "Hyatt House Fairfield," as prepared by HRGA Architecture, JTS Engineering Consultants Inc. & Wilson Design Studio, consisting of (22) sheets, dated "Received May 20, 2019", except as may be modified by the conditions contained herein and approved by the Planning Division pursuant to Section 3.2, and shall proceed in accordance with the Fairfield City Code. Prior to any use of the project site or business activity being commenced thereon, all conditions of approval and required improvements, such as landscaping, shall be completed to the satisfaction of the City.
- 3.2 Submit the required number of sets of plans to the Building Division of the Community Development Department for review and approval. Plans shall incorporate all conditions of approval and reflect the modifications and/or contain needed information prior to issuance of building permits. These plans shall include, but are not limited to, the detailed site plan, grading plan, landscape and irrigation plans, building plans, and construction details of items such as exterior lighting, walls, pavement textures, trash enclosures, and mechanical equipment.
- 3.3 Approval of this project shall not waive compliance with all sections of the Fairfield City Code (Zoning, Subdivision, Building Codes, etc.), Fairfield General Plan, and applicable policy plans.
- 3.4 When submitting for Plan Check, the applicant must provide to the Community Development Department a copy of these Conditions of Development Review with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Community Development Department will not be completed without compliance with this condition.
- 3.5 All construction plans, including but not limited to, the site plan, building elevations, landscaping and irrigation plans, grading plan, mechanical drawings, street improvement plans, and detailed drawings submitted to the Building Division for permits shall be coordinated for consistency by the applicant prior to issuance of any permits or prior to final map approval as applicable, or commencement of the subject use, whichever comes first. Any change or modification to one particular plan shall require the corresponding revisions on other plans. All plans shall be consistent with that approved by the Department of Community Development. The applicant shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.
- 3.6 The project is subject to the Solano County Public Facilities Development fee. The applicant will be required to pay such fee at the rate which is in effect at the time a building permit is issued.
- 3.7 The Applicant, 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 approval by the City or the exercise of the rights granted by this approval. 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 Applicant 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. Applicant 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. Applicant 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.

#### **4.0 SITE DEVELOPMENT**

- 4.1 A precise plan for all fences and retaining and screening walls shall be submitted for review and approval by the Community Development Department prior to the issuance of building permits. Such plan shall indicate the location, design and construction details. Fences or walls visible from public view on or off-site shall be provided with decorative treatment.
- 4.2 Trash receptacle(s) are required and shall be enclosed by a six (6) foot high masonry wall with metal, solid view obstructing gates pursuant to City standards. Within multi-family residential projects, all trash enclosures shall be provided with a shade structure. The precise location and construction details shall be subject to review and approval by the Department of Community Development. The enclosure shall include a reinforced concrete apron as approved by the Department of Public Works. All commercial and multi-family residential projects shall meet the requirements of the California Green Building Standards Code pertaining to recyclable materials storage and handling and access to trash enclosures.
- 4.3 It shall be the applicant's responsibility to coordinate the location of all utility equipment with P.G. & E. Final locations of all above ground equipment must be approved by P.G. & E., the Community Development Department and Public Works Department prior to issuance of building permits.
- 4.4 All ground-mounted utility appurtenances such as transformers or air conditioning units shall be located out of public view and/or adequately screened through the use of a combination of concrete or masonry walls, or berming, painting and/or landscaping. Said appurtenances shall be indicated on the approved landscape and irrigation plans prior to issuance of building permits.
- 4.5 Existing trees and shrub groupings shall be retained whenever possible. All existing trees and shrub groupings to be impacted by development or any other construction related activities shall be located on the site plan, grading plan, landscape plan and irrigation



plan. Trees to be preserved shall be protected by temporary fencing installed around the tree drip line for the duration of the project to prevent soil compaction, soil removal or deposit, or soil contamination. Fencing shall be maintained intact throughout construction and be removed after project completion.

- 4.6 Any outdoor storage shall be subject to review and approval by the Community Development Department. All outdoor storage areas shall be completely screened from public view by a decorative masonry or concrete wall or approved equal. All gates shall be solid view obstructing and constructed of metal or other durable and sturdy materials acceptable to the Department.

