



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

Public Hearing  
**November 18, 2008**

Honorable Mayor and  
Members of the City Council

**Title:** Norwood and Jessie Walgreens (P07-141)

**Location/Council District:** 4195 Norwood Avenue, APN 237-0292-023, and a portion of 237-0292-022, (District 2)

**Recommendation:** Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving the environmental exemption under California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Developments); 2) a **Resolution** approving a Community Plan Amendment to re-designate the portion of the project site designated as Residential 11-21 du/na to Retail General; 3) an **Ordinance** approving a rezone from Limited Commercial Review (C-1-R) and Multi-Family Residential (R-3) zones to General Commercial Review (C-2-R) zone relating to the Norwood and Jessie Walgreens project; and 4) a **Resolution** approving a Plan Review, Special Permit and Variance for the Norwood and Jessie Walgreens project

**Contact:** Steven Kerr, Assistant Planner, (916) 808-5416; Lindsey Alagozian, Senior Planner, (916) 808-2659.

**Presenters:** Steven Kerr, Assistant Planner

**Department:** Development Services

**Division:** Current Planning

**Organization No:** 21001010

**Description/Analysis:**

**Issue:** The applicant is requesting approval of entitlements to allow the construction of a 15,132 square foot commercial building with a drive-through and a 1,000 square foot commercial building on approximately 1.38 acres. The proposed project will require the demolition of an existing building which is currently used as a restaurant. The applicant proposes a lot line adjustment which requires a rezone of a portion of the project site from Multi-Family Residential (R-3) and proposes to rezone the remaining portion of the site from Limited Commercial Review (C-1-R) zone to General Commercial Review (C-2-R) zone. This will create one uniformly zoned parcel that is consistent with the intended commercial uses.

**Policy Considerations:** The project is consistent with the General Plan Update Vision and Guiding Principles, and the General and Community Plan by providing redevelopment of underutilized infill land along a transportation and commercial corridor which will offer goods and services for the daily needs of adjacent residential areas.

**Committee/Commission Action:** The Planning Commission heard the project on October 9, 2008 and forwarded a recommendation for approval for the entitlements for the Norwood and Jessie Walgreens project.

**Environmental Considerations:**

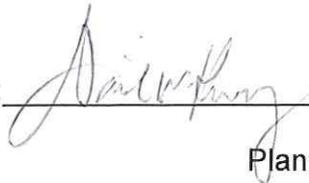
**California Environmental Quality Act (CEQA):** The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 (Class 32 Infill Development) which consists of a project that is consistent with the General Plan and zoning regulations, is located within the City limits, is located on a project site of not greater than five acres in size substantially surrounded by urban uses and that has no habitat value, will not have significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by utilities and public services.

**Sustainability Considerations:** The project is consistent with the Sustainability Master Plan goals to reduce long commutes and reduce dependence on private automobiles by providing new neighborhood serving commercial uses and jobs on a currently underutilized infill site within an existing neighborhood. The project design will help promote pedestrian activity in the neighborhood by locating appropriately scaled and articulated buildings close to the street frontages. Additionally, clearly marked pedestrian entrances, pathways, and landscaped gathering areas will encourage pedestrian access to the site.

**Rationale for Recommendation:** Staff supports the request to rezone from C-1-R and R-3 to C-2-R since it will provide consistency between the zoning and the proposed use. Similarly, staff supports the North Sacramento Community Plan Amendment request to designate the full project site as Retail General to be consistent with the proposed use. This recommendation for approval is based on the project's consistency with the General Plan policies encouraging commercial uses which offer goods and services for the daily needs of the adjacent residential areas. This project is also consistent with the General Plan Update Vision which promotes strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors, to improve the city's economic outlook.

