

**CITY PLANNING COMMISSION**  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Murray Smith &amp; Assoc. c/o Barry Munowitch, 3110 Gold Canal Dr. #A, Rancho Cordova, CA 95670</u>		
OWNER <u>Norwood Village, 4554 Roseville Road #3, North Highlands, CA 95660</u>		
PLANS BY <u>Murray Smith &amp; Associates, 3110 Gold Canal Drive, Suite #A, Rancho Cordova, CA 95670</u>		
FILING DATE <u>March 4, 1993</u>	ENVIR DET <u>Negative Declaration</u>	REPORT BY: <u>D. Holm</u>
ASSESSOR'S PCL. NO. <u>237-0100-022-0000</u>		

- APPLICATION:**
- A. Negative Declaration
  - B. Mitigation Monitoring Plan
  - C. Tentative Map to subdivide 9.0± net acres into seven parcels in the Shopping Center (SC) zone;
  - D. Variance to allow reciprocal parking for a proposed shopping center that will be located on seven parcels.

**LOCATION:** NW Corner of Norwood Avenue and Jessie Avenue  
(Council District #2)

**PROPOSAL:** The applicant is requesting the necessary entitlements to subdivide an existing parcel into seven parcels and to allow reciprocal parking between the seven proposed parcels for a proposed 109,800± square foot retail shopping center.

**PROJECT INFORMATION:**

General Plan Designation:	Community/Neighborhood Commercial & Offices
1984 North Sacramento Community	
Plan Designation:	Retail/General Commercial
Existing Zoning of Site:	Shopping Center (SC)
Existing Land Use of Site:	Vacant

**Surrounding Land Use and Zoning:**

North:	Apartments; R-3
South:	Restaurant, Church & Single Family; C-1R, R-3 & R-1
East:	Vacant & Apartments; C-1R & R-3
West:	Single Family; R-1

Property Dimensions:	620 feet x 630 feet
Property Area:	<u>10±</u> acres

APPLICATION NO. P93-047      MEETING DATE: May 13, 1993      ITEM NO. 7

Square Footage of the proposed Shopping Center:	109,800 $\pm$ sq. ft. (See Exhibit )
Parking Required:	439 (See Exhibit C)
Proposed Parking:	464 spaces
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**BACKGROUND INFORMATION:** On August 27, 1992, the City Planning Commission heard testimony regarding the construction of a proposed 109,800 $\pm$  square foot retail shopping center (See Exhibits C and D) to be developed on 10 $\pm$  gross acres in the Shopping Center (SC) zone. The Planning Commission by a vote of seven ayes and two absent voted to approve the project (P92-167), which included a Plan Review of the retail shopping center and variances to reduce the required front and street side yards from 50 feet to 25 feet.

**SUBDIVISION REVIEW COMMITTEE RECOMMENDATION:** On April 21, 1993, the Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the tentative map subject to conditions.

**PROJECT EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site consists of one parcel totaling 10 $\pm$  vacant acres in the Shopping Center (SC) zone. The General Plan designates the site as Community/Neighborhood Commercial and Offices and the 1984 North Sacramento Community Plan designates the site as Retail/General Commercial. The surrounding land use and zoning includes vacant land, zoned Limited Commercial Review (C-1R) and apartments, zoned R-3, to the east; a restaurant, zoned C-1R, a church zoned, R-3 and single family residences, zoned R-1, to the south; apartments, zoned R-3, to the north; and single family residences, zoned R-1, to the west.

B. Applicant's Proposal

The project site consists of one vacant parcel totaling 9.0 $\pm$  net acres. The applicant is proposing to subdivide the existing parcel into seven parcels. As required by the subdivision map act the applicant is required to subdivide the property to lease out a portion of the property. Therefore, the applicant has submitted a request to subdivide the proposed retail shopping center into seven parcels which will accommodate the needs for individual leases and the financing of the larger retail buildings. In addition, the applicant has requested a variance to allow reciprocal parking between the seven parcels.

