

ATTACHMENT H

RESOLUTION NO. 1744

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION
ON DATE OF: March 9, 1995

**A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING
A VARIANCE TO EXCEED THE 35-FOOT HEIGHT LIMIT FOR
COMMERCIAL BUILDINGS WITHIN THE LAGUNA MEADOWS
PLANNED UNIT DEVELOPMENT (SC{PUD}) FOR PROPERTY
LOCATED AT THE NORTHWEST CORNER OF BRUCEVILLE ROAD
AND CENTER PARKWAY.
(P94-056) (APN#117-0211-025)**

WHEREAS, the City Planning Commission on March 9, 1995, held a public hearing on the request for approval of a variance to exceed the 35-foot height limit for commercial buildings within the Laguna Meadows Planned Unit Development (SC{PUD}) for property located at the above described location;

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

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

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

1. The variance to exceed the 35-foot height limit for commercial buildings within the Laguna Meadows Planned Unit Development (SC{PUD}) is hereby approved based upon the following findings of fact:
 - A. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
 - B. Granting the variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the height is used for enhancement of design of the Shopping Center.
 - C. Granting the variance does not constitute a use variance in that Shopping Centers and Movie Theaters are allowed in the Shopping Center(PUD) zone.
 - D. The project is consistent with the General Plan and Community Plan which designate the site for Community/Neighborhood Commercial & Office use and General Commercial, respectively. The project is also consistent with the use designation of the Laguna Meadows PUD Guidelines.

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

1. The variance to exceed the 35-foot height limit for commercial buildings within the Laguna Meadows Planned Unit Development (SC{PUD}) is hereby approved based upon the following conditions:

subject to the approval of the Traffic Engineer. *(Amended by Staff, 3/9/95)*

- g. Access drives on the north side of Building "B" and on the northwest and southwest sides of Building "A" (See Exhibit D-1) shall be equipped with ~~manually operated~~ locking gates to prevent vehicular access to the rear of the buildings. The gates shall remain locked and closed during all hours in which the theater, market and retail businesses are closed. Gates shall be identified on final site plans. Gate location, design, and locks shall be subject to review and approval by the Police Department, Fire Department, and the Traffic Engineer prior to issuance of any grading or building permits. *(Amended by Commission, 3/9/95)*

~~Fixed wing hardware gates shall be installed at the ends of parking lanes nearest the theater complex (See Exhibit D-1). At the close of movies with large attendance, and in the event the area watch commander determines traffic control is necessary and/or cruising becomes problematic, the gates shall be used to close access points to the main esplanade and to direct traffic to the exits at the southwest and most northeastern corner of the property. In the event the area watch commander determines traffic control is necessary and/or cruising becomes problematic, gates or barriers shall be installed within the parking areas of the proposed project site. Barrier design and location shall be subject to review and approval by the Police Department, Fire Department, and the Traffic Engineer, prior to installation.~~ *(Amended by Staff, 3/9/95) (Amended by Commission, 3/9/95)*

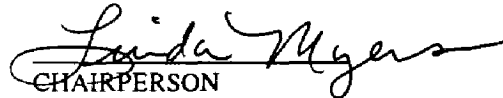
- h. Lighting levels shall be as follows:
- a) 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise;
 - b) a minimum of .25 foot-candles of illumination shall be provided at the surface of any walkway, alcove, or passageway related to the project during the same hours;
 - c) parking lot light standards shall be spaced and at a height that will not conflict with decorative trees; and
 - d) light fixtures to the rear of commercial buildings shall be shielded to prevent light from intruding into adjoining residential property while ensuring adequate illumination of delivery/service areas.
- i. Signs shall be designed and located to provide adequate visibility and sight distance at driveways, corners, intersection of public roads, and along public roads. Specific locations for detached signage shall be subject to final review and approval by the Department of Planning and Development, Development Services Division and the Department of Public Works, Traffic Engineer.
- j. All trash enclosures located on-site (not fully-contained within the buildings) shall conform to the established PUD Guidelines of the Laguna Meadows PUD.
- k. Fencing separating the project site from adjacent uses shall be as follows:
- a) ~~rough~~ iron fencing (6 ft. maximum) shall be located along property lines abutting Office Building (PUD) zoned property;
 - b) solid concrete wall with landscape vines (to grow on the wall) shall be located along property lines abutting Residentially (R-1A{PUD}) zoned property.
- l. The greenbelt setback area along the west and north property lines shall be a minimum of 12 feet. This area shall be landscaped with trees and shrubs and irrigated. The setback area adjacent to the Residentially (R-1A{PUD}) zoned property shall include some type of fast-growing, tall, evergreen type trees to provide a visual screening (possibly "cypress" trees). This landscaped setback area shall not include sidewalks for pedestrian access.

- m. A minimum 25-foot landscaped setback area shall be located along the south and east sides of the project site adjacent to the public right-of-way. This landscape area shall conform to the established PUD Guidelines of the Laguna Meadows PUD.
- n. A detailed landscape plan shall be submitted and approved by the Department of Planning and Development and Department of Public Works prior to issuance of any permits.
- o. *The applicant shall develop a "good neighbor" policy with the neighborhood groups in the area, including the Valley Hi Alliance and North Laguna Creek Neighborhood Association. The applicant shall designate a representative to work with and attend meetings of these neighborhood groups - specifically during the first year of operation. (Amended by Commission, 3/9/95)*
- p. *The applicant shall provide improvements to the pedestrian connections along Bruceville Road, from the sidewalk to the interior of the project site. These improvements may be accomplished using enhanced paving techniques. (Amended by Commission, 3/9/95)*

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Special Permit:

- a. It is strongly recommended that parking spaces in front of the retail areas be removed or converted to handicap spaces.


CHAIRPERSON

ATTEST:

SECRETARY TO PLANNING COMMISSION
P94-056