**Financial Considerations:** This project has no fiscal considerations.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by:   
David Kwong  
Planning Manager

Approved by:   
William Thomas  
Director of Development Services

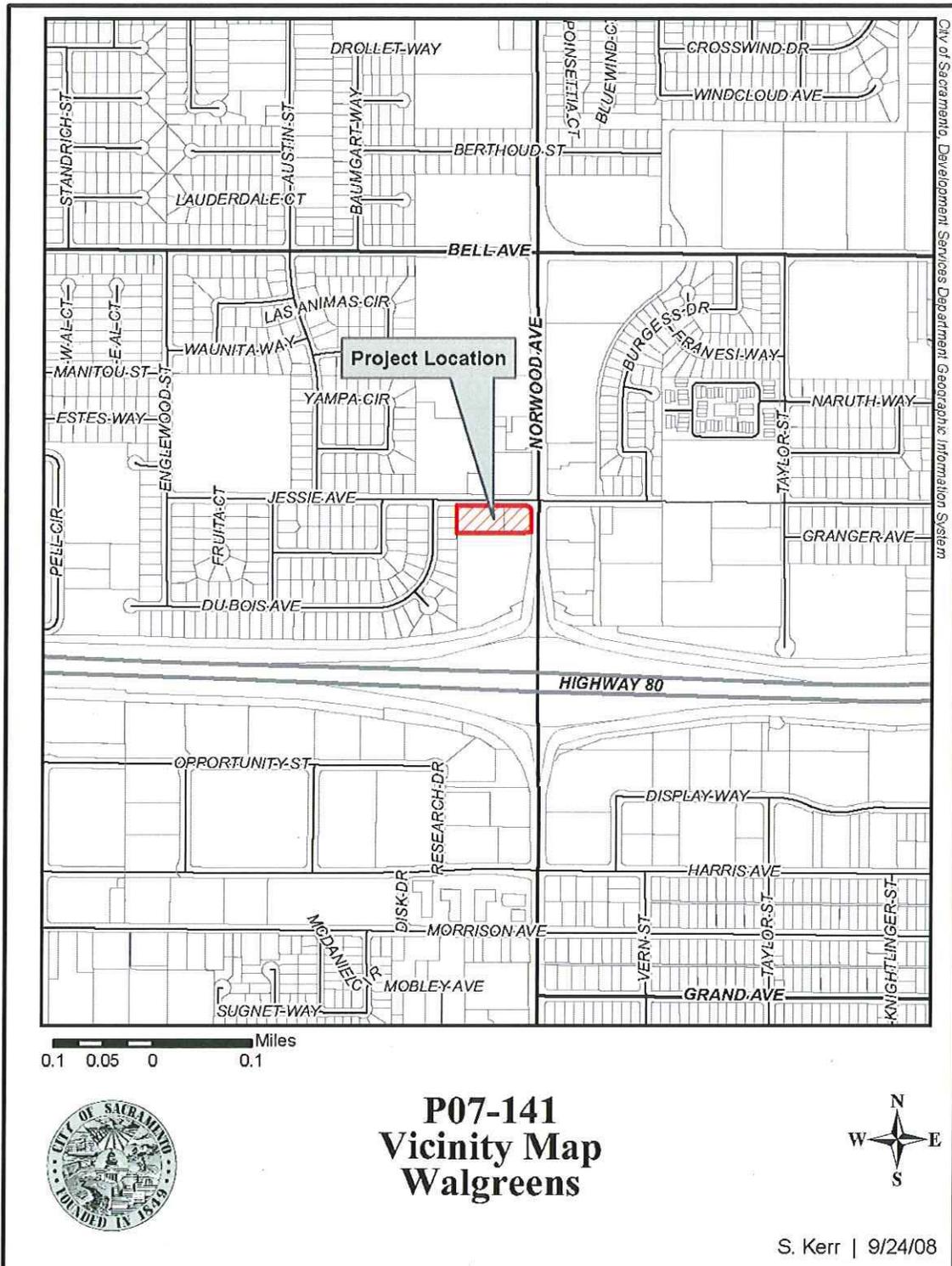
Recommendation Approved:

  
Ray Kerridge  
City Manager

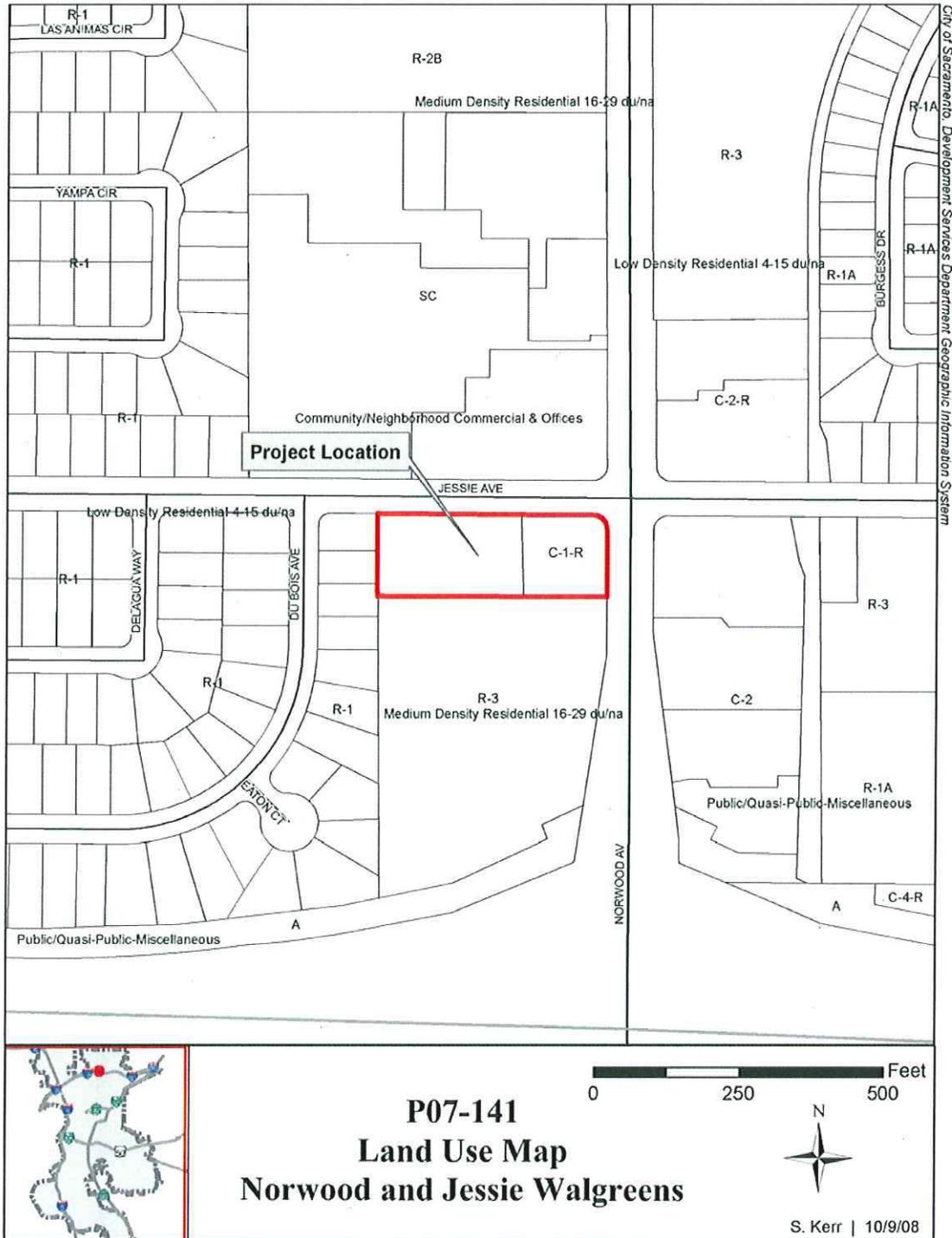
**Table of Contents:**

Report	Pg	1
<b>Attachments</b>		
1 Vicinity Map	Pg	4
2 Land Use Map	Pg	5
3 Background	Pg	6
4 Resolution for Environmental Exemption	Pg	16
5 Resolution for Community Plan Amendment	Pg	17
Exhibit A – Rezone	Pg	18
6 Ordinance for Rezone	Pg	19
Exhibit A – Rezone	Pg	20
7 Resolution for Project Approval	Pg	21
Exhibit A – Site Plan	Pg	30
Exhibit B – Floor Plan	Pg	31
Exhibit C – Elevations	Pg	32
Exhibit D – Landscape Plan	Pg	36
Exhibit E – Walgreen’s Signage Plan	Pg	37
Exhibit F – Preliminary Grading and Utility Plan	Pg	39
Exhibit G – Materials Sheet	Pg	40

Attachment 1 – Vicinity Map



Attachment 2 – Land Use and Zoning Map



**Attachment 3 – Background**

**Background Information:** The applicant is requesting approval of entitlements to allow the construction of a 15,132 square foot retail store with a pharmacy and drive through service and a stand alone 1,000 square foot commercial building. Staff notified all property owners within 500 feet of the site for this public hearing and received no opposition from the surrounding neighborhood. The proposed project will require the demolition of an existing building, which is currently vacant and was previously used for a restaurant.

The applicant is requesting the approval of entitlements which include amending the North Sacramento Community Plan to designate a portion of the project site as Retail General, and rezoning the site from the Multi-Family Residential (R-3) and Limited Commercial Review (C-1-R) zones to the General Commercial Review (C-2-R) zone. In addition, the project includes a development plan review to construct two commercial buildings, a Special Permit for drive-through service, and a Variance to reduce the minimum required vehicle stacking distance for a drive-through.

On December 9, 1989, the City Council approved a General Plan Amendment, Community Plan Amendment, and Rezone to re-designate the parcel on the southwest corner of Norwood Avenue and Jessie Avenue, where the restaurant now sits, from multi-family residential use to commercial use. There is no record of additional entitlements on the project site in recent years. The adjoining vacant portion of the church parcel is part of the project and requires similar entitlements to change from multi-family residential use to commercial use.