C. Staff Analysis

The construction of the proposed shopping center will be phased. The initial construction will consist of developing only the retail buildings on the proposed Parcels 2, 3, and 6. As proposed the area between the grocery store, to be located on Parcel 6 and the retail shops, to be located on Parcel 3 will remain as open dirt area. Planning staff has discussed this with the applicant and the applicant has agreed to construct a minimum of an eight foot high wall between these parcels until such time as the construction of the additional retail area is completed. In addition, the applicant has agreed to work with the school district to have a mural painted on the proposed

wood fence. The original approval also allowed a detached 35 foot high pole sign to be constructed on the site. Planning staff has discussed this with the applicant and the applicant has agreed to submit plans for a two pole sign that will be consistent in materials and design with the existing shopping center.

D. Tentative Map

The tentative map subdivides 9.0± vacant acres into seven separate parcels. A previous application for a plan review (P92-167) of a 109,800± square foot shopping center has been approved for this site. A subdivision is any division of land for the purpose of sale, lease, or finance and is governed by the Map Act. Since the proposed shopping center will be financed and several of the parcels will be sold or be entered into long term leases, a tentative map is required. The tentative map which is being requested will create a separate parcel for the two proposed pads, the grocery store and the other four parcels will consist of multiple retail shops. Staff has no objections to the proposed tentative map to subdivide the existing parcel into seven parcels.

E. Parking Analysis

In reviewing the applicant's request to subdivide the existing parcel into seven parcels, Planning staff determined that as proposed each parcel would require parking based upon the proposed uses that would occupy the retail spaces. To allow for greater flexibility and mixes in the types of tenants that will occupy the retail spaces a parking variance to allow reciprocal parking is necessary. The Zoning Ordinance allows for reciprocal parking and maneuvering but does not allow for reciprocal parking between adjacent parcels. As proposed the entire 9.0± acre shopping center would be considered in determining the parking requirements.

A 109,800 square foot retail building requires 439 parking spaces and the submitted site plan indicates that there will be 464 parking spaces constructed on the subject site. As the parking requirements for restaurants, medical offices, karate studios, and health clubs require more parking than a retail business, the applicant should be aware that adequate parking will need to be provided for each business in order to locate within the proposed retail center. The applicant has indicated on the submitted plans that 8,800± square feet of the retail space will be devoted to restaurant users with a total of 180 seats. Based upon the proposed 101,000 square feet of retail and 8,800 square feet (180 seats) of restaurant space 464 parking spaces would be required. In order to obtain tenant improvements the Planning Division will require that a list of tenants, their square footage, and for restaurants, the number of seats will be required to be provided in order to insure that adequate parking is maintained for the entire retail shopping center.

D. Agency Comments

The proposed project was reviewed by various City Departments and other agencies. The comments regarding the tentative map are listed as conditions. No comments were received on the parking variance. The proposal was also sent to the neighborhood group (G.R.I.N.) However, no comments were received.

**ENVIRONMENTAL DETERMINATION:** The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, the previously approved Negative Declaration has been reissued. The applicant shall be required to meet the provisions of the mitigation monitoring plan.

**RECOMMENDATION:** Staff recommends that the City Planning Commission take the following action:

- A. Ratify the Negative Declaration;
- B. Approve the Mitigation Monitoring Plan by adopting the attached Resolution;
- C. Adopt the attached Resolution approving the Tentative Map to subdivide 9.0± vacant acres into seven parcels.
- D. Approve the variance to allow the required parking to be located off-site on adjacent parcels (reciprocal parking) for proposed 109,800± square foot retail/commercial shopping center on seven parcels subject to conditions and based upon findings of fact which follow.

