



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
February 10, 2011

To: Members of the Planning Commission

Subject: CVS Pharmacy (P10-044)

A request to subdivide 7.35 acres and construct a 16,500 square foot pharmacy with a drive through on the property located at the southeast corner of Florin Road and Freeport Boulevard located in the General Commercial and Limited Commercial Review (C-1R EA-2 and EA-4) zones and located in the Executive Airport Overlay area.

- A. Environmental Determination: Mitigated Negative Declaration;
- B. Mitigation Monitoring Plan;
- C. Rezone of 1.68 acres from the Limited Commercial C-1R EA-2 and EA-4 to General Commercial C-2R EA-2 and EA-4;
- D. Tentative Map to subdivide 7.35 acres into five parcels in the C-1R EA-2, and EA-4, and proposed C-2R EA-2 and EA-4 zones;
- E. Special Permit to operate a drive through for a pharmacy;
- F. Variance to reduce the required stacking depth for a new drive through pharmacy; and
- G. Plan Review for the construction of a pharmacy.

Location/Council District:

1360 Florin Road, Sacramento, CA 95822

Assessor's Parcel Number 047-0021-018 and 047-0091-015

Council District 8

Recommendation: Forward Recommendations of Approval to City Council – 1) a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) an Ordinance rezoning one 1.68± acre parcel from Limited Commercial (C-1R EA-2 and EA-4) to General Commercial (C-2R EA-2 and EA-4) and located in the Executive Airport Overlay zone; and 3) a Resolution approving entitlements for the CVS Pharmacy project.

Contact: Evan Compton, Associate Planner, 916-808-5260 and Lindsey Alagozian, Senior Planner, 916-808-2659.



Applicant: Josh Eisenhut, Armstrong Development, 1375 Exposition Blvd, Suite 101, Sacramento, CA 95815

Owner: Gary Wong, Florin Freeport, LLC, 2821 Zinfandel Drive, Rancho Cordova, CA 95670

Summary: The southeast corner of Freeport Boulevard and Florin Road is currently a vacant 7.35 acre parcel. The applicant is requesting entitlements to subdivide the site into five parcels and to develop one of the parcels with a new pharmacy. The 16,500 square foot pharmacy and drive through is proposed on the 1.68 corner acre site.

At the time of writing the report, there were no outstanding issues or concerns regarding the project. **The project is considered to be non-controversial.**

Table 1: Project Information
General Plan designation: Suburban Corridor
Existing zoning of proposed pharmacy site: C-1R EA-2 and EA-4
Proposed zoning of proposed pharmacy site: C-2R EA-2 and EA-4
Existing use of site: Vacant
Property area for proposed pharmacy: 1.68 ± acres
Property area of total site: 7.35 ± acres

Background Information: The pharmacy project was formally submitted on July 9, 2010. The project has been modified during the review process to the current proposal discussed in this report. The major changes include increasing the size of the pharmacy storefront windows, the addition of a walkway to allow pedestrian access from the neighborhood from the south through the project site, and an enhanced building façade with a more refined color scheme and building materials.

Entitlement History: There have been prior preapplication meetings to discuss developing the corner site at Florin and Freeport. The Executive Airport Overlay zone has strict requirements to restrict the number of people at the site at any given time for safety because of the proximity to the airport. The restrictions have discouraged development applications for this vacant parcel. In December of 2003, an application was submitted for a preliminary review of a proposed 52,350 square foot retail center consisting of two 7,000 square foot multi-tenant buildings, a 25,000 square foot major retail tenant building, a car wash and oil change facility, a service station/convenience store, and two fast food restaurants with drive through services. Staff provided the applicant with comments in February of 2004. No application was subsequently submitted for the proposal.

On June 27, 1989, the site was rezoned from Standard Single Family (R-1) to Limited Commercial (C-1) in the EA-2 and EA-4 Executive Airport Overlay zones. Specific

commercial uses were prohibited on the site including but not limited to: indoor amusement centers, gun shops, dance/music/voice studios, and bars. (Ordinance 89-046).

Public/Neighborhood Outreach and Comments: Staff notified the Cabrillo Park Neighborhood Association, the Meadowview Development Committee, and Walk Sacramento. On August 19, 2010 the applicant scheduled a neighborhood meeting for the purposes of discussing the project with the surrounding community. City staff was in attendance at this meeting; however, there was low attendance from the community. Comments from the community included questions about the proposed CMU wall adjacent to the existing single family residences, pharmacy and drive through hours of operation, and pedestrian linkages between the commercial and residential uses. Overall, staff did not observe opposition to the project but due to the low turnout, staff suggested that if additional community concerns were to arise in the future, that another community meeting would be necessary. The applicant made additional outreach to the community which resulted in positive feedback from the neighborhood and therefore, additional meetings were not scheduled. Property owners within 500 feet of the subject property were notified of the public hearing and the site was posted with a public hearing notice.

Walk Sacramento submitted a comment letter regarding the proposed project. (See Attachment 9) The concerns include locating the retail at the rear of the site next to the single family homes, too much parking in front of the building, providing a temporary walkway from Southmont Way to the pharmacy, and providing more windows on the building. Other concerns in the letter were more specific to the future development of the other parcels and not to the pharmacy site. Staff has considered these comments and believes that the site layout with one double-sided row of parking is appropriate for the commercial corridor since it: a) allows for the drive through, trash enclosure, and loading docks to be located on the rear of the building away from street views; b) utilizes passing vehicular traffic as a surveillance asset; and c) allows the public entrance to face the street. The requested walkway from Southmont Way has been provided on the site plan. The applicant has also increased the size of the storefront windows along the street frontages to increase visibility inside of the store.