## **5.0 PARKING AND VEHICULAR ACCESS**

- 5.1 All parking spaces, aisles, entrances, and exits shall be striped per City standards. A detailed striping plan shall be provided in the construction drawings.
- 5.2 Any security gates and/or fences shall require details which shall be submitted to the Police and Fire Departments and Community Development Department for approval prior to issuance of building permits.
- 5.3 All landscaped areas adjacent to vehicle parking areas or travel lanes shall be contained by a minimum six (6) inch high, poured in place, concrete curb.
- 5.4 All drive surfaces abutting buildings or walls, when designated for vehicular parking, shall have concrete wheel stops.
- 5.5 The paving section for loading and receiving areas and access to the trash enclosure shall be designed to withstand weight of service vehicles. A section indicating the design shall be submitted for review and approval.
- 5.6 Provide dry sack or painted tex-cote finish to concrete bases of exterior light poles.

## **6.0 BUILDING DESIGN**

### Non-Residential Buildings

- 6.1 Specific paint, siding, wall or roofing materials, finish textures, and windows or doors shall be in substantial compliance with that approved. Manufacturer specifications shall be submitted for review and approval prior to issuance of building permits. Samples of final color and materials selections may be required by the Community Development Department to verify compliance.
- 6.2 Exterior aluminum window and door frames shall be treated in an anodized finish or painted with a powder coating or baked enamel process. The use of vinyl windows in a non-residential structure is subject to the approval of the Community Development Department.
- 6.3 All building drainage gutters, down spouts, vents, etc. located on the exterior walls shall be completely concealed from view or shall be architecturally compatible with the exterior

building design and color to the satisfaction of the Community Development Department.

- 6.4 Roof access ladders, if provided, shall be placed on the interior of the structures or on an elevation that is not visible from the public right-of-way.
- 6.5 All mechanical equipment and appurtenances of any type, whether located on roof tops, ground level or anywhere on the building structure, shall be screened so as not to be visible from public view on or off-site. For screening of ground-mounted equipment and appurtenances to be achieved through landscaping, such plantings must achieve full coverage within two years. For roof-mounted equipment and appurtenances, if screening cannot feasibly achieve zero visibility due to site topography, then screening shall be implemented to the greatest extent feasible to the satisfaction of the Community Development Department.
- 6.6 A building section illustrating the location of all roof equipment in relation to height of the outside parapet shall be submitted. Roof equipment shall not project above the height of the parapet or roof top to the greatest extent feasible. When not feasible due to building design, a roof top screen which is architecturally integrated with the building elevation and exceeds the height of the equipment shall be placed around the equipment to the satisfaction of the Community Development Department.
- 6.7 A roof plan shall be submitted with spot elevations showing location of all roof equipment including vents, stacks and skylights.
- 6.8 All overhead doors shall be color coordinated with the building.
- 6.9 All electrical equipment shall be located interior to the building (i.e., no exterior electrical cabinets), unless screened from public view in a manner acceptable to the Community Development Department. Any exterior equipment or cabinets shall be depicted on architectural and site plans submitted for plan check, with location of equipment and screening method clearly identified on plans and shall be painted to match the building color upon installation.

## **7.0 LANDSCAPING**

- 7.1 This project shall utilize water conservation techniques, such as drip irrigation and drought tolerant plant species, as required in accordance with the City's Water Efficient Landscape Ordinance.
- 7.2 Detailed landscape and irrigation plans shall be submitted to the Community Development Department for review and approval. Such plans shall be prepared and stamped by a California licensed landscape architect or other equally educated and qualified experienced professional to the satisfaction of the Community Development Department and accompanied by a statement or stamp by a California licensed landscape architect or other equally educated and qualified experienced professional that the plans meet or exceed the City's Water Efficient Landscape Ordinance.
- 7.3 Landscape plans shall be scaled to a minimum of 1 inch = 20 feet and shall specify the following:

- a) The location and size of all plant materials and shall include a plant legend specifying species type (botanical and common name), container size, and quantity of all plant materials;
- b) Spacing for trees and shrubs, when a particular 'effect' (street canopy, hedges, barriers, screens...) is required shall be specified. Spacing for all groundcovers shall be specified;
- c) The locations of all pavements (vehicular and pedestrian), walls, fencing, buildings, roof overhangs and other structures, utility equipment (air conditioners, transformers, backflow preventers, etc.), property lines, and other pertinent site plan features.