**Variance Conditions**

1. Provide a copy of the recorded reciprocal ingress, egress, access and maneuvering easements between the seven parcels to the Planning Director prior to any certificate of occupancy permits being issued for the retail buildings;
2. The proposed detached pole sign as previously approved by the Planning Commission shall be designed as a double pole sign;
3. The applicant shall construct a minimum of an eight foot high solid fence that will screen any area of the main shopping center truck loading area and future building areas (not pads) from the street until completion of the entire "L" shaped shopping center has commenced. The applicant shall submit a detailed fence plan (including an agreement to have a mural or other art work painted on the fence), to the Planning Director for review and approval prior to issuance of a Certificate of Occupancy for any businesses that will be located on Parcels 3, 4, 5, 6 or 7; and
4. The applicant shall comply with all of the conditions of approval as approved by the Planning Commission on August 28, 1992 for P92-167.

**Findings of Fact:**

1. Granting the variance does not constitute a special privilege in that other property owners facing similar circumstances would be granted a variance.
2. Granting the variance does not constitute a use variance in that retail/commercial businesses are allowed in the Shopping Center (SC) zone.
3. The project will not be injurious to public safety in that adequate landscaping, parking, maneuvering and walkways have been provided.
4. The project is consistent with the General Plan which designates the site Community/Neighborhood Commercial and Offices and the 1984 North Sacramento Community Plan which designates the site Retail/General Commercial. Retail/Commercial buildings and parking lots are an allowed use in commercial zones.

## RESOLUTION NO.

Adopted by the Sacramento City Planning Commission

On Date of May 13, 1993

**A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A TENTATIVE MAP FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORWOOD AVENUE AND JESSIE AVENUE.**

**(P93-047) (APN: 237-0100-022)**

WHEREAS, the Planning Commission, on May 13, 1993, held a public hearing on the request for approval of a tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the Environmental Coordinator has determined that the proposed project will not have the potential to have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:**

1. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. The City General Plan designates the site Community/Neighborhood Commercial and Office and the North Sacramento Community Plan designates the site Retail/General Commercial.
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:
  - a. Dedicate a standard 12.5-foot public utility easement for overhead and underground public utility facilities and appurtenances adjacent to all public ways;
  - b. Round corners at the intersection of Jessie Avenue and Norwood Avenue shall be dedicated to a 25 foot radius (per conditions for P92-167); and
  - c. Provide reciprocal easements for parking, ingress, egress and drainage and sanitary sewers.

**ADVISORY NOTES:**

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- a. Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Department of Public Works, Development Services Division, 927 10th Street, Room 100;
- b. Existing deteriorated curb, gutter and sidewalk shall be removed and reconstructed per City standards; and
- c. Separate metered water services will be required for each parcel at the time of building permit. Private easements will be required to Lots 4, 5 and 7 to allow meters to be placed to the satisfaction of the Utility Department.