The Sacramento Area Bicycle Advocates (SABA) requested that bicycle and pedestrian connections be provided from the project site to Tiverton Avenue to the east and Southmont Way to the south. They requested both short term and long term bicycle parking for customers and employees. In addition, SABA requested locating the building close to the Freeport and Florin intersection with parking mostly on the rear or side of the building and additional trees for shading the sidewalks and street edges for pedestrians and bicyclists. A copy of the email sent to staff has been included as Attachment 10. Staff believes these comments have also been addressed in the attached proposal. Adequate tree shading and bicycle facilities have been provided for the site.

No other comments have been received at the time of writing this report.

Environmental Considerations: The City of Sacramento prepared a Mitigated Negative Declaration (MND) for the CVS at Florin and Freeport project. In accordance with the California Environmental Quality Act (CEQA), the MND was submitted to a 20-day public review period which ended on February 1, 2011. The comment period was also advertised in a newspaper of general circulation and a notice of availability (NOA) was sent to stakeholders in the project area. The following sections were identified to have potentially significant impacts: Light and Glare, Air Quality, Cultural Resources, Hazards, Noise, and Transportation and Circulation. Mitigation measures were incorporated into the project description to reduce these impacts to a less-than-significant level, consistent with CEQA Guidelines Section 15070.

Following preparation of the MND and circulation for public comment, the project was revised to include a request for rezoning of the parcel on which the proposed retail pharmacy would be located from Limited Commercial (C-1R-EA-2) to General Commercial (C-2R-EA-2). Rezoning was required because drive-through services are not allowed in the C-1 zone. The potential effect of the drive-through facility was evaluated in the MND document that was circulated for public comment. The rezoning of the parcel would have no effects that were not identified and evaluated in the MND, and no changes to the environmental document are required. Recirculation of the MND is not required pursuant to CEQA Guidelines Section 15073.5.

The MND and Initial Study have been posted on the Community Development Department's web site at: <http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/>.

Adjacent Properties

The property to the west is zoned Office Building (OB-R-EA-2) and Single Family (R-1 EA-2) and developed with a bank and single family homes. The parcels to the north are zoned General Commercial (C-2-R-EA-2) and developed with commercial, medical offices, and a ministorage facility. The parcels to the east are zoned Single Family (R-1-EA-4) and are developed with a church and single family homes. The parcels to the south are zoned Single Family (R-1-EA-4) and developed with single family homes.

Policy Considerations:

General Plan: The subject site is designated Suburban Corridor on the General Plan Land Use and Urban Form Diagram. The proposal is consistent with the following General Plan policies:

1. *Sacramento Executive Airport. The City shall support policies and standards of the Executive Airport Master Plan and Comprehensive Land Use Plan (CLUP) to continue operation with measures designed to decrease noise and safety hazards in the surrounding community. (SA.M 1.11)* Staff finds the project

proposal has been reviewed and approved by the Airport Land Use Commission and is consistent with the Executive Airport Overlay Zoning Code Section 17.144.

2. *Building Design. The City shall ensure that new buildings are designed to engage the street and encourage walking through design features such as placing the building with entrances facing the street and providing connections to sidewalks. (M 2.1.6)* Staff finds the building design provides large storefront windows along the public street elevations to engage the street, an enhanced corner entry element that connects to the public sidewalks, and a paved walkway from Southmont Way to the pharmacy for greater pedestrian access from the existing neighborhood.
3. *Screening of Off-street Parking. The City shall reduce the visual prominence of parking within the public realm by requiring most off-street parking to be located behind or within structures or otherwise fully or partially screened from public view. (LU 2.7.8)* Staff finds that the proposal locates only one double-sided row of parking along Florin Road and Freeport Boulevard. The location of the parking allows windows from the store to overlook the area for enhanced security, utilizes passing vehicular traffic as a surveillance asset, and is also consistent with other commercial buildings in the surrounding area.
4. *Development Intensity at Less than the Minimum Floor-Area-Ratio (FAR). The City shall permit development at less than the required minimum FAR if only a ministerial permit is required. Where a discretionary permit is required, a development with a FAR at less than the required minimum may be deemed consistent with the General Plan if the City finds that (1) the use involves no building or by its nature normally conducts a substantial amount of its operations outdoors, or (2) the initial site development is being phased and an overall development plan demonstrates compliance with the FAR standard, or (3) the use is temporary and would not interfere with long-term development of the site consistent with the FAR standard, or (4) the building size or lot coverage is constrained beyond what is otherwise allowed by the zoning designation of the site, due to the existence of an overlay zone or because of environmental features, such as wetlands. (LU 1.1.13)* Staff finds that the pharmacy site (Parcel 1) is strictly limited because of the development standards under the Executive Airport Overlay zone (EA-2). The FAR for the proposed development is .21 which is less than the minimum FAR of .25 for Suburban Corridor designations. However, the site is still consistent with the General Plan because the project's scale is appropriate given the strict overlay zone and also considering potential future development on the remainder of the site. Specifically, parcels 2 and 5 will be better equipped to satisfy the minimum FAR since those parcels are located in the less restrictive Executive Airport Overlay zone (EA-4).

Suburban Corridor Designation (Page 2-86): Sacramento's suburban corridors are envisioned as auto-oriented, moderate-density retail, office, and residential corridors that support surrounding suburban neighborhoods. Low-rise buildings line auto-oriented corridors with new development along the corridor contributing to a more compact and

consistent pattern, with parking relocated to the side and rear of buildings. Residential uses are integrated along the corridor, with limited street level frontages that are mixed with retail, neighborhood services, and restaurants. The streetscape is appointed with landscaping, lighting, public art, and other amenities that support and enhance shopping and retail activities.