7.4 Plant materials shall comply with the following:

- a) Plant materials shall consist of a mix of evergreen and deciduous trees, shrubs and groundcovers to provide design interest and as a protective measure against disease and insect infestation. Low maintenance plants are also encouraged;
- b) Only live groundcover is allowed in high visibility and pedestrian areas. Exceptions may be approved by the Community Development Department to include, but not be limited to, decorative gravel beds, decomposed granite paths or pedestrian spaces and areas to be covered by shrubs;
- c) All landscape planting areas shall be mulched and/or covered with bark chips or other similar material, unless growth of live groundcovers would be impeded, or is necessary for weed control, as determined by the Department of Community Development. Large areas of exposed soil are prohibited;
- d) Drought tolerant species suitable for the Fairfield area are encouraged, as contained in the reference list prepared by the Public Works Department;
- e) Plant material selections must consider the hardiness needs for the Fairfield area. Species particularly susceptible to, or potentially damaged by, disease, insects, winter freeze and other climatic conditions in Fairfield are discouraged. Species exhibiting particular problems in the Fairfield area may not be permitted and, as such, plant substitutions may be required by the Community Development Department to fulfill this condition.

7.5 Plant material size and spacing shall comply with the following:

- a) Minimum tree size shall be a mix of twenty-four (24) inch box, fifteen (15) gallon and five (5) gallon. Shrub size shall be a mix of five (5) gallon and one (1) gallon. The percentage of one (1) gallon and five (5) gallon shrubs and five (5) gallon trees shall be reviewed and approved based upon the location, spacing, hardiness, and growth rate of the plant species proposed; but said percentage shall not exceed 25 percent. Smaller sized containers may be utilized for ground covers;
- b) The following trees shall be a minimum of twenty-four (24) inch box specimens at the time of planting:

1. Crape Myrtle ("Lagerstroemia")
2. Chinese Pistache ("Pistacia chinensis")
3. Flowering Crabapple ("Malus")
4. Redbud ("Cercis")

- c) Where plant materials are placed in two (2) or more rows, planting rows shall be staggered;
- d) Evergreen trees required for screening purposes shall not be less than six (6) feet in height at time of planting;
- e) Large shrubs required for screening purposes shall not be less than twenty-four (24) inches in height at time of planting. Spacing shall be between four (4) and six (6) feet on-center, as determined by the Department of Community Development;
- f) Groundcovers shall be spaced such that full coverage is achieved at the end of one to two years.

7.6 Planting and staking details shall comply with the following:

- a) Landscape plans shall include planting and staking details in text and/or drawing form to insure proper installation and establishment of proposed plant materials;
- b) Soils shall be tested to identify existing soil conditions and necessary amendments. All planting pits shall be twice the diameter of the diameter of the root container;
- c) All trees shall be double-staked, except that twenty-four (24) inch or larger box trees may require guy wires or triple- staking as determined by the Department of Community Development. Guy wires are prohibited within pedestrian traffic areas. Protect trees from contact with any wire used in staking;
- d) Provide root deflectors for all trees planted within eight (8) feet of paved surfaces.
- e) All planters in areas which have been compacted, such as adjacent to buildings and in parking lots, shall be de-compacted to the following depths: planters less than three (3) feet wide shall have compaction relieved to a minimum depth of twenty-four (24) inches below subgrade; planters three to ten (3 - 10) feet wide shall have compaction relieved to a minimum depth of 18 inches below subgrade; planters more than 10 feet wide shall have compaction relieved to a minimum depth of 12 inches below subgrade;
- f) Planters 10 feet or less in width in locations that will not allow normal percolation of 24 to 36 hours maximum (such as adjacent to buildings) shall have drain pipes connected to the storm drain system or shall have dry wells installed as determined necessary by the Department of Community Development;
- g) The finished grade of planter islands or wells shall have a crown with a 2% slope down to surrounding grade or top of curb and a one (1) foot lip. Planters adjacent to buildings where a crown cannot be installed will require subdrains if adequate surface drainage will not be provided.

- 7.7 Screening of all ground-mounted utility equipment including air conditioners, transformers, backflow preventers, or other similar equipment for all non-residential buildings shall be indicated on the plans. Said screening shall include the use or combination of shrubbery, berming, or structures.
- 7.8 Parking lot landscaping shall comply with the following:
- a) Landscaping within the parking area shall be of a minimum dimension of five (5) feet in width as measured from the inside diameter of required curbing, and shall be exclusive of any vehicle overhang;
  - b) All landscape areas shall be protected from automobiles with a six (6) inch high, poured in place, concrete curb or other suitable protective device meeting City approval.
- 7.9 Berms shall be illustrated according to slope, width, height above surrounding grade, and landscaping. Landscape berms shall be coordinated for consistency with the grading plan.
- 7.10 All landscaped areas shall be serviced by an automatic irrigation system.
- 7.11 All undeveloped building pads shall be fully landscaped and irrigated, or screened by perimeter shrubs to the satisfaction of the Community Development Department and shall be incorporated into the required landscape and irrigation plans.
- 7.12 During installation of landscaping and irrigation, and prior to the issuance of a Certificate of Occupancy from the Building Division, the landscape architect or design professional responsible for preparing the required plans, or his/her designee, shall monitor installation and visit the site prior to completion of the landscape work and, thereafter, provide a written statement confirming compliance with approved plans and approval of materials to the Community Development Department.
- 7.13 A redwood header board or equivalent shall be installed along all areas where landscaping is adjacent to undeveloped property to delineate between maintained and natural areas.

