CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name:	Costco Wholesale Warehouse at Expo Parkway
Project Number:	P06-119
Project Location:	1600 Expo Parkway
Assessor's Parcel No.:	275-0310-001
Applicant:	David Babcock & Associates, c/o David Babcock (925) 283-5070
Action Status:	Approved with Conditions — Action Date: 09/28/2006

REQUESTED ENTITLEMENT(S): A request to expand the existing Costco Wholesale Warehouse by adding 15,988± square feet for a total of 154,567± square feet on a 13.43± acres developed parcel in Light Industrial-Labor Intensive-American River Parkway Corridor (M-1-LI-PC) zone.

A. **Environmental Determination**: Previous Mitigated Negative Declaration (P95-121)

B. **Planning Commission Special Permit Modification**: to expand 15,988± square foot to an existing membership wholesale warehouse.

C. **Planning Commission Variance:** to reduce the required 65 feet setback by 5 feet along the American River Parkway.

ACTIONS TAKEN: On 09/28/2006, the Planning Commission took the following actions on A-D based on the attached findings of fact and subject to the attached conditions of approval.

Action certified by: for

David Kwong, Planning Manager

Sent to Applicant: 09/29/2006 By: _____

Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 10/9/2006. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings of Fact

A. **Environmental Determination:** The City Planning Commission finds and determines that the proposed project is previous Negative Declaration, and applicant shall comply with the previous Mitigation Monitoring Plan.

B. **Special Permit Modification** to expand 15,988± square foot to an existing membership wholesale warehouse is **approved** subject to the following Findings of Fact and Conditions of Approval:

1. The project is based upon sound principles of land use in that the proposed use is allowed in the in Light Industrial-Labor Intensive-American River Parkway Corridor (M-1-LI-PC) zone and includes conditions addressing building and site design.

2. The proposed project will be consistent with the objectives of the City of Sacramento General Plan, North Sacramento Community Plan, and 2030 General Plan Vision and Guiding Principles.

3. The proposed project would not be detrimental to the public health, safety and welfare, not result in a public nuisance in that the building and landscaping shall be designed so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the project area.

C. **Variance** to reduce the required 65 feet setback by 5 feet along the American River Parkway is **approved** subject to the following Findings of Fact and Conditions of Approval:

1. The variance is not a special privilege. The setback variance is necessary due to the existing conditions and sufficient spaces for the expansion.

2. This is not a "use variances", which request approval to locate a use in a zone from which it is prohibited by ordinance. The expansion is consistent with the General Plan, the North Sacramento Community Plan as well as Land Use Regulations.

3. The proposed project would not be detrimental to the public health, safety and welfare, not result in a public nuisance.

4. The proposed project is in harmony with the general purpose and intent of this title.

Condition of Approval

B. **Special Permit Modification** to expand 15,988± square foot to an existing membership wholesale warehouse in the in Light Industrial-Labor Intensive-American River Parkway Corridor (M-1-LI-PC) zone.

Planning

B1. The project shall be constructed in conformance with the approved revised plans.

B2. The applicant shall comply with all previous approved conditions (P95-121) and the conditions of Design Review approval (DR06-239).

B3. The applicant shall comply with previous Mitigation Monitoring Plan (P95-121).

B4. The applicant shall obtain all necessary building permits prior to commencing construction.

B5. Any other changes or modifications to the site shall be reviewed and approved by the Planning Division;

C. **Variance** to reduce the required 65 feet setback by 5 feet along the American River Parkway.

Development Engineer

C1. Construct standard subdivision improvements as noted in these conditions pursuant to section16.48.110 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards.

C2. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.

C3. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards.

C4. The applicant shall pay $50,000.00 as fair share contribution for the future traffic signal at the intersection of Expo Parkway, Slobe Avenue, Canterbury Road Overcrossing, and Leisure Lane.

Advisory Notes

1. Existing SRCSD facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and CSD-1 will issue sewer permits to connect to the system if it is determined that the capacity is available and the property has met all other requirements for service. This process is "first come, first served." There is no guarantee that capacity will be available when actual request for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.