

Item No. 6
Supplemental Material
For
**City of Sacramento
Planning Commission
Agenda Packet**

For the Meeting of: October 9, 2008



Additional Material



Revised Material

Contact Information: Jamie Cutlip, Assistant Planner

Project Name: Fresh & Easy Neighborhood Market (P08-089)

Subject:

Condition B5 on page 12 is revised to read:

Hours of operation shall be between 6:00 a.m. and 11:00 p.m. Delivery hours shall be within the hours of ~~6:30 a.m.~~ 6:00 a.m. to 10:30 p.m.

Please also find attached new materials:

- (1) Design Review Record of Decision with Findings of Fact and Conditions of Approval as approved by the Design Review Director on October 2, 2008.
- (2) Email correspondence from Commissioner Samuels regarding building location and the applicant's response.



**CITY OF SACRAMENTO DESIGN DIRECTOR
RECORD OF DECISION
300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811**

Project Name: El Camino and Evergreen Fresh & Easy
Project Number: DR08-194
Project Location: NW Corner of El Camino Ave and Evergreen Street
Assessor's Parcel No.: 265-0322-009-000
Applicant: Jennifer Daw, Holloway Land Co.
Action Status: Approved with attached Conditions Action Date: 10/02/08
REQUESTED ENTITLEMENT(S): A request to develop a new 15,001+/- s.f. grocery store on 1.82 acre lot in the C-2 (General Commercial) zone North Sacramento Design Review and Swanston Station Transit Village Plan area.

- A. Environmental Determination: Exempt per CEQA 15332, In-Fill Development Projects
- B. Design Review request to develop a new 15,001+/- s.f. grocery store in the C-2 zone.

ACTIONS TAKEN: On 10/02/08, the Design Director took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Action: Approved with attached Conditions.

Action certified by:

William Crouch
FOR William Crouch, AIA, NCARB, FRAIA, Urban Design Manager

Sent to Applicant:

10/02/08
Date

By:

Jennifer Matthews
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.

DESIGN REVIEW: The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Director upon written request of the applicant.

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 Design Director decision of this item to the Design Commission must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before 10/12/08. If the 10th day falls on a Saturday, Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

- A. Environmental Determination:** This project will not have a significant effect on the environment and is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15332(b).

- B. The Design Review request to develop a new 15,001+/- s.f. grocery store is approved subject to the following Findings of Fact and Conditions of Approval:**
 1. The project, as conditioned, enhances the surrounding neighborhoods.
 2. The project, as conditioned, will complement structures in the vicinity.
 3. The project is based upon sound principles of land use in that the proposed use is allowed in the General Commercial (C-2) zone and includes conditions addressing building, site design and signage.
 4. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.

Conditions Of Approval

The Design Review request to develop a new 15,001+/- s.f. grocery store is hereby approved subject to the following conditions:

- A. The design of the site (see plans attached) is hereby approved subject to the following conditions. These conditions must be met prior to Building Permit submittal:**
1. Project shall be sited per approved plans.
 2. Exterior lighting style and design shall be compatible and consistent with the building design, and the site should be adequately illuminated for safety and security with a minimum 1.0 foot candle throughout. All light fixtures shall have cutoffs to reduce light spillage onto adjacent properties. The Applicant shall submit final site lighting locations and cut sheets of light fixture design, material and color to Design Review staff for review and approval prior to Building Permit submittal.
 3. Any site mechanical equipment proposed shall be screened as necessary to fit in with the design of the new building. Backflow prevention devices, SMUD boxes, etc., shall be placed where not visible from street views, and screened from any pedestrian view. The Applicant shall submit final site mechanical equipment locations and screening to Design Review Staff for review and approval prior to Building Permit submittal.
 4. All landscape and hardscape shall be provided per approved plans. All landscaping shall have automatic irrigation.
 5. Enhanced paving shall be provided at all driveway entries. Final details shall be provided to Design Review staff for final review and approval prior to Building Permit submittal.
 6. A minimum 6'-0" sidewalk shall be provided in City standard concrete color per approved plans. Street planters, sidewalk, and curb and gutter shall be provided per Development Engineering standards and reviewed by Development Engineering, Urban Forest, and Design Review staff prior to Building Permit submittal.
 7. Smooth finish cement plaster over CMU shall be provided at trash enclosure to match main structure. Prefabricated metal doors shall be provided on trash enclosure per approved plans.
 8. Any outdoor furniture proposed for exterior seating shall be provided for review and approval by Design Review Staff prior to Building Permit issuance.