## **8.0 MAINTENANCE**

- 8.1 All landscape areas shall be maintained in a healthy, thriving condition, free from weeds, trash, and debris.
- 8.2 Landscaping and irrigation systems required to be installed in public right-of-way shall be continuously maintained by the developer until accepted by the City or Homeowner's Association.
- 8.3 All improvements on the site shall be constructed and continuously maintained in compliance with the approved plans.
- 8.4 The developer shall enter into a Maintenance Agreement with the City (which shall be a

recorded document) giving the City authority to ensure maintenance of structures, parking and loading areas, fencing and landscaping to the standards established by the approved plans at the time of final inspection of the project and shall also allow enforcement of outside storage violations. This agreement shall be recorded prior to issuance of building permits.

## **9.0 SIGNS**

- 9.1 Signs are not part of this approval. Any signs proposed for this project shall be designed in conformance with the Sign Ordinance and established Sign Policy and shall require separate application and approval by the Community Development Department prior to installation.

## **INFORMATIONAL NOTES**

### **Special Assessment Districts and Fees**

- 10.1 Capital Improvement Fee: The City has adopted a Capital Improvement Fee (AB1600) to be paid as a part of the Building Permit Fees. All new development within the City is subject to this fee upon issuance of building permits, unless exempted by grandfather provisions. Contact the City's Finance Department at (707) 428-7496.



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**PUBLIC WORKS DEPARTMENT INTEROFFICE MEMORANDUM**

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## Conditions of Development

Date: July 17, 2019

To: Amy Kreimeier, Associate Planner

From: Alvin Lei, Assistant Civil Engineer (707) 428-7476 *AL*

Project Name: Hyatt House – 103 room extended stay hotel on 1.9 acre parcel

Project Location: 1340 Holiday Lane; APN: 0150-160-260

Review Requested: Development Review (DR2019-007)  
Use Permit (UP2018-011)  
Environmental Review (ER2019-021)

Copies To: Ryan Panganiban  
Garland Wong  
Trish Curran

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### Helpful Phone Numbers

#### City of Fairfield

Finance Department (707) 428-7496  
Fire Department (707) 428-7550  
Community Development (707) 428-7461  
Public Works (707) 428-7485

#### Other Agencies

Amy Corps of Engineers (916) 557-5250  
California Department of Fish & Wildlife (707) 944-5500  
Fairfield-Suisun Sewer District (707) 429-8930  
Federal Emergency Management Agency (415) 923-7190  
Comcast Cable (800) 945-2288  
SBC Communications (707) 258-5136  
Pacific Gas and Electric (707) 449-5769  
Regional Water Quality Control Board (510) 622-2300  
Solano Irrigation District (707) 448-6847

## PUBLIC WORKS DEPARTMENT

# Site-Specific Development Conditions

### Stormwater Improvements:

1. Developer shall include on-site storm infrastructure that will adequately provide drainage from the site to public infrastructure, in addition to drain inlets within proposed bio-retention areas for storm surcharge.

The closest public storm infrastructure is an existing storm drain crossing approximately 80 feet west of the westerly property line, along Holiday Lane. It may be necessary to extend the existing public storm drain system, at the developer's expense, along the project frontage to connect proposed on-site storm infrastructure to the public infrastructure. The size of the new storm drain line shall be determined by the project engineer.

2. The submitted improvement plans indicate that the improvements include complete replacement of the existing AC parking lot with porous/permeable pavement. Developer shall include traffic-rated pavement, at minimum, up to all proposed trash enclosure locations and delivery entrances (see Condition #7). Bio-retention facilities shall be sized accordingly should new, impervious pavement is included.

### Easements:

3. There is an existing private utility easement (PUE) located along the eastern portion of the property, containing utilities including: fire, water, sewer, electric, gas, and telecom. No permanent structures will be allowed within this existing easement, in addition to possible restrictions to any proposed landscaping and fencing.
4. There is an existing 3-foot private storm drain easement (PSDE) located on the adjacent parcel (APN: 0150-160-270), along the southeasterly property line of the project site. The PSDE also includes the southern portion of APN: 0150-160-270, approximately 20 feet in width. Developer shall coordinate with adjacent property owner for any improvements that may occur within this PSDE.

