



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

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

Project Name: C Street Business Park
Project Number: P07-138
Project Location: 3301 C Street
Assessor's Parcel No.: 004-0010-031
Applicant: Steve Condin
Action Status: Approved with Conditions Action Date: April 24, 08

**REQUESTED
ENTITLEMENT(S):**

A: Environmental Determination: Exemption; CEQA section 15301
B: Special Permit-Major Modification to expand allowed office use of a 404,327 square foot complex from 232,940 square feet (57.9%) to 319,220 square feet (79%) and modify several conditions.

ACTIONS TAKEN: On 06/22/06, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

A: Environmental Determination: Exemption - Approved
B: Special Permit, Major Modification - Approved

Action certified by:

David Kwong
David Kwong, Planning Manager

Sent to Applicant: 04/25/2008

By: [Signature]
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 05/05/08. 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: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under Section number 15301, Existing Facilities of the California Environmental Quality Act Guidelines as follows:

This project consists of a request for a Major Modification to a Special Permit to convert 86,280 square feet of existing industrial/warehouse space to office use on a 26.36 acre parcel in the Light Manufacturing (M-1) Zone. The project includes interior changes to an existing structure, and does not include any substantial expansion of use beyond that existing at the time of the lead agency's determination.

- B. A Special Permit Major Modification to expand office use by 86,280 square feet to a total of 319,220 square feet and to modify several conditions of the existing special permit in the Light Industrial (M-1) zone is approved subject to the following Findings of Fact and Conditions of Approval:**
- 1) The project is based upon sound land use policies because the office use is allowed in the Light Industrial zone with a special permit.
 - 2) The project is consistent with the existing General Plan and proposed General Plan Land Use designations and Guiding Principles.
 - 3) The project will not be detrimental to the public health, safety and welfare, nor result in a public nuisance in that the project meets City development standards and will not have significant effects on the surrounding neighborhood in that adequate parking circulation and setbacks are provided.

Conditions Of Approval

- B1. Applicant shall comply with all conditions of City Planning Commission Resolution No. 1573 as amended (Exhibit 1B) except for condition 2A, which is removed, and condition 2B, which is amended to read:
- “The applicant shall work (including providing staff to assist in surveying and paying fees associated with the posting of signage, as determined by the City’s Parking Division) with local neighborhood groups in obtaining a Residential Permit Parking Program for up to a 4 block radius (as approved by the Transportation Division) prior to issuance of an Occupancy Permit by the Building Division; (Amended by CPC 4-14-94 / Amended by P07- 138).
- B2. Plans shall be consistent with attached in Exhibit 1. Any proposed modifications shall be reviewed by the planning director and may result in the need for additional entitlements. With approval of P07-138, a total of 319,220 square feet of office uses are allowed within the C Street Business Park.
- B3. The applicant shall obtain all necessary building permits prior to commencement of construction.
- B4. All mechanical equipment shall be screened to prevent visibility from the street.
- B5. The applicant shall provide truck staging areas on-site and post no truck staging signage along C Street subject to Development Engineering and Department of Transportation approval.
- B6. The applicant shall encourage employee breaks to be within the designated areas (to the north of the Business Park’s Buildings).
- B7. The livability of the break area on the north side of the building shall be upgraded to include shading, seating, and other amenities to the satisfaction of the Design Director or his designee.
- B8. The applicant shall restrict the times of day the loading dock is used by semi-trucks (between the hours of 7am and 7pm).
- B9. The applicant shall provide a minimum of 22 Class I bicycle facilities and a minimum of 44 total bicycle parking facilities.
- B10. The applicant has agreed to pay for neighborhood traffic calming measures that may include speed humps, new crosswalks, or other improvements for a sum not to exceed \$10,000 along C Street, 35th Street, or as designated by the Department of Transportation in consultation with neighborhood groups.
- B11. Applicant shall amend their existing Transportation Management Plan to the satisfaction of staff.
- B12. The applicant shall, in consultation with the Sacramento Municipal Utilities District (SMUD) make a good faith effort to investigate the feasibility of installing solar panels over parking lot four (north of the project site) to provide 50 percent shading. The applicant shall report back to the planning commission on the status of the study and the feasibility of the solar installation before an occupancy permit is issued.