B. The design of the building (see plans attached) is hereby approved subject to the following conditions. These conditions must be met prior to Building Permit submittal:

9. Project shall be developed per final approved plans and final color and materials board.
10. Final heights and massing shall be as indicated on the plans.
11. The building elevations shall have a consistency of detail and quality as indicated on the plans.
12. A brick and cement plaster tower shall be provided along El Camino Avenue per approved plans.
13. Steel troweled smooth finish cement plaster shall be provided per approved plans.
14. Brick veneer shall be provided per approved plans. Brick cornice and trim shall be provided per approved plans.
15. Anodized aluminum storefront system with clear glazing shall be provided. Anodized aluminum doors with clear glazing shall be provided. Final color of window and door systems shall be coordinated with Design Review staff prior to Building Permit submittal. Samples of storefront system colors shall be provided to Design Review staff prior to Building Permit submittal. Tinted glass sample shall be provided to Design Review staff for final review and approval prior to Building Permit submittal.
16. Painted suspended metal canopies with dark bronze anodized fittings shall be provided at the El Camino Avenue and Evergreen Street entry per approved plans. Final details and sections shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
17. Final colors and materials shall be provided per approved plans and materials board.
18. Exterior lighting style and design shall be compatible and complementary to the building design. Maximum height of any parking lot light poles shall be 18'-0". Locations of lighting shall be provided on plans for review and approved by Design Review staff prior to Building Permit submittal. Final building lighting plans and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
19. All roof mounted HVAC or mechanical equipment shall be located towards the center of the structure and not be visible from any street views. Any proposed mechanical

equipment shall not exceed the height of the parapet wall and be screened from any pedestrian views. A final roof plan showing equipment heights and locations along with a site line section shall be provided for review and approval by Design Review staff prior to Building Permit submittal.

C. The design of the signage is hereby approved subject to the following conditions. These conditions must be met prior to the issuance of a building permit:

20. A multi-tiered halo illuminated reverse pan channel signs shall be provided per draft sign criteria submitted. Signs shall be mounted into cement plaster recesses provided at proposed sign locations. Letters shall be limited to 24" in height with final review by Design Review staff prior to issuance of sign permit.
21. A brick base shall be provided on the proposed monument sign. Additional shadowcasting and articulation of the sign face shall be provided to match the same level of detail provided on building mounted signage. The maximum height of the sign shall be 5'-6" and the maximum width shall be 4'-2".
22. Final signage shall be reviewed and approved by Design Review staff prior to submitting sign package to the City Sign Coordinator. A sign package shall be submitted to the City Sign coordinator prior to issuance of a sign permit. All signage shall meet the city sign standards and code as well as design review requirements.

D. General Conditions

23. All final details affecting the exterior building design that are not determined at the time of the Director's final review shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
24. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. Any changes to the final set of plans stamped by Design Review staff shall be subject to review and approval prior to Building Permit submittal. Applicant shall comply with all current building code requirements.
25. Any major revisions to the final approved design are subject to review and approval by the Design Director.
26. All required new and revised plans shall be submitted for review and approval by Design Review staff prior to Building Permit submittal. A set of the appropriate plans (reduced to 11 x 17 set) along with a Letter of Compliance with these conditions shall be submitted directly to Design Review Staff prior to Building Permit submittal. A final digital copy in PDF format (300x300 DPI) shall be submitted to Design Review staff a minimum of 1-2 weeks prior to

Building Permit submittal. All necessary planning entitlements shall have been approved by the Planning Commission or the Zoning Administrator prior to final Design Review sign-off of plans.

27. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Design Director upon written request of the applicant.
28. No building permit shall be issued until the expiration of the 10 day appeal period. If an appeal is filed, no permit shall be issued until final approval is received.
29. The applicant, owner, or any individual have the right to appeal this decision to the Design Commission. Appeals must be filed within 10 days of written notice of the Design Director action.
30. Final occupancy shall be subject to approval by Design Review Staff and shall involve an on-site inspection by Design Review Staff.
31. **The Record of Decision shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.**

Jamie Cutlip - Fresh and Easy Market

From: Jodi Samuels <planning.samuels@yahoo.com>
To: <jcutlip@cityofsacramento.org>
Date: 10/07/2008 11:12 AM
Subject: Fresh and Easy Market

Hi Jamie,

When reviewing the site plan for the Fresh and Easy Market application, I noticed that the building is set in the middle of the western part of site, not at the active southwest corner, and that the main entrance is on the southeast corner facing the parking lot rather than the southwest corner facing the street. Was there any discussion about the orientation of the building within the site in terms of why the structure itself is not more focused towards the main intersection at the corner of El Camino and of why the entrance isn't more pedestrian-friendly in terms of access from the sidewalk?