### Streetlights:

5. All existing streetlight fixtures and poles along the frontage of the proposed development shall be replaced with similar style LED, as approved by the City Traffic Engineer or their representative. Developer shall submit a streetlight plan to Fairfield Public Works for review.

### Handicap Ramps:

6. Existing handicap ramps shall be replaced with current City standard ramps per current minimum ADA standards. Developer shall install new handicap ramps per current ADA standards at the existing crosswalk to facilitate safe pedestrian travel.

**Trash Enclosure:**

7. The location of trash enclosures shall be shown on the site plan. Drive aisle pavement sections between driveways and trash enclosures shall be designed to accommodate garbage truck traffic. There shall be a concrete slab that extends 10 feet from the front of the enclosure. The slab shall be a minimum of 6 inches of reinforced concrete over 6 inches of Class II aggregate base compacted to 95%.
8. A recycling plan shall be submitted for the proposed development. The trash enclosures may need to accommodate recycling and organics (yard waste and food waste) and grease. The projects tenants must meet state's mandates for mandatory commercial recycling (AB 341) and mandatory organics recycling (AB 1826) for tenants that will serve food/drinks (organic materials). Trash enclosures shall have roofs and drains that connect to sanitary sewer, with water hook-ups.

**Open Space, Public Safety and Park Maintenance Mello Roos District:**

9. All new development within the City is required to annex to Community Facilities District # **2012-2**, 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
  - Ongoing Maintenance of Neighborhood Parks

The developer shall furnish the necessary processing fees, documents and boundary map required to annex to the District and complete the annexation process prior to the issuance of any building permits. Assessments will have an annual inflation adjustment. Please contact City of Fairfield Public Works at 707-428-7485.

**Adjacent Property Owner:**

10. Developer shall coordinate with the owner of the adjacent Jiffy Lube Shop (APN: 0150-160-015) to ensure their business is minimally impacted during construction. Developer shall receive written approval from the adjacent property owner for any improvements constructed within APN 0150-160-015 prior to construction.

## General Development Conditions

### Geotechnical Investigation:

11. The developer shall retain a registered Geotechnical Engineer to conduct a Geotechnical Investigation of the project area. Two copies of the project Geotechnical Report shall be submitted to the Public Works Department prior to submittal of Construction Plans. The Geotechnical Report shall include details and recommendations regarding the following:

- Grading Limitations and Requirements
- Foundation Design
- Settlement
- Parking Lot Pavement Sections

### Grading:

12. A grading plan shall be prepared by the developer's Civil Engineer and approved by the City Engineer. The following information shall be shown on the Grading Plan:

- Existing contours, landscaping, fences, buildings, or other improvements
- Existing trees to be saved in place or removed
- Furnish all necessary details to clearly convey recommendations outlined in the project geotechnical investigation
- Cut/Fill interfaces and limits of grading
- Lot boundaries and road rights-of-way
- Finished contours and lot grading details
- Top of curb elevations
- Perimeter cross-sections along all sides of the project to show the proposed project's interface with abutting properties and streets
- Parking lot surface drainage, pavement grades, ridge lines, etc.
- Street grades
- Ditch grades
- Details for proposed curb and gutter
- Details for proposed drainage ditches

13. The Project Engineer shall coordinate grading design closely with the project Geotechnical Engineer. Specifically, the Geotechnical Engineer shall be consulted to evaluate and address issues related to:

- Parking Lot Pavement Sections

14. The grading plan shall be reviewed and approved by the project Geotechnical Engineer prior to City approval. Provide a signature block for the project Geotechnical Engineer on the plan.

15. Slope grading shall comply with the Geotechnical Report. Slopes steeper than 3H:1V shall not be allowed in the public right-of-way. Slopes steeper than 2H:1V shall not be allowed on-site.

16. Retaining walls over 18 inches tall shall be concrete or masonry. Retaining walls over 4 feet tall shall be designed by a Civil or Structural Engineer.