Key urban form characteristics envisioned for suburban corridors include the following:

- A development pattern with moderate lot coverage, moderate side yard setbacks, and buildings sited near the corridor to create a varied but consistent street wall
- Building heights generally ranging from one to four stories
- Highest building heights at major intersections and lower when adjacent to lower-density neighborhoods unless near a major intersection
- Lot coverage generally not exceeding 50 percent
- Building façades and entrances directly addressing the street and have a high degree of transparency on street-fronting façades
- Buildings with a high degree of pedestrian-oriented uses located at street level
- Integrated (vertical and horizontal) residential uses along the corridors
- Parking limited in the front of the building and located to the side or rear of buildings
- Limited curb cuts along arterial streets, with shared access to parking and service functions
- Attractive streetscape with sidewalks designed to accommodate pedestrian traffic that includes appropriate landscaping, lighting, and pedestrian amenities/facilities
- Public and semi-public outdoor spaces such as plazas, courtyards, and cafes

Zoning Code

The project includes construction of a pharmacy with a drive-through facility and 24 hour operations. A pharmacy is classified as retail under the Zoning Code. Pharmacies are allowed by right in the existing Limited Commercial (C-1) zone and proposed General Commercial (C-2) zone. Drive throughs are not allowed in the Limited Commercial (C-1) zone but are allowed in the General Commercial (C-2) zone with a Planning Commission Special Permit. The applicant is requesting a rezone to allow for the pharmacy with a drive-through facility. Staff supports the rezone of the corner parcel from C-1-R EA-2 and EA-4 to C-2-R EA-2 and EA-4 for the following reasons: a) the rezone only applies to the corner parcel and ensures that the remainder of the parcels adjacent to single family homes will continue to be a lower intensity Limited Commercial (C-1) zone as envisioned by the previous rezoning efforts; b) the rezone is in conjunction with a development plan for a pharmacy and has been determined to be a compatible land use; c) the rezone will allow for a drive through facility to operate at this site; and d) the proposed zone is consistent with the land use designation of Suburban Corridor in the General Plan.

The applicant is requesting a Variance to deviate from the minimum stacking distance of 180 feet. The project was reviewed by the Department of Transportation and the proposed drive through use for the pharmacy was analyzed. It was determined the

amount of stacking for the site could be reduced given the anticipated low-volume nature of the drive through and the anticipated traffic for this type of land use.

Consistency with the Executive Airport Overlay Zone

The purpose of the Executive Airport Overlay Zone is to protect the health, safety, and general welfare of people in the vicinity of the Sacramento Executive Airport and to improve air navigation safety. Three categories of land use restrictions are included in the overlay zone: a) Height restrictions to protect the navigable airspace around airports; b) Noise to minimize the number of people exposed to noise from aircraft operations; c) Safety of people on the ground to minimize the number of people exposed to hazards related to aircraft operations and accidents.

The four safety areas are: the clear zone (EA-1), the approach-departure zone 1 (EA-2), the approach-departure zone 2 (EA-3), and the overflight zone (EA-4). The clear zone (EA-1) is near the end of the runway and is the most restrictive. The approach-departure zones (EA-2 and EA-3) are located under the takeoff and landing slopes and are less restrictive. The overflight (EA-4) zone is the area under the traffic pattern and is the least restrictive.

Most of the 1.68 acre site for the proposed pharmacy is located in the Approach-Departure Zone 1 (EA-2) and this zone allows the development of uses only if they do not result in the concentration of people greater than fifty (50) people per acre at any time. The fifty people per acre determination is calculated by determining the highest number of people expected in the project at anytime during a 24 hour period ending at midnight and dividing this number by the project area in acres. The remainder of the 1.68 acre parcel is located in the overflight zone (EA-4)

The applicant submitted an Occupancy Rate Comparative Analysis Study (Attachment 7) that determined the anticipated occupancy rates for the proposed pharmacy. The analysis was based on the number of customers at the existing CVS Pharmacy located at Florin Road and another CVS Pharmacy in Nevada with similar building size and hours of operation. The formal study concluded the store would not exceed 50 people per acre even at the busiest time and with a full staff onsite. This study was provided to Airport Land Use Commission for their evaluation.

A letter from the Sacramento Area Council of Governments (SACOG) has been attached to this report. (Attachment 8) The letter provided staff with the decision of the Airport Land Use Commission to allow the proposed development in the Executive Airport Overlay zone. The review determined the project did not exceed the 50 foot height standard, was outside of the noise contour area, and that the business would not exceed 50 people per acre (in this case 84 people on the 1.68 acre site) at any one time. The development shown on the site plan for Parcels 2-5 is schematic in nature. All future development proposals will be evaluated for compliance with the Executive Overlay zone requirements and will require a Plan Review.

Height, Bulk and Setbacks

The following height and setback standards are defined in the Zoning Code for the existing Limited Commercial (C-1R) zone and the proposed General Commercial (C-2R) zone. The “R” zoning designation requires the project to obtain a Plan Review approval to evaluate the development standards. As shown in the chart below, the project meets all the height and setback requirements.

Standard	Required	Proposed	Deviation?
Height	35 feet maximum	30 feet	no
Setback: Florin Road*	25 feet minimum	70 feet	no
Setback: Freeport Boulevard	5 feet minimum	80 feet	no
Setback: East Property Line	0 feet minimum	50 feet	no
Setback: South Property Line	0 feet minimum	30 feet	no

*The required front setback is 25 feet since the pharmacy site shares the block with a residentially zoned church property.

Building Design:

The building has been sited to align squarely with the intersection of Freeport Boulevard and Florin Road. Parking has been limited to one double-sided row of parking along the front and side of the building. The public entrance has been prominently located on the corner with a high degree of transparency on the street-fronting facades. There is also a plaza area with decorative trellis at the corner to emphasize the entrance into the site from the public sidewalks.

The drive through window for the pharmacy, the loading docks, and the trash enclosure areas are all located on the rear of the building. Staff supports the pharmacy site layout because these functions are not highly visible from the motoring public, pedestrians, and bicyclists along Freeport Boulevard and Florin Road. In addition, enhanced landscaping planters have been proposed at the rear of the building to offset the pavement area devoted to the drive through lanes.