<b>Table 1: Project Information</b>
<b>General Plan designation:</b> Community Neighborhood Commercial and Offices, and Medium Density Residential 16-29 du/na
<b>N. Sac Community Plan designation:</b> Retail General, and Residential 11-21 du/na
<b>Existing zoning of site:</b> C-1-R (Limited Commercial Review) and R-3 (Multi-Family Residential)
<b>Existing use of site:</b> Restaurant and undeveloped church property
<b>Property area:</b> 1.38 gross acres

**Public/Neighborhood Outreach and Comments:** Staff notified the following community groups: Del Paso Heights Neighborhood Improvement Association, Heights Residents Working Together, and Robla Park Community Association. Additionally, all property owners within five hundred (500) feet of the project site received a public hearing notice for this project. City staff received phone calls in support of the project from the president of the Robla Park Community Association and has not received any comments in opposition of the project at this time of this report.

**Environmental Considerations:** The Development Services Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of CEQA (the California Environmental Quality Act) under Section 15332

(Class 32 Infill Development) which consists of a project that is consistent with the General Plan and zoning regulations, is located within the City limits, is located on a project site of not greater than five acres in size substantially surrounded by urban uses and that has no habitat value, will not have significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by utilities and public services.

**Policy Considerations:** The proposed project site currently consists of a restaurant on the southwest corner of Norwood Avenue and Jessie Avenue and vacant land owned by the adjacent church to the south. The restaurant is proposed to be demolished and vehicle access to the church will remain through the proposed Walgreens project. The restaurant parcel is zoned Limited Commercial Review (C-1-R) and the church property is zoned Multi-Family Residential (R-3). A lot line adjustment is being concurrently processed as part of this project.