**Erosion Control and Stormwater Quality:**

17. The submitted plans indicates that a majority of the proposed parking lot shall be pervious pavement. If the quantity of impervious surface meets or surpasses the threshold requiring the use of Low Impact Development (LID) per the current Municipal Regional Stormwater Permit (MRP) the developer shall incorporate the use of LID Best Management Practices to address the issue of ongoing post-construction stormwater quality for the project site. Examples of LID treatment measures include: bio-retention, harvesting and reuse, infiltration, and evapo-transpiration. The project engineer is strongly recommended to contact the Public Works Department in regards to the new design requirements.
18. An erosion and sedimentation control plan shall be included as a part of the grading plan package. An erosion control plan shall be prepared by the developer's Civil Engineer and approved by the City Engineer. The erosion control plan shall include protection measures such as: sedimentation basins, check dams, straw wattles and hydroseeding details.
19. The project shall comply with the requirements of the most current National Pollutant Discharge Elimination System (NPDES) permit issued to the Fairfield-Suisun Urban Runoff Management Program.
20. The applicant shall obtain all necessary permits for storm water discharges, including but not limited to the State Water Resources Control Board Construction General Permit. Applicants whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (State Water Resources Control Board Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.
21. The applicant shall be responsible for developing and implementing a Storm Water Pollution Prevention Plan (SWPPP) which shall be reviewed and approved by the Fairfield-Suisun Sewer District.

22. To limit pollutant generation, discharge and runoff to the maximum extent practicable, the project shall include stormwater pollution control measures listed within the document entitled "Storm Water Pollution Control Measures List". This list is provided within Appendix B of the document entitled "Storm Water Requirements for Development Projects- Packet for Project Applicants". Each identified source of pollutants may have one or more appropriate control measures as determined by the City of Fairfield.
23. All stormwater treatment measures shall be adequately operated and maintained. To ensure operation and maintenance of stormwater treatment measures, the property owner shall enter into a Stormwater Treatment Measures Maintenance Agreement with the City. This agreement shall be signed by the property owner and submitted to the Department of Public Works prior to the issuance of the building permit. It is included in the document entitled "Storm Water Requirements for Development Projects- Packet for Project Applicants."
24. The Developer shall install thermoplastic markers on all new catch basins. Markers may be purchased at the Fairfield-Suisun Sewer District (FSSD) office. Contact the FSSD at 429-8930 for additional details.
25. Prior to the City's issuance of the Certificate of Occupancy, the City shall receive a self-certification by the Engineer of Record (Registered Civil Engineer) which certifies that the project's grading, drainage and stormwater treatment systems conform to the approved plans, permits and city codes. The self certification shall be performed during construction and upon completion of the project by the Engineer of Record and documented on the appropriate city form.

**Water System:**

26. Show the size and location of existing and proposed water services, meters and backflow prevention devices on the site plan. Show the size and location of water mains and the proposed points of connection for water services.
27. Existing services that are to remain unused shall be abandoned per City requirements.
28. The developer shall verify the size of the existing water services and water meters. Services and meters shall be upsized as needed for the proposed use. Backflow prevention devices shall be installed or upgraded to meet current code requirements.
29. With the exception of water meters and meter boxes, all water facilities on the site side of the reduced pressure backflow prevention device (including the backflow preventor) shall be privately maintained by the property owner. Water meters, meter boxes and water services between the public water main and the backflow preventor shall be maintained by the City.



30. Irrigation services shall be stubbed to all landscaped areas. Irrigation and electrical control wire sleeves shall be installed as needed. Coordinate with the project Landscape Architect. Sleeves shall be at least 12 inches below subgrade at street crossings.

**Fire System:**

31. The City of Fairfield Fire Department requires separate shop drawings submitted directly to the Fire Department for review. The Developer shall furnish and provide all necessary documents to the Fairfield Fire Department for their separate review and approval.
32. Fire hydrants may be required on-site. Proposed buildings will require fire sprinklers. Contact the Fire Department for details.
33. Show the size and location of proposed fire lines, hydrants, fire sprinkler risers and backflow prevention devices on the plan. Show the size and location of water mains and the proposed points of connection for fire lines.
34. A backflow preventor is required on the fire line. An above grade double check detector check valve is required on lines which serve building fire sprinklers. Specify the manufacturer, size and location of the fire line backflow preventor.

**Sewer System:**

35. Show the size and location of existing and proposed sewer laterals and cleanouts on the site plan. Show the size and location of sewer mains and the proposed points of connection for sewer laterals.
36. Existing services that are to remain unused shall be abandoned per City requirements.

**Storm Drain System:**

37. Storm drainage for the 15-year storm shall be collected on-site and conveyed through storm drains to the public storm drain system. Show the size and location of existing and proposed storm drains and catch basins on the site plan. Show the size and location of public storm drain lines and the proposed points of connection for the on-site storm drain system.
38. Grading and drainage shall be designed so that surplus drainage (above and beyond that of the 15-year storm) not collected in site catch basins, is directed overland so as not to jeopardize existing or proposed buildings with flooding.