Freeport Boulevard Streetscape Master Plan

The project is consistent with the Freeport Boulevard Streetscape Master Plan because it meets the following goals: a) reduce the quantity of driveway cuts to increase pedestrian safety; b) trash enclosures and dumpsters should be appropriately screened and landscaped to conceal them from public view; c) strengthen the commercial viability of the corridor by enhancing the corridor's attractiveness and access to shoppers; and d) provide for the comfort and safety needs of pedestrians and bicyclists, as well as motorists.

Traffic Circulation and Parking

The 7.35± acre site will share three driveways. The proposed driveway on Florin Road will provide right-in and right-out access to and from the site and a left turn into the site. A raised median is proposed to be constructed along Freeport Boulevard. It will provide a left-in access to the site and prevent left-out movement from the site at the northern driveway. The southern driveway on Freeport Boulevard will provide only right-in and right-out access to and from the site. The design allows only limited curb cuts and shared access with the adjacent parcels.

The proposed pharmacy will meet all standard parking and bicycle parking requirements as noted below.

	Required Parking	Provided Parking	Difference
Retail	52 spaces*	85 spaces	no

*The zoning code for new retail requires 1 parking space per 400 square feet for the first 9,600 square feet and then 1 space per 250 square feet for the remainder.

Total parking provided	Required bicycle parking	Provided bicycle parking	Difference
85	4 bicycle facilities minimum*	4 bicycle facilities	no

*Calculation of bicycle parking facilities requires 1 facility for every 20 parking spaces onsite and a minimum of 50% of the facilities must be Class I. A Class I facility is an enclosed box or compartment with a locking door; or a stationary rack designed to secure the frame and both wheels of the bicycle where the bicyclist supplies only a padlock, and which is located in an area completely enclosed and covered and where entry is secured by a locking door.

Tree Shading Requirements

The parking lot tree shading ordinance requires that all new parking lots include tree plantings designed to result in 50 percent shading of parking lot surface areas within 15 years. The shading requirements apply to all new impervious surfacing on which a vehicle can drive including parking stalls, all drives within the property line regardless of length, and all maneuvering areas regardless of depth. Staff finds the landscape plan prepared by the applicant meets the shading requirements.

Tentative Map

The proposal includes a request to subdivide two existing parcels (047-0021-018 and 047-0091-015) into a total of five parcels. The project was reviewed by the Subdivision Review Committee on January 19, 2011. At SRC, staff recommended approval of the project subject to the attached conditions.

Parcel Number	Land Use	Acreage (rounded)
Parcel 1	Pharmacy	1.68±
Parcel 2*	Restaurant	.76±
Parcel 3*	Retail	.81±
Parcel 4*	Retail	.84±
Parcel 5*	Medical Office and Restaurant	3.07±

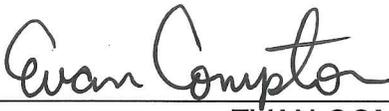
*Development on parcels 2 – 5 show only conceptual buildings and uses on the site plan. The Plan Review entitlement applies only to the pharmacy building on parcel 1. All future development on the other parcels will require a separate plan review entitlement and will be subject to all zoning, General Plan designation, and Executive Airport Overlay development standards.

Fencing

The 7.35± acre site abuts residential uses along the south property lines. The Zoning Code requires that commercial property next to residentially zoned sites or residential uses construct a minimum 6 foot tall masonry wall. The project has been conditioned to construct the masonry wall along the entire length of the site abutting residential uses with the development of the first phase pharmacy building. A gated opening for pedestrian access will be provided where the street for Southmont Way stubs into the site. The gated opening was a request from the community and staff and the applicant agree that the pedestrian access provides an amenity to the project.

Conclusion:

Staff recommends approval of the project since the proposal: a) is consistent with the 2030 General Plan designation of Suburban Corridor, the South Area Community Plan, and the proposed General Commercial (C-2R EA-2 and C-2R EA-4) zoning; b) is compatible with the Executive Airport Overlay zone; and c) allows for construction of neighborhood serving commercial on a prominent corner parcel which has remained vacant because of challenging development standards.

Respectfully submitted by: 
EVAN COMPTON
Associate Planner

Approved by:

LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:


GREG BITTER, AICP
Principal Planner

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Attachment 1
Project Recommendation to City Council

**City Planning Commission Record of Decision
Recommended Findings of Fact and Conditions of Approval
CVS Pharmacy at 1360 Florin Road (P10-044)**

- A. The Planning Commission has reviewed and considered the Environmental Planning Services Division's determination of a **Mitigated Negative Declaration** and **Mitigation Monitoring Plan** as set forth in Attachment 2.
- B. The Planning Commission recommends approval and forwards to the City Council the **Rezoning** for the Project as set forth in Attachment 3.
- C. The Planning Commission recommends approval and forwards to the City Council the **Tentative Map, Special Permit, Variance, and Plan Review** to allow the Project proposal based on the findings and subject to the conditions of approval set forth in Attachment 4.

RESOLUTION NO. 2011-

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION
MONITORING PROGRAM FOR THE
CVS AT FLORIN AND FREEPORT PROJECT (P10-044)**

BACKGROUND

A. On February 10, 2011 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the CVS at Florin and Freeport Project.

B. On March 15, 2011, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered evidence concerning the project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

Section 1. The City Council finds as follows:

A. The Project initial study determined, based on substantial evidence, that the Project is an anticipated subsequent project identified and described in the 2030 General Plan Master EIR; that the Project is consistent with the 2030 General Plan land use designation and the permissible densities and intensities of use for the project site; that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the Project; and that the Project would have additional potentially significant environmental effects not previously examined in the Master EIR. Mitigation measures from the Master EIR were applied to the Project as appropriate, and revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On January 11, 2011 a Notice of Intent to Adopt the MND (NOI) dated January 11, 2011 was circulated for public comments for 20 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On January 11, 2011 the NOI was published in the Daily Bulletin, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

Section 3. Following public review, the Project was revised to include a request for rezoning from C-1R-EA-2 to C-2R-EA-2. Rezoning is required because drive-through services are not allowed in the C-1 zone. The potential effect of the drive-through facility was evaluated in the MND document that was circulated for public comment. The rezoning of the parcel would have no effects that were not identified and evaluated in the MND, and no changes to the environmental document are required. Recirculation of the MND is not required pursuant to CEQA Guidelines Section 15073.5.