Development Engineering

- B13. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division. The limit of repair shall be fronting this leased portion of the Business Park only;
- B14. The applicant shall install an all-way stop sign at the intersection of C Street and 35th Street to the

satisfaction of the Department of Transportation. The applicant shall provide all necessary markings and signage to accommodate this condition and the complete installation of the 4-way stop sign;

- B15. The applicant shall stripe the parking lot along C street frontage per City standards and to the satisfaction of the Development Engineering Division;
- B16. The site plan shall conform to A.D.A. requirements in all respects;
- B17. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering Division;

Police

- B18. The applicant shall have 24 hour on-site security.

Fire

- B19. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- B20. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- B21. Provide appropriate Knox access for site
- B22. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
- B23. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet. City Code that will provide amendments to Article 9, Section 903, is forthcoming..
- B24. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
- B25. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105. Existing single outlet 2 ½ inch hydrants shall be changed to an approved steamer style hydrant, when a tentative subdivision or parcel map, merge of lots, change of use or change in intensity of use of an existing building, expansion of an existing structure, or construction increases the required fire flow.

Retained Conditions from Previous Special Permit

- B26. The applicant shall provide truck staging areas on-site and post no truck staging signage along C Street subject to Planning staff's approval and prior to issuance of an Occupancy Permit by the Building Division.
- B27. The applicant shall provide shading (of 20%) around the perimeter of the rear parking lot (Area #4) prior to issuance of an Occupancy Permit by the Building Division.
- B28. The applicant shall continue to work with on-site security and concentrate efforts on reducing noise

generated from the loading/unloading dock areas upon project approval.

- B29. The applicant shall relocate the second proposed pedestrian bridge/walkway to the east (approximately 200 feet) to provide better employee access to parking lot Area #4 prior to issuance of an Occupancy Permit by the Building Division.
- B30. The applicant shall provide a covered pedestrian bridge/walkway from building W to building F subject to Planning staff's approval prior to issuance of an Occupancy Permit by the Building Division.
- B31. The applicant shall relocate employee break areas from the loading dock areas to the north of the Business Park's buildings subject to Planning Staff's approval and prior to issuance of an Occupancy Permit by the Building Division.
- B32. The applicant shall encourage employee breaks to be within the designated areas (to the north of the Business Park's buildings) upon project approval.
- B33. The applicant shall relocate the garbage dumpsters within the loading dock area to the north and/or east of Building W subject to Planning staff's approval and prior to issuance of an Occupancy Permit by the Building Division.
- B34. The applicant shall restrict the times of day the loading dock is used by semi-trucks (between the hours of 7 am to 7 pm) prior to issuance of an Occupancy Permit by the Building Division.
- B35. The applicant shall erect a six foot high decorative fence (wood) along C Street within the existing landscape setback in front of the loading/unloading dock areas of the warehouse building (Building W) prior to issuance of a Building Permit by the Building Division.
- B36. Prior to issuance of building permits, the property owner shall submit a Statement of Recycling Information pursuant to Section 34 of the Comprehensive Zoning Ordinance.
- B37. The applicant shall comply with the City's Cross Connection Control Policy as specified by the City's Public Works Department, Development Services.

Advisory Comments

PPDD

- B-A1. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building/special permit. The Park Development Impact Fee due for this project is estimated at \$39,689. This is based on 86,280 square feet of existing industrial/warehouse space converted to office use at the commercial office rate of \$0.46 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for any required building/special permit.

Amended Resolution by CPC 4-14-94 and Z96-002
RESOLUTION NO. 1573

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION
ON DATE OF April 14, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SPECIAL PERMIT MODIFICATION INVOLVING THE CONVERSION OF 3,340± SQ. FT. OF WAREHOUSE SPACE TO AN EXISTING 13,160± SQ. FT. OFFICE CONVERSION THAT WAS PREVIOUSLY APPROVED BY SPECIAL PERMIT (P92-093) TO EXCEED THE MAXIMUM PERMITTED 25% OFFICE USE TO 100% OFFICE USE; AND A SPECIAL PERMIT TO EXCEED THE MAXIMUM PERMITTED 25% OFFICE USE, PERMITTED WITHIN THE M-1 ZONE, TO 100% PERCENT OFFICE USE WITHIN A 39,600± SQ. FT. PORTION OF AN EXISTING OFFICE/WAREHOUSE STRUCTURE (RESULTING IN 215,418 SQ. FT. OF OFFICE SPACE AND 169,582 SQ. FT. OF WAREHOUSE SPACE) ON 30± PARTIALLY DEVELOPED ACRES IN THE CANNERY BUSINESS PARK WHICH CONTAINS A TOTAL OF 385,000± SQ. FT. OF OFFICE/LABORATORY/WAREHOUSE IN LIGHT INDUSTRIAL (M-1) ZONE. LOCATION: 3301 C STREET, SAC., CA (APN: 004-0010-001) (P93-177)