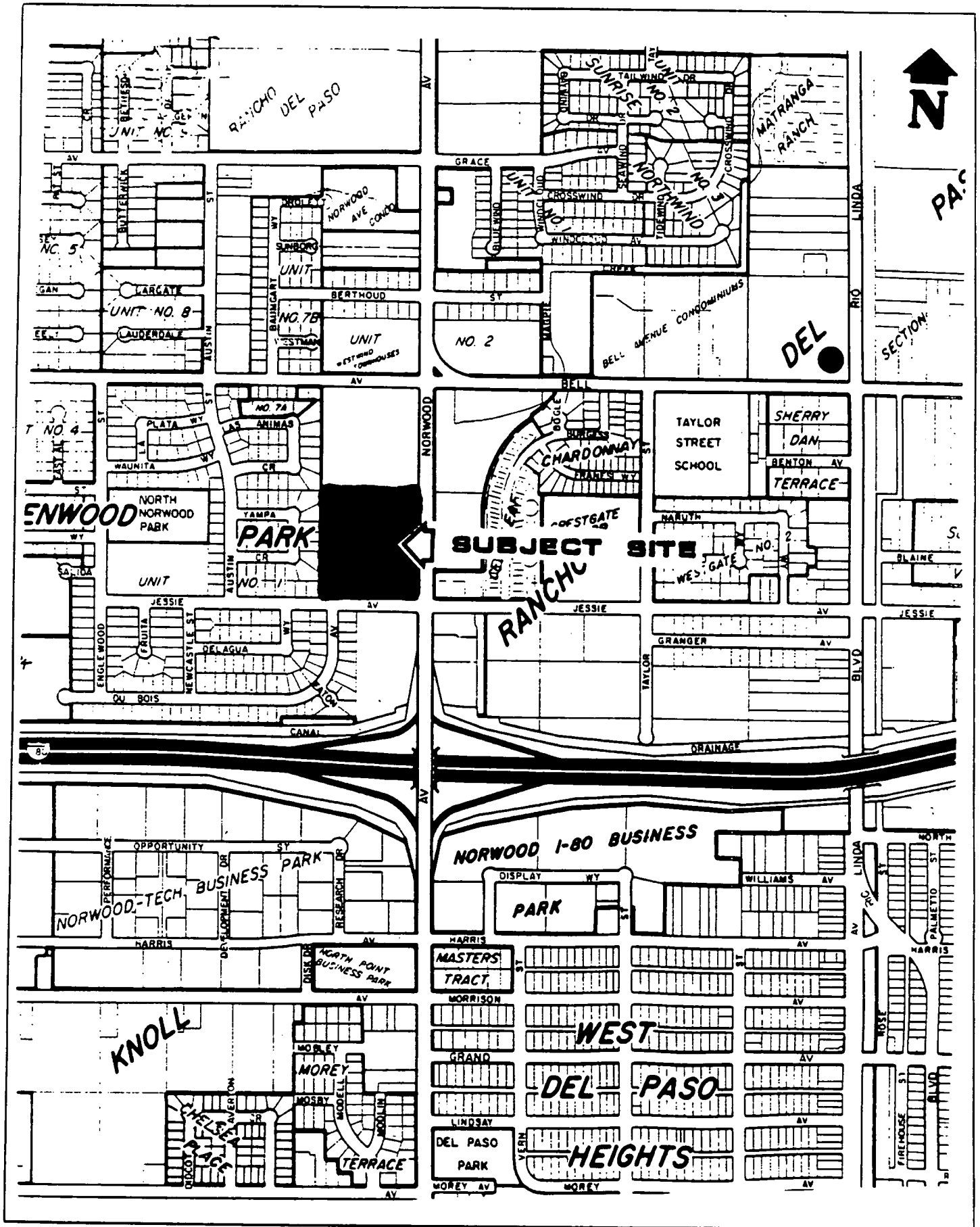
\_\_\_\_\_  
Chairperson of the Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary to the Planning Commission

APPLICATION NO. P93-047 MEETING DATE: May 13, 1993

ITEM NO. 7



**VICINITY MAP**



LAS ANIMAS CR

APARTMENTS

R-2B

YAMPA CR

SUBJECT SITE

VACANT

SC

NORWOOD AVENUE

APARTMENTS

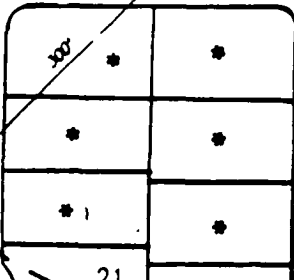
R-3

C-1R w/c

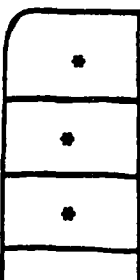
VACANT

JESSIE AVENUE

DELAGUA WY



DU BOIS WAY



R-3

CHURCH

RESTAURANT

C-1R w/c

C-2

ARCO AM/PM

JACK IN THE BOX

(UNDER CONSTRUCTION)

STANDARD SINGLE FAMILY

\* ZONED - (R-1)