Section 3. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

Section 4. The Project is located within the boundaries of the Sacramento Executive Airport comprehensive airport land use plan, and the City Council has considered whether the Project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the Project area.

Section 5. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

Section 6. The City Council adopts the MND for the Project.

Section 7. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Program to require all reasonably feasible mitigation measures, including mitigation measures from the Master EIR as appropriate, be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.

Section 8. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County

Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.

Section 9. Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit A: Mitigation Monitoring Program

Exhibit A: Mitigation Monitoring Plan

CVS at Freeport and Florin (P10-044)--Mitigation Agreement

Name/File Number: CVS at Freeport and Florin (P10-044)

Applicant: Josh Eisenhut, Armstrong Development

Owner of Record: Gary Wong, Florin Freeport LLC

Project Location: Southeast corner of Freeport Boulevard and Florin Road, City of Sacramento, Sacramento, California (APN 047-0021-018-0000; 047-0091-015-0000)

The proposed project includes a request for approval of a tentative map to subdivide two parcels located at the southeast corner of Freeport Boulevard and Florin Road (APN 047-0021-018-0000 and 047-0091-015)) into five separate parcels. Project entitlements are requested to construct and operate a retail pharmacy on one of the parcels with drive-through service.

We agree to amend the project application P10-044 to incorporate the attached mitigation measures as identified in the Initial Study for the project. We understand that by agreeing to these mitigation measures, all identified potentially significant environmental impacts would be reduced to below a level of significance, thereby enabling the Community Development Department to prepare a Mitigated Negative Declaration for the project.

We also understand that the City of Sacramento will adopt a Mitigation Monitoring Plan (Plan) for the project. This Plan will be prepared by the Community Development Department, pursuant to the California Environmental Quality Act Guidelines Section 21081.6 and pursuant to Article III of the City's Local Administrative Procedures for the Preparation of Environmental Documents.

We understand that the mitigation measures adopted for my project may require the expenditure of owner/developer funds where necessary to comply with the provisions of the mitigation measures.



 Signature (Applicant)



 Signature (Owner of Record)

1/7/11

 Date

Mitigation Measures

Light and Glare

- LG1 Structures proposed on the project site shall be designed to avoid the use of the following features:
- (1) reflective glass that exceeds 50 percent of any building surface and on the ground three floors;
 - (2) mirrored glass;
 - (3) black glass that exceeds 25 percent of any surface of a building; and,
 - (4) metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building.
- LG2 Security or exterior lighting on building facades facing residential areas shall be designed to avoid any direct light or glare onto neighboring properties.

Air Quality

- AQ-1. Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- AQ-2. Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- AQ-3. Use wet power vacuum street sweepers to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- AQ-4. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- AQ-5. All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-6. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- AQ-7. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Cultural Resources

CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.

CR-2 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.

In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

CR-3 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.

Hazards

Haz 1 Prior to the issuance of building permits, the applicant shall submit written identification and confirmation of all reports required relating to potentially hazardous materials on the project site, including reports required by the air district relating to asbestos-containing materials and lead-based paint, compliance with applicable regulations relating to identification and disposal of all

such materials, and appropriate disposal of railroad ties that are located on the project site.

Noise

- N-1 All mechanical building equipment, including heating, air conditioning and ventilating equipment and other mechanical equipment, shall be completely screened.

- N-2 Landscape maintenance activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m.

- N-3 Prior to issuance of building permits for any use on Parcels 2 through 5, inclusive, of the project site that includes a drive-through facility, the applicant shall provide written confirmation from a qualified noise consultant that the noise emitted at the project property line adjoining residences by any outside speaker used for communicating with customers will be within the applicable limit set forth in the City's noise ordinance.

Transportation

- T-1 Prior to beginning construction, a construction traffic and parking management plan shall be prepared by the applicant to the satisfaction of the City Traffic Engineer and shall be subject to the review by all affected agencies. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include the following:
 - The number of truck trips, time, and day of street closures
 - Time of day of arrival and departure of construction vehicles
 - Limitation on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting
 - Provision of a truck circulation pattern
 - Provision of a driveway access plan so that vehicular, pedestrian and bicycle movements are maintained. The driveway access plan should include placement of steel plates, minimum distances for open trenches and private vehicle pick up and drop off areas
 - Maintenance of safe and efficient routes for emergency vehicles
 - Manual traffic control, if necessary
 - Proper advance warning and posted signage concerning street closures
 - Provisions for pedestrian safety.

A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified as least fourteen (14) days before the commencement of construction that would partially or fully obstruct roadways. Implementation of this mitigation measure would reduce the impact to less than significant.

T-2 Prior to issuing the first building permit, the applicant shall submit improvement plans and coordinate with the City to implement the following:

- Allow U-turn movement on the westbound traffic at Florin Road/Freeport Boulevard intersection. The project applicant shall be required to provide the appropriate signs per the City of Sacramento, Traffic Engineering satisfaction.
- Proposed driveway at Florin Road shall be right-in/right-out only.
- Adjust the traffic signal timing at Freeport Boulevard/ Florin Road intersection. The applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center to monitor and adjust the signal timing, when needed.
- The existing westbound left-turn pocket at Florin Road/ Freeport Boulevard intersection needs to be modified with the buildup of the project site to provide a standard left-turn pocket length.