**Curb, Gutter and Sidewalk:**

39. Existing driveways that are to remain shall be replaced or repaired to current City Standards.

40. The developer shall remove and replace damaged, hazardous or nonstandard curb, gutter, and sidewalk along the frontage of the project. Contact the Public Works Department to mark the existing curb, gutter, and sidewalk along the project frontage that will need to be removed and replaced.

**Parking Lot:**

41. Drive aisles shall be a minimum of 24 feet wide.
42. Developer shall submit a parking lot circulation exhibit to the Public Works Department for review and approval. Vehicle turning templates shall be used to layout parking lot planter islands and parking stalls. Truck circulation conflicts shall be evaluated. Garbage trucks shall be able to access trash enclosures. Service trucks shall be able to access delivery areas. Fire engines shall be able to access fire hydrants and building entrances.
43. The pavement section for the proposed parking lot shall be designed by a Geotechnical Engineer. The Public Works Department requires a minimum of 2 inches of asphalt concrete on 6 inches of aggregate base for light traffic areas. A minimum of 3 inches of asphalt concrete on 8 inches of aggregate base is required in areas where truck traffic is anticipated.
44. Parking lot construction shall be certified by design consultants. The project Geotechnical Engineer shall certify that "as-built" pavement sections and site compaction comply with the project Geotechnical Report and Site Plans.
45. The developer shall furnish a parking lot lighting, signing and striping plan.

**Landscaping:**

46. The project architect and engineer shall coordinate design closely with the project landscape designer. Specifically, they shall consult the landscape designer to evaluate and address issues related to:
  - Fencing/wall layout and details
  - Locations and sizes for irrigation services
  - Locations, depths and sizes for irrigation and control wire sleeves at driveways and street crossings
  - Sight distance constraints for fencing and landscaping
  - Depth of cover and tree setbacks over water, sewer and storm drain lines in landscape areas
47. Landscaping and irrigation plans shall be designed to comply with the City's Water Efficient Landscaping Ordinance. Use of turf and other water intensive landscaping shall be minimized.

**Right-of-Way and Easements:**

48. A permanent reciprocal access/parking easement shall be required across common areas shared by parcels, if one does not already exist. This easement shall be created on a separate instrument and recorded prior to issuance of the building permit. Submit a draft copy of the document for the approval by the Public Works and Community Development Departments.
  
49. All property lines and easements shall be shown on the site plan.

**Miscellaneous:**

50. All public improvements shall be designed and constructed to current City of Fairfield standards.
  
51. Existing public facilities damaged during the course of construction shall be repaired by the developer, at his sole expense, to the satisfaction of the City Engineer.
  
52. Prior to beginning construction of public improvements, the developer or his contractor shall obtain an encroachment permit from the City. The developer or his contractor shall furnish the necessary insurance, bonds and pay all fees associated with the encroachment permit. A field investigation fee shall be charged if any work within the right-of-way is performed either without or prior to securing an encroachment permit.



## MEMORANDUM

### FAIRFIELD FIRE DEPARTMENT

DATE: May 29, 2019

TO: Jonathan Atkinson, Community Development Department

FROM: Bryan Just, Fire Department

SUBJECT: Hyatt House, DR2019-007, 1340 Holiday Lane

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Fire Safety requirements are as follows:

1. Automatic sprinkler systems will be required for the proposed new buildings as specified in Section 903.2 of the California Fire Code and the City of Fairfield Ordinance 2016-24. Installations shall comply with the National Fire Code Standards 13 and 24. Plans shall be submitted to the Fire Department directly for review and approval prior to issuance of any permits and performance of any inspections or tests. A Fire control room containing the fire sprinkler riser and the fire alarm control panel shall be provided. Access to the fire control room shall be from the exterior and identified with signage.

Note: The underground and overhead portions of these systems are required to have separate plans and permits. The subcontractor responsible for the installation is required to submit plans directly to the fire department and make arrangements for all permits, inspections and tests. Fire Line shall be looped.

2. All automatic sprinkler systems shall be supervised by an approved central station service. Monitoring systems shall conform to NFC Standards 70, NFPA 72 and the California Fire Code. The subcontractor responsible for the installation is required to

submit plans directly to the fire department and make arrangements for all permits, inspections and tests.

