

RESOLUTION NO. 1923

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF MARCH 14, 1996

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A THREE YEAR TIME EXTENSION FOR PREVIOUSLY APPROVED SPECIAL PERMIT FOR THE PROPERTY LOCATED AT 6310 STOCKTON BOULEVARD AND 5735 47TH AVENUE

(P95-126) (APN: 037-0310-027)

WHEREAS, the City Planning Commission on March 14, 1996, held a public hearing on the request for approval of time extension for special permit for a major project to construct a 77,788 square foot superstore and an additional 46,400 square foot of retail space for property located at the above described location;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will have a significant effect on the environment, and has prepared and circulated an Environmental Impact Report that has previously been certified by the City Council and Findings of Fact and Statement of Overriding Considerations were previously adopted;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the time extension for the special permit:

1. The project, as conditioned, is based upon sound principles of land use in that the proposed commercial buildings are compatible with the surrounding commercial uses and residential uses.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. adequate on-site parking, setbacks, and landscaping will be provided;
 - b. a decorative six to eight foot masonry wall will provide a buffer for the adjacent residential properties;

- c. a pedestrian walkways and access will be provided from the streets to the store front; and
 - d. the proposed design is compatible with the residential structures and commercial buildings in the area.
3. The project is consistent with the General Plan and the South Sacramento Community Plan which designate the site Community Neighborhood Commercial and Offices and General Commercial respectively.

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

1. The time extension for the special permit are hereby approved, subject to the following conditions:
 - a. Comply with requirements included in the Mitigation Monitoring Plan and with the entitlement conditions included in the approved resolution for the original request (Resolutions 94-033). These documents are on file in the Planning Division Office (P93-073).
 - b. The applicant shall construct a six foot high (minimum) solid decorative masonry wall along the west property line stepping up to eight feet high along the area immediately behind the two loading dock areas prior to the issuance of a Certificate of Occupancy for the buildings. The wall shall also be eight feet high behind any future loading dock areas added for the major tenant retail store.
 - c. The trash enclosure shall be built to the standards in the Zoning Ordinance. The enclosures shall also provide adequate receptacles for recycling in accordance with the recycling requirements of the Zoning Ordinance.
 - d. The applicant shall provide 20 bicycle parking stalls that consist of 25 percent (five spaces) Class I parking facilities and the remaining 15 spaces may be either Class I, II, or III facilities. The location of the bicycle parking shall be indicated on a revised site plan submitted to Planning staff for review and approval prior to the issuance of building permits.
 - e. The applicant shall construct pedestrian accesses and walkways from both Stockton Boulevard and 47th Avenue to the store front. The location of the pedestrian accesses and walkways shall be indicated on a revised site plan submitted to Planning staff for review and approval prior to the issuance of building permits.
 - f. The applicant shall submit a revised landscape and irrigation plan that

incorporates the requirements of the water conserving landscaping ordinance for Planning staff's review and approval prior to issuance of building permits. All designated parking areas shall meet the 50 percent shading requirement. Screening trees shall be planted along the west property line as indicated on the preliminary landscape plan submitted to the Building Division.

- g. All signage shall meet all the requirements of the Sign Ordinance and have a sign permit.
- h. The front elevation (east side) shall be modified to include more vertical accents to break up the long horizontal parapet line. The future retail tenant (major tenant) shall submit an application to the Design Review staff for review and approval of the second phase of the building design prior to issuance of building permits. The Smith's Superstore front elevation section of the proposed building is not required to submit to Design Review. The architectural character of the front elevation shall be continued along the south elevation and wrapped around the west elevation for the length of the first story projection. Revised elevations shall be submitted to Planning staff for review and approval prior to the issuance of building permits.
- i. Handicap spaces shall comply with Americans with Disabilities Act (ADA) requirements.
- j. All parking spaces must be to City standards.
- k. The applicant shall locate the appropriate number of handicap spaces nearest to each major store.
- l. Left turns to and from the eastern-most driveway on 47th Avenue shall be prohibited. Construction of median islands may be required.
- m. The northern-most driveway on Stockton Boulevard and western-most driveway on 47th Avenue shall be a minimum of 40 feet wide to accommodate large delivery vehicles.
- n. The applicant shall construct all driveways that will be signalized with round corners and not as a standard driveway to eliminate the depressed curb line within the driveways and facilitate better traffic movement through the signal.
- o. The applicant shall provide appropriate easements to for the maintenance of signal hardware and appurtenances.