T-3 Prior to issuing the first building permit, the applicant shall submit improvement plans and coordinate with the City of Sacramento, Department of Transportation to implement the following:

- The project applicant shall construct a second left-turn lane on the northbound direction of Freeport Boulevard at Florin Road.
- The project applicant shall construct a northbound right-turn lane with the development of Phase 1 of the project (the CVS pharmacy store).
- The proposed southern driveway at Freeport Boulevard shall be right-in/right-out only.
- The project applicant shall construct a deceleration lane on both proposed driveways along Freeport Boulevard.

Rezone – DRAFT City Council

ORDINANCE NO.

Adopted by the Sacramento City Council

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING
CODE) BY REZONING CERTAIN REAL PROPERTY FROM LIMITED
COMMERCIAL (C-1R EA-2 AND EA-4) TO GENERAL COMMERCIAL (C-2R
EA-2 AND EA-4)
1360 FLORIN ROAD (P10-044)
(APN: 047-0021-018), COUNCIL DISTRICT 8**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

SECTION 1

Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known and referred to as 1360 Florin Road APN: 047-0021-018 and consisting of 6.093± acres, from Limited Commercial (C-1R EA-2 and C-1R EA-4) to General Commercial (C-2R EA-2 and C-2R EA-4).

SECTION 2

The rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the community plan amendment and rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as those procedures have been affected by recent court decisions.

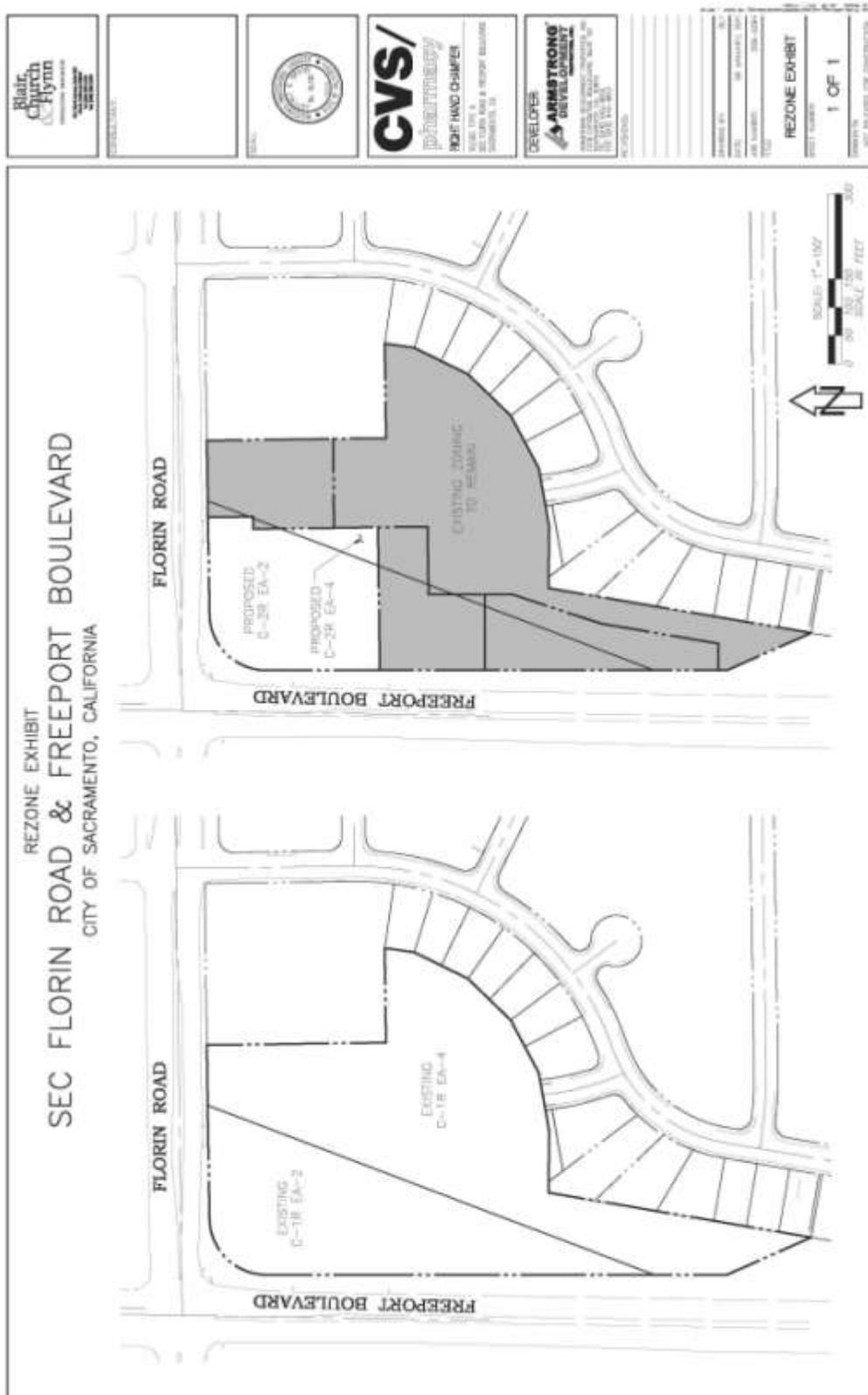
SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps, which are part of said Ordinance to conform to the provisions of this Ordinance.

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Exhibit A: 1360 Florin Road Rezone Map – 1 Page

Exhibit A: Rezone Map



Project Approval – DRAFT City Council Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE CVS PHARMACY PROJECT (P10-044)

BACKGROUND

A. On February 10, 2011, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the CVS Pharmacy Project.

B. On March 15, 2011, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered evidence concerning the CVS Pharmacy Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the CVS Pharmacy project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A&B. Environmental Determination: The Environmental Mitigated Negative Declaration and Mitigation Monitoring Plan for the Project has been adopted by Resolution No. ____.