General Plan: The C-1-R zoned parcel within the project site is designated Community/Neighborhood Commercial and Offices and the church parcel is designated Medium Density Residential 16-29 dwelling units per net acre. A General Plan Amendment is not required because following the lot line adjustment, the resulting commercial parcel will be less than 5 acres. The proposed project is consistent with the goals and policies as set forth in the General Plan such as the project would "offer goods and services for the daily needs of adjacent residential areas." (Sec 4-10) The project would also "actively promote the continued vitality and diversification of the local economy, and expand employment opportunities for City residents." (Sec 1-32)

General Plan Update Vision and Guiding Principles: While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City, as well as several guiding principles to help guide the update and achieve this vision. This was done to ensure that new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles that this proposal complies with include:

1. Use the existing assets of infrastructure and public facilities to increase infill and re-use, while maintaining important qualities of community character.
2. Promote strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors, to improve the city's economic outlook.

In addition to being consistent with these principles, the proposal is not contrary to any of the other approved principles of the General Plan Update Vision.

*North Sacramento Community Plan Amendment (Attachment 5 Exhibit A)*

The North Sacramento Community Plan (NSCP) designates the subject parcels as Retail General and Residential 11-28 dwelling units per net acre. A Lot Line Adjustment is being concurrently processed as part of this project. A commercial use is proposed for the site so a Community Plan Amendment to designate the entire site for Retail General is needed.

The project is consistent with the following North Sacramento Community Plan Goals and Policies:

- Provide for a range of commercial uses which meet daily needs and are within convenient access to North Sacramento Residents. (p. 18)
- Encourage land uses which will enhance the economic vitality of the community. (p. 20)
- Designate land for a future neighborhood shopping center north of I-80 on Norwood Avenue. (p. 21)
- Upgrade all of the designated major streets within the northern portion of the community, consistent with city street standards, as development occurs in the future. (p. 55)

Staff supports the proposed Community Plan Amendment because the western portion of the site is already developed as an access point for the existing church to the south and the parcel on the eastern portion of the site is already designated as Retail General. Furthermore, the North Sacramento Community Plan calls for designating commercial additional commercial land in this area along Norwood Avenue, north of Interstate 80.

#### **Project Design:**

The applicant is requesting entitlements to develop a 15,132 square foot retail store with a pharmacy and drive-through service and a 1,000 square foot commercial building. The proposed development will require several approvals including a Community Plan Amendment, Rezone, Plan Review, a Special Permit for drive-through service, and a Variance to reduce the required vehicle stacking distance for a drive-through.

#### **Land Use**

##### *Rezone (Attachment 6 Exhibit A)*

The applicant is requesting to rezone a portion of the project site from Multi-Family Residential (R-3) zone to General Commercial Review (C-2-R) zone. Additionally, the applicant is requesting to rezone the remaining portion of the project site, currently zoned as Limited Commercial Review (C-1-R), to General Commercial Review (C-2-R) zone. Under the C-2-R zone, a Special Permit may be granted for a drive-through service facility. Staff finds that the proposed rezone is consistent with other surrounding uses and supports the rezone as the portions of the lot which are currently zoned for residential are already developed as driveway access for the existing church use.

##### *Plan Review*

The applicant is requesting a Plan Review to develop a 15,132 square foot commercial building with a pharmacy and drive-through service and a 1,000 square foot commercial

building on approximately 1.38 acres in the General Commercial Review (C-2-R) zone (Exhibits 1A-1G). The project is required to meet the following findings:

1. The proposed development is consistent with the general plan and any applicable community or specific plan.

The proposed commercial buildings are a use that is consistent with the Community/Neighborhood Commercial & Offices general plan land use designation. The existing and proposed Retail General community plan designation and applicable policies related to commercial development are consistent with the North Sacramento Community Plan.

2. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with city standards, and the proposed improvements are properly related to existing and proposed streets and highways.

Staff has reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure.

3. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this title.

The design of the project complies with applicable setback, lot coverage, and height limits of the General Commercial Review (C-2-R) zone and the parking regulations for the proposed uses. Conditions have been added to ensure compliance with landscaping requirements.