- p. The applicant shall file a TMP with the Transportation Division prior to issuance of building permits.
- q. The applicant shall coordinate sanitary sewer with County Sanitation District No. 1.
- r. The applicant shall provide complete frontage improvements along 47th Avenue. All improvements in 47th Avenue, including median and signal construction shall be subject to approval by the City Department of Public Works and the County of Sacramento.
- s. The applicant shall provide median islands, left turn pockets, driveway locations, and traffic signals to the satisfaction of the Traffic Engineer.
- t. The applicant shall comply with the traffic mitigation measures required in the Mitigation Monitoring Plan to the satisfaction of the Traffic Engineer.
- u. On site grading, drainage, and paving shall be approved by the Public Works Department prior to issuance of a Building Permit. *A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities. If drainage facilities are warranted after review of the grading plan, a drainage study shall also be required. {New condition}*
- v. Notice: Property to be developed in accordance with this special permit 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 Public Works Department, Development Services Division, Room 100, 927 10th Street.
- w. The applicant shall comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). This will require the applicant to file a Notice of Intent with the California Water Resource Control Board and prepare a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will require the applicant to prepare plans and/or determine measures to control erosion and off-site sediment transport from the project during and after the project and determine measures for controlling pollution from the various hazardous materials associated with construction sites.

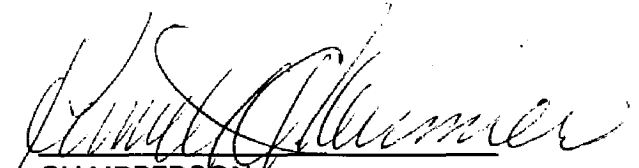
The City will require proof of compliance with the State Permit prior to approval of the improvement plans and issuance of a building permit.

- x. The applicant shall provide post construction Best Management Practices (BMP's) to minimize the increase of urban runoff pollution. At a minimum, source control measures and on-site controls shall be implemented.
- y. The applicant shall conform to the City's Grading, Erosion and Sedimentation Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- z. The applicant shall provide a water main extension in 47th Avenue to the satisfaction of the Public Works Department and the Utilities Department.
- aa. The applicant shall abandon the existing 8 inch public water main in the lot described by APN 037-0310-021 or convert it to a privately maintained and operated fire loop with double check valves at each connection to the public water distribution system.
- bb. The storm drainage flows from this site are conveyed through the City storm drainage system to a County Sump. Due to this set of circumstances a signature block, on the improvement plans, shall be provided for the Sacramento County Public Works Department, Water Resources Division.
- cc. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- dd. The applicant shall coordinate with SMUD to address and resolve project-related electrical facility planning and relocation issues to the satisfaction of SMUD prior to the issuance of building permits.
- ee. The applicant shall obtain all right-of-way or public utility easements as required for the relocation of SMUD facilities to accommodate the project.
- ff. The applicant shall pay to SMUD the costs of relocating facilities as required to accommodate the project, consistent with District policy and any applicable SMUD agreements.
- gg. The applicant shall work closely with SMUD New Construction Services (NCS) during the design stage of the project to ensure that the energy conservation and load management measures are implemented to the maximum extent feasible.

- hh. The applicant shall cooperate fully with SMUD in disclosing information concerning existing and proposed electrical facilities in the project area to those parties involved in acquisition of property within the area or the development, maintenance, or regular use of facilities located within the area.
- ii. If the construction of the buildings is phased, future construction shall require Planning review and a possible modification of the Special Permit if the development plans differ significantly from the those plans reviewed with this application.
- jj. The applicant shall eliminate all parking on the future pad and replace the area with landscaping to be shown on the revised landscape plan submitted to the Building Division.

The following are new conditions:

- kk. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).
- ll. The applicant shall submit a plan for review and approval to the Solid Waste Division that targets green waste and clean produce for diversion from landfills. The plan is subject to the existence of a permitted hauler/processor capable of contracting to remove green waste and clean produce.
- mm. The lighting level shall be maintained at 1.5 Footcandles from dawn to dusk.
- nn. Decorative landscaping shall be maintained at a maximum plant and shrub height of thirty inches and a minimum lowest tree limb at six feet. Landscaping should not interfere/diminish lighting.
- oo. The applicant shall install gates and fencing (decorative wrought iron along the south side) to prohibit unauthorized access to the rear of the buildings. Gates shall remained closed and secured during non-delivery hours. The gate along the south entrance to the loading area shall be setback at least 20 feet or greater to meet the traffic visibility clearance requirements.


CHAIRPERSON

ATTEST:


SECRETARY TO PLANNING COMMISSION

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