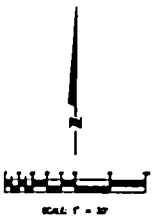
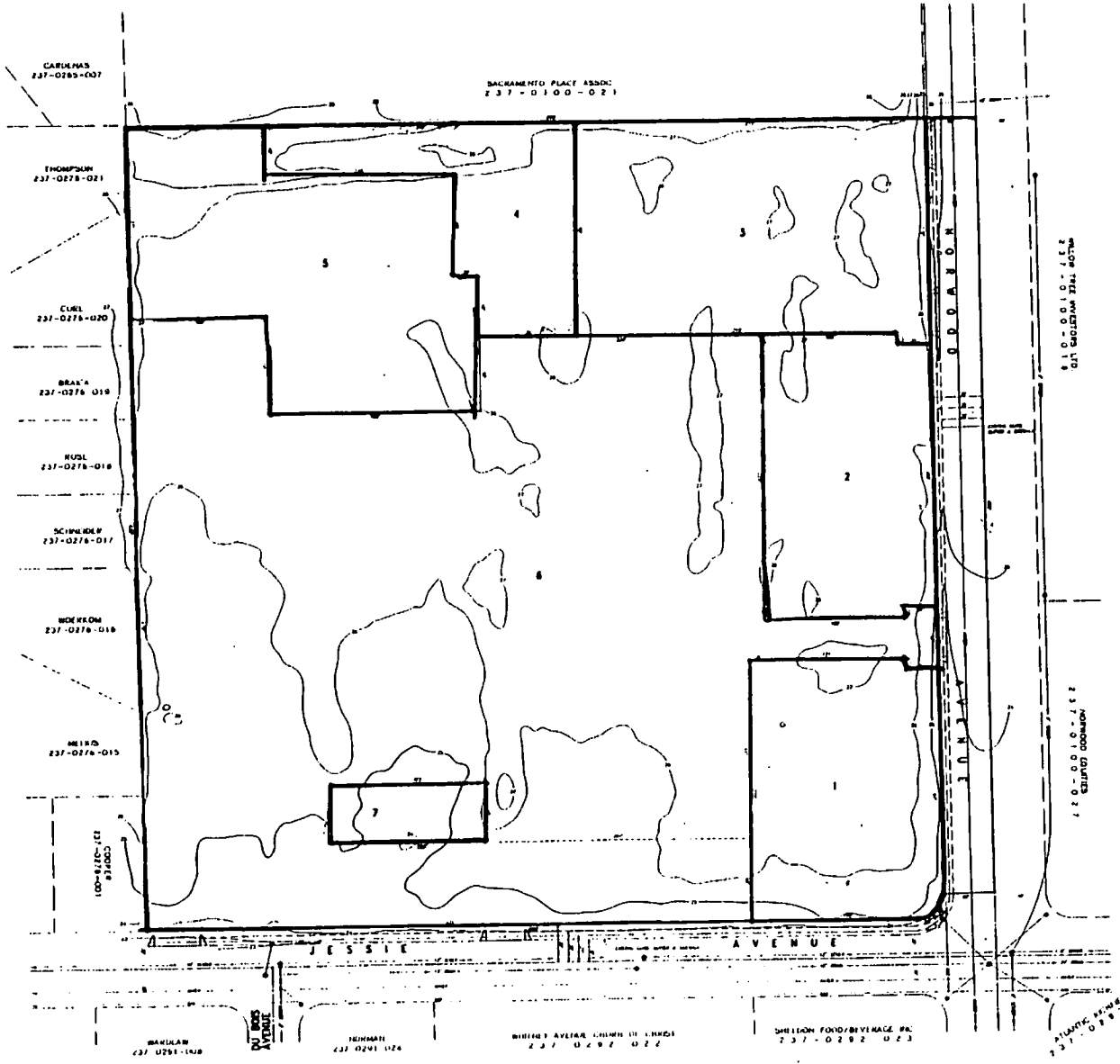
C-2