WHEREAS, the City Planning Commission on April 14, 1994, held a public hearing on the request for approval of a Special Permit Modification and a Special Permit to allow the conversion of warehouse space to office space in the Light Industrial (M-1) zone for property located at the above described location:

WHEREAS, the Environmental Coordinator has determined that the proposed project will not result in 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 PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit is hereby approved based upon the following findings of fact:
 - A. The project, as conditioned, is based upon sound principles of land use in that:
 - 1) the project is compatible with offices, laboratory, and warehouse uses

Exhibit 1B: Resolution 1573, as amended through 1996


- already existing within the Cannery Business Park;
- 2) the project has adequate setbacks from adjacent residential uses; and
 - 3) adequate parking is available on-site.
- B. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
- 1) adequate on-site parking is provided;
 - 2) a Transportation Management Plan has been prepared; and
 - 3) several measures to mitigate truck noise will be implemented by the applicant.
- C. The project is consistent with the General Plan which designates the site as Heavy Commercial or Warehouse and allows for office use, beyond 25%, with Special Permit approval.

The Special Permit for the proposed project is hereby approved, subject to the following conditions:

- A. Any additional increases to the amount of office space within the Cannery Business Park shall require the applicant to secure a General Plan amendment and rezone of the site from Heavy Commercial or Warehouse and Light Industrial (M-1) to a more appropriate land use designation and zone as determined by the Planning Director and a Master Plan of the project site including but not limited to, denoting the present and planned land uses on the subject site including the developed and undeveloped portions of the site;
- B. The applicant shall work (including providing staff to assist in surveying and paying fees associated with the posting of signage, as determined by the City's Parking Division) with the McKinley Elvas Neighborhood Alliance in obtaining a Residential Permit Parking Program for a 12 square block radius (as approved by the Transportation Division) prior to issuance of an Occupancy Permit by the Building Division; (Amended by CPC 4-14-94)
- C. The applicant shall provide truck staging areas on-site and post no truck staging signage along C Street subject to Planning staff's approval and prior to issuance of an Occupancy Permit by the Building Division; (Amended by CPC 4-14-94)
- D. The applicant shall provide shading (of 20%) around the perimeter of the rear parking lot (Area #4) prior to issuance of an Occupancy Permit by the Building Division;
- E. The applicant shall continue to work with on-site security and concentrate efforts on reducing noise generated from the loading/unloading dock areas upon project approval;
- F. *The applicant shall relocate the second proposed pedestrian bridge/walkway to the east (approximately 200 feet) to provide better employee access to parking lot Area #4 prior to issuance of an Occupancy Permit by the Building Division; (Amended by Planning Staff 4-14-94)*
- G. *The applicant shall provide a covered pedestrian bridge/walkway from building W to building F subject to Planning staff's approval and prior to issuance of an Occupancy Permit by the Building Division; (Amended by Z96-002)*
- H. *The applicant shall relocate employee break areas from the loading dock areas to the north of the Business Park's buildings subject to Planning Staff's approval and prior to issuance of an Occupancy Permit by the Building*

Exhibit 1B: Resolution 1573, as amended through 1996

- Division; (Amended by CPC 4-14-94)
- I. The applicant shall encourage employee breaks to be within the designated areas (to the north of the Business Park's buildings) upon project approval; (Amended by CPC 4-14-94)
 - J. The applicant shall relocate the garbage dumpsters within the loading dock area to the north and/or east of Building W subject to Planning staff's approval and prior to issuance of an Occupancy Permit by the Building Division; (Amended by CPC 4-14-94)
 - K. *The applicant shall restrict the times of day the loading dock is used by semi-trucks (between the hours of 7am to 7pm) prior to issuance of an Occupancy Permit by the Building Division; (Amended by Planning Staff 4-14-94)*
 - L. The applicant shall erect a ~~four~~ six foot high decorative fence (wood) along C Street within the existing landscape setback in front of the loading/unloading dock areas of the warehouse building (Building W) prior to issuance of a Building Permit by the Building Division; (Amended by Planning Staff 4-14-94)
 - M. Prior to issuance of building permits, the property owner shall submit a Statement of Recycling Information pursuant to Section 34 of the Comprehensive Zoning Ordinance; and
 - N. The applicant shall comply with the City's Cross Connection Control Policy as specified by the City's Public Works Department, Development Services.


Chairperson

ATTEST:


Secretary to Planning Commission
P93-177