4. Approval of the plan review will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties.

By maintaining landscaping at appropriate heights, screening project lighting from adjacent residences and streets, and providing ongoing property maintenance the proposal will comply with safety standards and will not pose a threat to the public health nor be injurious to the surrounding area.

The proposed project is consistent with the commercial land use policies of the General Plan and General Plan Update Vision and the North Sacramento Community Plan.

### **Access, Circulation and Parking**

The proposed project includes driveway access points along Norwood Avenue (right in, right out only) and Jessie Avenue (full access).

*Special Permit for drive-through service facility*

Pursuant to Section 17.24.050 of the Zoning Code, drive-through facilities are permitted subject to approval of a Special Permit. In evaluating Special Permit proposals of this type, the City Council is required to make the following findings:

- A. The design and location of the facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property;
- B. The design or location of the facility will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement; and
- C. The design and location of the facility will not create a nuisance for adjacent properties.

The location of the drive-through will not conflict with internal circulation or impede ingress and egress to the site. The configuration of the drive-through is pedestrian friendly, allowing foot traffic to access the rest of the site without conflicting with the drive-through lane. The proposed project has been reviewed by the Development Engineering Division and it has been determined that, as designed, the project will not contribute to increased congestion on streets adjacent to the property, or impede circulation within the parking lot or impede pedestrian movement.

In addition to the above findings, the Zoning Ordinance establishes the following standards for drive-through service facilities that are to be used in reviewing the adequacy of project design:

- 1. A minimum stacking distance of one hundred eighty (180) feet shall be provided to each pick-up window or automated machine.

The proposed stacking distance for the drive-through lane is 43'-5". Further discussion is below in the Variance section of the report.

- 2. A facility with separate ordering point(s) and pick up window(s) shall provide stacking space for at least four vehicles in advance of each ordering point and stacking space for at least four vehicles between each ordering point and pick-up window.

As proposed, there is only one pick-up and ordering window. This project will provide stacking space for at least three vehicles from the window.

- 3. Entrances to drive-through lanes shall be at least twenty-five (25) feet from driveways entering a public or private street or alley.

The entrance to the drive-through lane is more than 25 feet from each of the site's driveways.

4. Drive-through service facilities shall not be considered as justification for reducing the number of required parking spaces.

The proposal includes more parking spaces than are required. Therefore, the drive-through will have no impact for reducing the number of required parking spaces.

5. The minimum width of each drive-through lane shall be eleven (11) feet. The entrance to the lane and the direction of traffic flow shall be clearly designated by signs and pavement marking or raised curbs.

The minimum width of the drive-through lane is 12 feet, meeting the minimum requirements.

6. A solid six-foot high masonry sound wall shall be constructed on the property boundary when the site is contiguous to residentially zoned or used property(ies).

A six-foot high masonry sound wall is proposed along the western property line adjacent to the residential uses. The project has been conditioned to ensure the construction of the wall.

7. Operation of the drive-through service facility shall be restricted to be between the hours of seven a.m. and ten p.m. when the site is contiguous to residentially zoned or used property(ies) unless the planning commission approves different hours of operation during the review of the special permit.

This project is conditioned to restrict the drive-through hours of operation to between 7:00 a.m. and 10 p.m.

*Variance for substandard Drive-Through length*

Pursuant to section 17.24.050 Footnote 44(b)(i), a minimum stacking distance of one hundred eighty (180) feet shall be provided to each pick-up window or automated machine. The proposal calls for a drive-through lane of 43'-5" long with one pick-up window. To reduce the minimum stacking distance from 180' to 43'-5" feet, the applicant must obtain a Variance. In evaluating a Variance request, the City Council must make the following findings:

- A. No special privilege. A variance cannot be a special privilege extended to an individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances;
- B. Use variance prohibited. The consideration of "Use Variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance;
- C. Disservice not permitted. A variance must not be injurious to public welfare, nor to any property in the vicinity of the applicant; an

- D. Not adverse to the General Plan. A variance must be in harmony with the general purpose and intent of this title. It must adversely affect the General Plan or specific plans of the City, or the open space zoning regulations.