Thank you,

Jodi

Jodi Samuels, PhD
Commissioner
City Planning Commission
915 I Street
Sacramento, CA 95814

Jamie Cutlip - Fresh & Easy Neighborhood Market at Evergreen and El Camino

From: "Jennifer Daw" <jennifer@hlandco.org>
To: <planning.samuels@yahoo.com>
Date: 10/08/2008 8:56 PM
Subject: Fresh & Easy Neighborhood Market at Evergreen and El Camino
CC: "Jamie Cutlip" <JCutlip@cityofsacramento.org>

Commissioner Samuels,

Fresh & Easy Neighborhood Market, Evergreen and El Camino, is scheduled to go before the Planning Commission on Thursday, October 9, 2008.

It is my understanding that you had some questions regarding the location of the building as it is set in the middle of the western part of the site and was there any discussion about the orientation of the building, etc.

There was discussion about the location of the building before we made an initial submittal to the city. However, the location of the building was based on the traffic circulation into the site, parking, and separating the uses of the truck and car circulation. Below, you will find an explanation of each criteria which determined the location of the building as where it is today.

Circulation access to the site: There is one driveway allowed on El Camino, and if you remember, El Camino is a busy street and difficult to get in and out of the site from El Camino. The driveway on El Camino is proposed as a right turn in and right turn out. Therefore, should someone come south of the property, they would have to turn right onto El Camino off of Erikson, and make a left at the light and enter the property off of Evergreen-- all just to access a neighborhood grocery store (you can not make a U-turn at the corner of Evergreen and El Camino). I think this is going against one of the "easy" aspects of Fresh & Easy. The additional driveway on Erikson will allow people to access the site easier. Also, it adds another exit for people to use when leaving the site.

Separation of car and truck circulation: we are requesting the additional driveway at the corner of Erikson and El Camino because again, should someone travel south of the property, they would either have to enter the property off of Evergreen, as stated above, or the second driveway off of Erikson. The delivery trucks will enter off of Erikson and exit onto Evergreen. Although there are only 1 to 2 Fresh & Easy truck deliveries to the site each day, there are other smaller vendors who will also deliver to the site throughout the day as well. So, if you have trucks entering the site off of Erikson, and exiting onto Evergreen throughout the day, and people trying to access the site at either Erikson or Evergreen driveway, it can be a little chaotic and sometime not safe. The additional driveway at the corner of El Camino and Erikson will help separate the car and truck circulation. The additional driveway could not go on Evergreen, as this is where the future retail pad is to be proposed.

Front row parking: Fresh & Easy provides store front parking which is reserved for handicapped, hybrid cars, and parent-child parking. Fresh & Easy also believes in what we call the three (3) G's- green, glazing, and geometry. Obviously, there is minimal amount of green used at this site, but they believe in providing a lot of glazing (glass) in the front of the store. The whole purpose is for people to be able to see out, as well as in. The front door faces El Camino, and if we were to push the building up to the street, the front row parking would have to be moved to the east side of the building, taking away the purpose of providing front row parking in front of the building. Also, we cant simply route the building to the east, making the front door now face Evergreen (facing inside the site), as not only is this now a safety issue, but taking away a small aspect of the eyes on the street feel, with the glazing on the south elevation.

We understand your concern that the main entrance is facing the southeast corner and not the southwest corner of El Camino. However, "geometry" is important to Fresh & Easy. The whole purpose of the geometry is that if you were to walk into this store, you could go to another store and still find the exact same products in the same location. Not only can we not simply change the entrance of the store and move it to the southwest corner, but if we were to route the building to the west, making the front door at the corner of Erikson and El Camino, you would have a solid decorative wall along El Camino, taking away the eyes on the main, busy (El Camino) street. And where would the front row parking for ADA, hybrid, and parent-child be located? Yes, we are incredibly overparked. However, there is not a market right not

for a retail pad on the corner. I do want to let you know that this pad (retail) is not part of the SHRA loan and when ready to develop, all monies will come from the developer himself for this retail pad.

I hope that I have address your issues/concerns with the site. If you have any questions, please dont hesitate to contact me, directly at 916-996-7150.

Jennifer Daw
Holloway Land Company
(916) 996-7150

**please note my new email address: jennifer@hlandco.org