LAND USE AND ZONING MAP

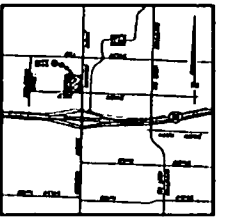


TENTATIVE MAP OF  
 POR. LOT 3, RIO LINDA  
 SUBDIVISION No. 8 (18 B.M. 2)  
 CITY OF SACRAMENTO, CALIFORNIA  
 MARCH, 1993 SCALE: 1" = 30'  
 MURRAY SMITH & ASSOCIATES

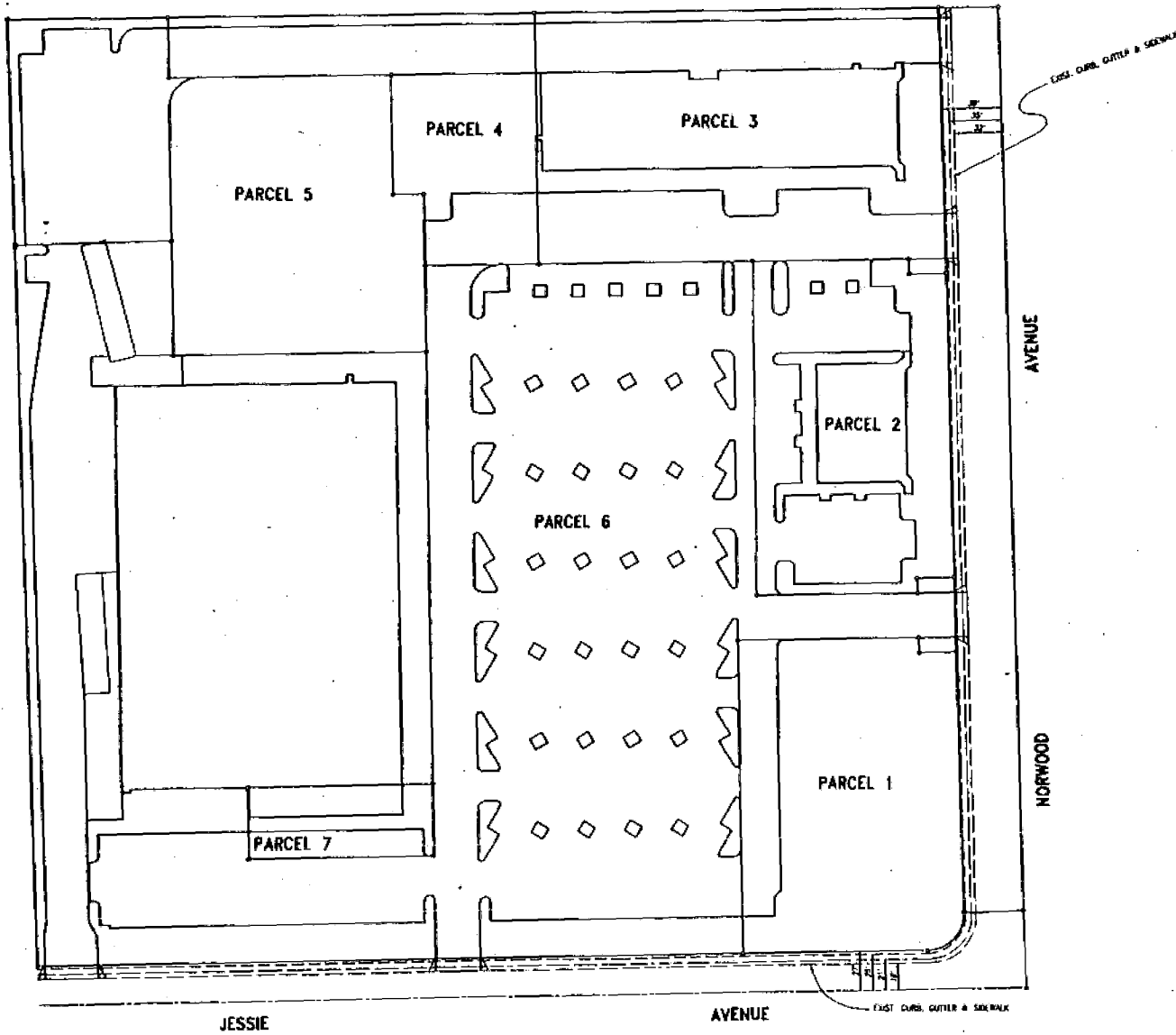
EXHIBIT - A  
 TENTATIVE MAP



Legend for symbols used on the map, including various line styles and patterns representing different types of easements, utilities, and boundaries.



PARCEL EXHIBIT  
FOR LOT 3, RIO LINDA  
SUBDIVISION No. 8 (18 B.M. 2)  
CITY OF SACRAMENTO, CALIFORNIA  
MARCH, 1993 SCALE: 1" = 40'  
MURRAY SMITH & ASSOCIATES



AVENUE

NORWOOD

JESSIE

AVENUE

11-2-93  
*S.M.P.*

EXHIBIT - B

002.047

MAY 13, 1993

ITEM NO. 7





Recording  
Not  
Required

-  
-  
-  
-  
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# MITIGATION MONITORING PLAN

FOR

Norwood Center

*Initial Study*

Prepared By:  
City of Sacramento Environmental Services Division  
March 29, 1993

Adopted By:  
City of Sacramento Planning Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
Secretary to Planning Commission

# CITY OF SACRAMENTO

## MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916) 264-7037, pursuant to California Environmental Quality Act Guidelines Section 21081.

### SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Norwood Center/ P93-047 (P92-167)  
Owner/Developer- Name: Murray Smith & Associates ATTN: Barry Munowitch  
Address: 3110 Gold Canal Drive STE A  
Rancho Cordova, CA 95670

Project Location / Legal Description of Property (if recorded):

Lot 4 and the East 660.00 feet of Lot 3, as shown on the "Plat of Rio Linda Subdivision No. 8", recorded in the office of the County Recorder of Sacramento County, June 16, 1924, in Book 18 of Maps, Map No. 2.

Excepting therefrom all that portion of said Lot 3 lying within "Glenwor 1 Park No. 1", the official plat of which was recorded in Book 63 of Maps, Map No. 17, records of the County.