It is staff's opinion that granting a variance for this application would not bestow a special privilege upon the property owner for a number of reasons. The unique grading required to develop the site and the desire to activate the corner of Norwood Avenue and Jessie Avenue poses significant challenges to meeting the required 180 foot drive-through lane while still maintaining adequate internal traffic circulation throughout the site. Staff is in favor of having the drive-through lane entrance toward the interior of the parcel while allowing the main entrance to be adjacent to Jessie Avenue and the smaller commercial building at the corner, enabling a safe walkable site while reducing additional pedestrian conflicts with the drive-through. In addition, the Development Engineering Division has reviewed the plans and indicated that a 46 foot drive-through lane is adequate in this case.

Pharmacy drive-throughs such as the one proposed differ from typical "fast-food" drive-throughs because there is no order board or separate order window, rather the customers are either only dropping off or picking up a prescription. According to Walgreens corporate office, based on historical use at other Walgreens, the drive-through is expected to have approximately 5-6 vehicle trips per hour during peak hours with no more than three cars stacked up at a time. The drive-through meets all other applicable standards and will not cause harm to public safety. For these reasons, staff feels that in this case, the findings can be made in support of granting the variance.

<b>Table 2: Parking</b>			
<b>Use</b>	<b>Required Parking</b>	<b>Proposed Parking</b>	<b>Difference</b>
Retail, etc.	36	42	+6

<b>Table 2a: Bicycle Parking</b>			
<b>Total parking required</b>	<b>Required bicycle parking</b>	<b>Provided bicycle parking</b>	<b>Difference</b>
36	2	2	0

As indicated above, the project meets parking requirements. The project is conditioned to provide a minimum of two bicycle parking facilities.

Vehicle Parking: The proposal is required to provide a minimum of 1 space per every 400 square feet for the first 9,600 square feet and 1 space for every 250 square feet of commercial use there after. The applicant is proposing an 11,240 square feet of retail space; therefore the proposal is required to provide a minimum of 36 parking spaces. The applicant is proposing a total of 42 parking spaces. The additional six parking spaces will

provide ample parking on-site in the event that a restaurant use occupies the 1,000 square foot retail building, whereas one parking space would be required for every three seats provided inside and on the patio.

Bicycle Parking: The Sacramento City Code, Section 17.64.050, requires one (1) bicycle parking space for every twenty (20) required vehicle parking spaces. The proposal is required to provide a minimum of 36 parking spaces; therefore the applicant is required to provide two bicycle parking spaces with at least one being a Class I facility. The current project site plan does not indicate where the bicycle parking will be located on site. The proposal will be conditioned to provide a minimum of two bicycle parking spaces within close proximity to the proposed building.

**Height, Bulk and Setbacks**

<b>Table 3: Height and area standards</b>			
<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Deviation?</b>
Height	35'	34'-2"	no
Front setback	15'	30'	no
Side setback	0'	44'-10"	no
Street side setback	5'	7'-6"	no
Rear setback	15'	103'	no
Lot coverage	<40,000 SF	12,640 SF	no

As indicated above, the project meets all applicable height and area requirements.

**Building design, signage and landscaping**

*Building Design*

The applicant is proposing to construct a 15,132 square foot Walgreens commercial building with a pharmacy and a drive-through. An important site design feature to the applicant is that parking is available near the front entrance to the Walgreens. In order to mitigate the placement of parking spaces at the front of the Walgreens, staff worked with the applicant to provide an additional 1,000 square foot retail building at the corner of Norwood Avenue and Jessie Avenue. The smaller building will help activate the neighborhood and draw pedestrians into the site. A trellis is also provided along Norwood Avenue to further screen the parking area and make the handicap accessible ramp more welcoming to pedestrians.