3. A minimum of one manual fire alarm box shall be provided at an approved location per California Fire Code Section 907.2.
4. Provide one 2A10BC dry chemical fire extinguisher for every 3,000 sq.ft. of floor area with a maximum travel distance not to exceed 75 feet.
5. Premises identification is required. Electrical and fire sprinkler rooms must have identification and Knox lock box. See Fire Prevention Standard #87-7.
6. Approved 20 foot wide, fire access roads must be provided within 150 feet from all portions of the building. Where the building is greater than 30 feet in height, Fire Access shall be designed and maintained including widths of 26 feet for Aerial Apparatus (Ladder Truck). Access to rescue windows, balconies and the building roof shall be considered as part of mature landscape design. Access shall be per 2016 CFC 503, 504, and Appendix D.
7. Fire lanes may be required on curbing adjacent to the buildings, fire hydrants, and fire sprinkler equipment. See Fire Prevention Standard #92-40.
8. Emergency Access Knox Box required near front entrance and other areas as determined by the Fire Department.
9. Number of fire hydrants to be determined by fire flow requirements and all portions of the building must be within 400 feet of a fire hydrant. If additional hydrant is necessary, it must be installed per Fire Prevention Standard #87-4. Additional hydrant(s) may be required to support the fire sprinkler system.
10. Comments made during the D.A.R.T and planning review process are preliminary in nature. Detailed comments will be made during the building permit process.

**USE PERMIT**  
**UP2019-011**

CITY HALL, CIVIC CENTER  
FAIRFIELD, CA 94533

**HYATT HOUSE** is hereby granted a Use Permit (UP2019-011) to allow the establishment of a **Hotel/Motel - Extended Stay** in the **CR (Regional Commercial)** Zoning District on property at **1340 Holiday Lane (APN: 0150-160-260)** under the provisions of Section 25.40.6 of the Zoning Ordinance.

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

1. Operation of the **Hotel/Motel - Extended Stay** shall be substantially in accord with the petition for Use Permit and plans dated "Received, May 20, 2019" except as modified by conditions stated herein;
2. Compliance with the conditions of the Community Development Department as contained in the Conditions of Development Review Approval (DR2019-7) dated September 11, 2019.
3. The length of stay for any patron shall not exceed 180 consecutive days;
4. Development shall be in compliance with the following land-use definition for a hotel/motel-Extended Stay as contained in §25.50.2 of the Zoning Ordinance, namely:
  - a. This facility offers transient lodging with separate bathroom, kitchen and bathroom facilities;
  - b. Each rental unit shall be at least 250 square feet in size; and
  - c. The kitchen shall be a separate, self-contained facility with all of the following:
    - i. Sink with garbage disposal
    - ii. Built-in, two-burner, counter-top range
    - iii. Minimum 14 cubic foot refrigerator/freezer combination
    - iv. Microwave
    - v. Dishes and flatware
5. A covenant, deed restriction, or other appropriate legal document, as determined by and subject to the approval of the City Attorney, shall be recorded guaranteeing operation of the hotel/motel property in compliance with all of the requirements of §25.22.4.2 – Hotels and Motels of the Zoning Ordinance

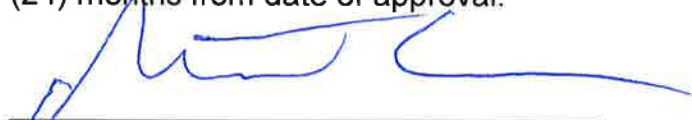


6. The operator shall submit a management plan that addresses how the hotel will address potential criminal activities at the site. The management plan shall be reviewed and approved by the Community Development Department and Fairfield Police Department prior to issuance of building permits.
7. Prior to issuance of building permits, the operator shall provide the Fairfield Police and Fire Departments one point of contact for addressing law enforcement, public health and safety problems at the site. An inspection shall be required when the hotel property undergoes a change in ownership and/or operator.
8. Nothing contained in the above conditions shall prevent the exercise of any provision of the Zoning Ordinance relative to revocation of the Use Permit.
9. Compliance with the **CR (Regional Commercial)** zoning provisions that are applicable to this site;
10. Operation of the use shall be in compliance with all State and City Codes;
11. 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;
12. The **HYATT HOUSE, 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 **HYATT HOUSE 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. **HYATT HOUSE 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.

**HYATT HOUSE 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.

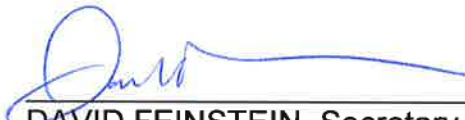
Approved by action of the City of Fairfield on the 11 day of September, 2019 (effective date of permit).

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



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MICHAEL COAN, Chairperson

ATTEST:



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DAVID FEINSTEIN, Secretary