### SECTION 2: GENERAL INFORMATION

The project as approved includes mitigation measures for noise and cultural resource impacts. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Negative Declaration. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicant/developer/owner.

### SECTION 3: PLAN CONTENTS

#### Noise

If these building pads are designed with windows or doors facing Norwood Avenue, the following mitigation measures will be placed on the project to reduce noise levels to a less than significant level;

1. For all building walls directly facing or with a view of Norwood Avenue (east side of main structure directly adjacent to or facing Norwood Avenue, and east, north and south sides of pad buildings).

- A. All joints in exterior walls shall be grouted or caulked airtight.
- B. Window or through-the-wall ventilation and air conditioning units shall not be permitted.

- C. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
  - D. Windows must have a minimum STC rating of 29 or better. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile an hour wind per ASTM standards.
  - E. Exterior entrance doors should have a minimum STC rating of 30. They must include complete perimeter door seals.
2. The applicant has agreed to the following mitigation measures to reduce noise impacts from the proposed development upon the existing adjacent residential land uses:
- A. Construct an eight (8) foot high solid masonry wall along the west and north property lines which abut the residential areas (see Attachment C).
  - B. Construct an eight (8) foot high masonry wall around both supermarket loading dock areas including the ramp area (see Attachment D). The wall shall be long enough to screen the entire length of trucks parked at the loading dock.
  - C. Alternative methods and materials may be substituted for the identified mitigation measures where it is determined to the satisfaction of the Environmental Services Division that adequate noise attenuation is provided.
  - D. The masonry walls required by noise mitigation measures 2.(A) and 2.(B) will be shown on all plans submitted for building permits.

**ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE**  
 Department of Planning and Development, City of Sacramento

**MONITORING PROGRAM**

Prior to issuance of Building Permits the Building Division shall require that the final building plans incorporate the applicable noise attenuation measures. The Building Division shall also require that site inspections are included on the Special Conditions Attachment. Prior to finaling the permit, Certificate of Compliance or Certificate of Occupancy, the Building Division shall require full compliance and completion of the specified noise attenuation measures.

**Cultural Resources**

- 3. A. If buried archaeological material, such as flakes, tools, grindstone, or human bone are encountered during the course of construction, work in the immediate vicinity shall be temporarily halted until a qualified archaeologist is consulted.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE  
Department of Planning and Development, City of Sacramento

MONITORING PROGRAM

Both the public improvement plans and building plans shall be noted to state that work shall be stopped and an archaeologist shall be consulted in the event that any archaeological materials are found.

If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Site inspections by the Building Division shall watch for any potential archaeological resources during site visits. A City contact person shall be notified (in Permit Services) in case of an archeological discovery. The Building Division shall attach this requirement to the approved permit plans and include this measure as an inspection item on the Special Conditions Attachment.



# MITIGATION AGREEMENT

PROJECT NAME / FILE NUMBER: Norwood Center (P93-047)  
OWNER/DEVELOPER: c/o: Murray Smith & Associates  
Attn: Barry Munowitch  
ADDRESS: 3110 Gold Canal Drive STE A  
Rancho Cordova, CA 95670

I, Barry Munowitch (owner, authorized representative), agree to amend the project application P93-047 to incorporate the attached mitigation measures in the Initial Study dated March 29, 1993. I understand that by agreeing to these mitigation measures, all identified potentially significant environmental impacts should be reduced to below a level of significance, thereby enabling the Environmental Coordinator to prepare a Negative Declaration of environmental impact for the above referenced project.

I also understand that the City of Sacramento will adopt a Mitigation Monitoring Plan for this project. This Monitoring Plan will be prepared by the Department of Planning and Development pursuant to the California Environmental Quality Act Guidelines Section #21081 and pursuant to Article III of the City's Local Administrative Procedures for the Preparation of Environmental Documents.

I acknowledge that this project, Norwood Center, would be subject to this plan at the time the plan is adopted. This plan will establish responsibilities for the monitoring of my project by various City Departments and by other public agencies under the terms of the agreed upon mitigation measures. I understand that the mitigation measures adopted for my project may require the expenditure of owner/developer funds where necessary to comply with the provisions of said mitigation measures.

  
Signature (Owner/Developer/Applicant)

Planning Manager  
Title

April 1, 1993  
Date

**RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION  
ON DATE OF: \_\_\_\_\_

**MITIGATION MONITORING PLAN FOR P93-047 FOR A TENTATIVE MAP TO SUBDIVIDE 9.0± NET ACRES INTO SEVEN PARCELS IN THE SHOPPING CENTER (SC) ZONE AND A VARIANCE TO ALLOW RECIPROCAL PARKING FOR A PROPOSED SHOPPING CENTER THAT WILL BE LOCATED ON SEVEN PARCELS IN THE NORTH SACRAMENTO COMMUNITY PLAN AREA. (APN: #237-0100-022)  
(P93-047/P92-167)**

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project; held a public hearing to review the above described project;

WHEREAS, the proposed Negative Declaration finds that the proposed project will not have a significant effect on the environment provided that mitigation measures are added to the above identified project;

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and

WHEREAS, in accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project;

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

P92-167

5.12.02

Item -

NOW THEREFORE BE IT RESOLVED BY THE CITY OF SACRAMENTO  
PLANNING COMMISSION THAT:

1. The Mitigation Monitoring Plan for the Norwood Center Project, (P93-047)  
project be approved and adopted as shown in the attached Mitigation Monitoring Plan dated  
March 29, 1993.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

P93-047/P92-167

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

P93-047

6.12.02

IPM 7