Due to flooding issues in the area, the Department of Utilities has conditioned the project to locate the finished floor of the proposed buildings at a higher elevation than the existing restaurant on the site and many nearby existing structures (Condition D24). As a result, the finished floor of the new buildings will be about four feet higher than the adjacent streets. To mitigate this, the applicant added several more planter areas, including raised planters at the corner which step up to the finished floor level and retaining walls made of the same material as the wainscot on the Walgreens building and the trellis columns. Additionally, a patio area is included in front of the 1,000 square foot building which could accommodate outdoor seating for a restaurant tenant. There are also two pedestrian access points along Jessie Avenue which lead to the main entrance of the Walgreens within the tower feature which identifies the customer entrance. Furthermore, a pedestrian path of travel bisects the parking area between the two buildings, linking them together.

The flood requirement, along with the need to include a right turn pocket and approximately fifty feet of throat depth at the Norwood Avenue entrance caused further constraints to locating the Walgreens building closer to Norwood Avenue. Staff supports the proposed building locations and feels the addition of the 1,000 square foot retail building will achieve the goal of creating a more pedestrian friendly site and active neighborhood.

Staff supports the proposed building designs for various reasons. The proposed Walgreens building features three different colors of cement plaster to break up the massing of the building. The building also includes many design features which give it a residential character that will fit appropriately with the adjacent residential neighborhood and projects the neighborhood-serving intention of the proposed uses. Some of these features include gable and eyebrow roofs with flat roof tile; wood fascia, trim, and corncing; and horizontal lap cement plaster siding. The smaller commercial building includes similar features such as gable vents and mullion grids on the large clear anodized store front systems which will help make the pedestrian pathways safe and inviting.

### *Signage*

Chapter 15.148 of the Sign Code allows parcels with two street frontages within the C-2-R zone to have one detached monument sign per street frontage and buildings with two street frontages to have two attached signs per street frontage. Detached signs shall not exceed one square foot of sign area for each lineal foot of street frontage abutting the parcel. Attached signs shall not exceed a total area of three square feet of sign area for each front foot of building occupancy. The applicant is not requesting variances for additional signage at this time.

A signage program has been submitted to be reviewed for the Walgreens building as a part of this application (Exhibit 1E). One 114 square foot detached monument sign is proposed to be placed in the planter on Jessie Avenue near the intersection. The monument sign is allowed because the total square footage does not exceed the 150 foot length of street frontage the parcel has on Jessie Avenue. There are three attached signs proposed for the Walgreens building. Proposed signage on the east elevation may not exceed 291 square feet total, the proposed signage is 120 square feet total, thus it is allowed. The signage on the north elevation is also 120 square feet in area and the north building elevation may

have up to 360 square feet of signage total, so this sign is also allowed by right. The third attached sign is the 29.9 square foot mortar and pestle shaped neon sign which is located within the tower feature above the main entrance. Signs located at the corner of a building may not exceed the maximum area allowed for the longest front footage of the building, which is 360 square feet. The area of such a sign shall be deducted from the total area and number of signs allowed. The mortar and pestle sign is also allowed because the building may have up to four signs and since it is only 29.9 square feet is easily falls within the overall square footage of signage allowed for the building. Staff supports the proposed sign program for the Walgreens building because of it's consistency with the signage code.

A signage program has not been submitted at this point for the 1,000 square foot retail building and will be reviewed by staff for consistency with the Sign Code when the future tenant applies for the required sign permits.

### *Landscaping*

The Zoning Ordinance requires that trees be planted and maintained throughout the surface parking lot to ensure that, within 15 years after establishment of the parking lot, at least 50% of the parking area will be shaded. Areas to be shaded include the parking area and any driveways or maneuvering areas utilized or accessed by the vehicles using the parking spaces. The submitted landscape plan indicates that the project will exceed the 50% shading requirement for parking areas and driveways. Additionally, the site will be improved by including large planters with a wide variety of shrubs aiding to create a welcoming environment surrounding the main pedestrian access points. Rows of trees and shrubs will also be planted along the interior property lines lessening the visual impact of the required solid masonry sound walls, and providing additional shade and protection from the wind on the lot and nearby sites.