D. Tentative Map: The Tentative Map to subdivide 7.35± gross acres into five lots is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the South Area Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

E. Special Permit: The Special Permit to allow the operation of a drive-through for a pharmacy is **approved** based on the following Findings of Fact:

1. Granting the Special Permit is based upon sound principles of land use in that the proposed drive through service facility will be incidental to the underlying pharmacy use and shall adhere to all development standards as forth by the city's Zoning Ordinance;
2. Granting the Special Permit would not be detrimental to the public health, safety, or welfare, nor result in the creation of a nuisance in that the proposed

drive through service facility is not expected to result in significant effects upon the environment as specified by the California Environmental Quality Act. Additionally the proposed project is compatible with the proposed General Commercial Review Executive Airport zone (C-2R EA-2 & EA4), and compatible with the future commercial development to the south and west. Furthermore, the project site is of sufficient size and shape to accommodate standard setbacks, landscaping, and lighting which will protect the privacy of neighbors;

3. The design and location of the drive-through facility will not contribute to increased congestion on public streets adjacent to the subject property as the drive through service facility has been located to ensure maximum vehicular and pedestrian access to and from the project site;
4. The design and 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
5. The design and location of the facility will not create a nuisance for adjacent properties in that the drive through facility has been located on the northwest corner of the site away from the residential properties along the southern property line. Furthermore, the construction of the pharmacy includes a six foot high CMU wall to separate the commercial and residential land uses.

F. Variance: The Variance to reduce the required stacking depth for a new drive through pharmacy is **approved** based on the following Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that the drive through facility has been designed to minimize its appearance along the public street frontage thereby containing the drive through traffic at the rear of the site and has been granted to other property owners facing similar circumstances;
2. Granting the variance request does not constitute a use variance in that retail store uses are permitted on lots within the proposed General Commercial Review Executive Airport (C-2 EA-2 & EA-4) zones subject to the Executive Overlay restrictions;
3. The variance is not detrimental to the public health, safety, or welfare nor injurious to other properties in the vicinity because the pharmacy land use is anticipated to have low volume traffic for its drive through operations; and
4. Granting the variance is in harmony with the general purpose and intent of the zoning code and will not adversely affect the General Plan or South Area Community Plan in that as conditioned the drive through facility will create a safe environment for customers and area residents.

G. Plan Review: The Plan Review for the construction of a 16,500 square foot pharmacy is **approved** based on the following Findings of Fact:

1. The proposed development for the construction of a pharmacy with a drive through is consistent with the General Plan and the South Area Community Plan;
2. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with the city standards, and the proposed improvements are properly related to existing and proposed streets and highways;
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; and
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 in that the site has an attractive corner plaza and clear storefront windows to provide eyes on the street.

2. Conditions of Approval

D. Tentative Map: The Tentative Map to subdivide 7.35± gross acres into five lots is approved subject to the following conditions of approval:

CONDITIONS: Tentative Map

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P10-044). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Transportation.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

GENERAL: All Projects

- D1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- D2. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 1, 2, 3, 4 and 5, at no cost, at the time of sale or other conveyance of either parcel.;
- D3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P10-044);
- D4. Show all continuing and proposed/required easements on the Final Map;
- D5. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Department of Transportation;

Department of Transportation: Streets (Anis Ghobril, DOT, 808-5367)

- D6. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions;
- D7. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along Florin Road per City standards and to the satisfaction of the Department of Transportation;
- D8. The applicant shall dedicate and construct full frontage improvements along Freeport Boulevard per the city's 4-lane arterial standards which include separated sidewalks and street lights to the satisfaction of the Department of

Transportation;

- D9. As part of the Freeport Boulevard improvements, the applicant shall also construct a landscaped median that allows **left-in** movements only at the **northern** most driveway along Freeport Boulevard. After the northern most driveway and heading south, the median shall be constructed as a continuous landscaped median with no openings;
- D10. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The two proposed driveways along Freeport Boulevard shall be constructed with standard right-turn lanes to the satisfaction of the Department of Transportation;
- D11. The applicant shall provide for a ped/bike connection only at the entrance to the site from Southmont Way. The Ped/Bike connection shall be constructed with design features to only allow pedestrians and bikes crossings to the satisfaction of the Department of Transportation and the Fire Department;
- D12. The applicant shall dedicate sufficient right-of-way (If necessary) and construct a second left turn lane for the north bound approach at the intersection of Florin Rd. and Freeport Boulevard per City standards and to the satisfaction of the Department of Transportation;
- D13. Construct A.D.A. compliant ramps at the south-east corner of the intersection of Florin Road Freeport Boulevard;
- D14. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit;
- D15. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Department of Transportation;
- D16. Provide additional right-of-way for expanded intersections at intersections to be signalized and other locations specified by the Department of Transportation;
- D17. The design and placement of walls, fences, signs and Landscaping 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. The area of exclusion shall be determined by the Department of Transportation;
- D18. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such

streets shall be aligned.

PUBLIC/PRIVATE UTILITIES (Yujean Kim, SMUD, 732-5027)

- D19. Dedicate a 12.5-foot public utility easement for underground and overhead facilities and appurtenances adjacent to all public street rights of way;
- D20. There is an existing 69KV overhead electrical line located along the south side of Florin Road. The owner or developer must disclose to future or potential owners the existing 69KV electrical facilities;

CITY UTILITIES (Inthira Mendoza, Utilities Department, 808-1473)

- D21. A 12" minimum water main extension is required in Freeport Blvd. and/or Florin Rd. The water main location and construction shall be to the satisfaction of the DOU;
- D22. A second point of connection is required for the project;
- D23. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU;
- D24. There is an existing 36" water main running north/south of the project site. The applicant shall provide a 15' wide minimum easement over the existing 36" water main to the satisfaction of the DOU;
- D25. The applicant shall grant and reserve easements as needed, for water, drainage and sanitary sewer facilities, and for surface storm drainage, at no cost at or before the time of sale or other conveyance of any parcel or lot. A note stating the following shall be placed on the Final Map: "Reciprocal easements for ingress/egress, parking, utilities, drainage, water and sanitary sewer facilities, and surface storm drainage shall be granted and reserved, as necessary and at no cost, at or before the time of sale or conveyance of any parcel shown in this map.";
- D26. The proposed development does not front an existing public sewer system. The applicant shall construct a sewer main extension to manhole 914 (Drainage/Sewer 2009 map page RR13) to the satisfaction of the DOU. No connection is allowed to the existing 6" sewer main located along the south property line of this project site;
- D27. The proposed development does not front an existing public drainage main. The applicant shall construct a drainage main extension to the satisfaction of the

DOU;

- D28. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. The 10-year and 100-year HGL's shall be shown on the improvement plans. The drainage study shall identify all existing off-site flows that are blocked by the proposed project and shall propose drainage facilities to convey these flows. Onsite retention and/or drainage main upsizing may be required. If required, the detention volume may be stored in oversized pipes within the project and/or within the street section. Sufficient offsite and onsite spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The drainage study shall include an overland flow release map for the proposed project;
- D29. An onsite surface drainage system is required and shall be connected to the street drainage systems by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). Onsite drainage shall connect to manhole 917 (Drainage/Sewer 2009 map page RR13) in Florin Road;

FIRE

- D30. All turning radii for fire access shall be designed as 35' inside and 55' outside;
- D31. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more;
- D32. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3;
- D33. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105;

MISCELLANEOUS

- D34. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the

named beneficiary assuring the conveyance of such title to City;

- D35. Form a Business Owner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private drives. The Business Owner's Association shall maintain all private drives, common lights, common landscaping and common areas;

E. Special Permit: The Special Permit to allow the operation of a drive-through for a pharmacy is **approved** subject to the following conditions of approval:

- E1. If the pharmacy use should be discontinued in the future, any new land use on the site requesting to utilize the drive-through operations shall be subject to additional staff review and approval.
- E2. This Special Permit shall only apply to the pharmacy on the subject site. Any other future requested drive-throughs on the adjacent parcels shall require a separate Special Permit entitlement.

F. Variance: The Variance to reduce the required stacking depth for a new drive through pharmacy is **approved** subject to the following conditions of approval:

- F1. Any changes to the configuration or width of the drive-through lanes shall require additional staff review and approval.

G. Plan Review: The Plan Review for the construction of a pharmacy is **approved** subject to the following conditions of approval:

- G1. The project shall conform to the attached plans. Any changes to the project shall require additional planning review and approval.
- G2. The applicant shall obtain all required building and/or encroachment permits prior to commencing construction.
- G3. A sign permit shall be obtained prior to construction or installation of any attached or detached sign.
- G4. A minimum of 4 bicycle facilities shall be provided. A minimum of two bicycle facilities shall be Class I.
- G5. The applicant shall comply with the requirements of the Mitigation Monitoring Plan developed by and kept on file in the Community Development Department (P10-044.)
- G6. The storefront windows and entry facing Freeport Boulevard and Florin Road shall have clear, transparent glass.

- G7. All parking spaces and maneuvering area shall meet the 50% tree shading requirements.
- G8. The pedestrian walkway from Southmont Way to the pharmacy shall be installed before the final Certificate of Occupancy.
- G9. As shown on the site plan, all crosswalks shall be striped or constructed with enhanced materials to emphasize areas shared by vehicles, pedestrians, and bicyclists.
- G10. The trash enclosure and truck loading areas shall be finished with the same exterior finish materials as the main building as shown on the elevation plans.
- G11. A minimum six foot high decorative masonry wall shall be constructed along the southern and eastern portion of the site abutting residential uses or zones. A pedestrian access gate shall be provided at the stub of Southmont Way. Design of the wall shall be approved by the Planning Division prior to construction. The wall shall be constructed before the certificate of occupancy for the first phase (pharmacy building).
- G12. All installed lighting shall be directed and focused downward to minimize any glare on the adjacent residential homes.
- G13. All mechanical equipment shall be screened from street views.
- G14. Prior to the issuance of a building permit, the applicant shall propose and submit for review and approval by the Planning Director a "Good Neighbor Policy" including but not limited to the following: Establish a process for neighbors to communicate directly to management staff of CVS Pharmacy. A sign indicating a 24-hour emergency phone number and contact person shall be kept current and posted on the building in a clearly visible place.

Department of Transportation

- G15. Construct standard improvements as noted in these conditions pursuant to chapter 18 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 Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along Florin Road per City standards and to the satisfaction of the Department of Transportation;
- G16. The applicant shall dedicate and construct full frontage improvements along Freeport Boulevard per the city's 4-lane arterial standards which include

- separated sidewalks and street lights to the satisfaction of the Department of Transportation;
- G17. As part of the Freeport Boulevard improvements, the applicant shall also construct a landscaped median that allows **left-in** movements only at the **northern** most driveway along Freeport Boulevard. After the northern most driveway and heading south, the median shall be constructed as a continuous landscaped median with no openings;
- G18. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The two proposed driveways along Freeport boulevard shall be constructed with standard right-turn lanes to the satisfaction of the Department of Transportation;
- G19. The applicant shall provide for a ped/bike connection only at the entrance to the site from Southmont Way. The Ped/Bike connection shall be constructed with design features to only allow pedestrians and bikes crossings to the satisfaction of the Department of Transportation and the Fire Department;
- G20. The applicant shall dedicate sufficient right-of-way (If necessary) and construct a second left turn lane for the north bound approach at the intersection of Florin Rd. and Freeport Boulevard per City standards and to the satisfaction of the Department of Transportation;
- G21. The site plan shall conform to A.D.A. requirements in all respects. Construct A.D.A. compliant ramps at the south-east corner of the intersection of Florin Road Freeport Boulevard;
- G22. The design and placement of walls, fences, signs and Landscaping 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. The area of exclusion shall be determined by the Department of Transportation;
- G23. Form a Business Owner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private drives. The Business Owner's Association shall maintain all private drives, common lights, common landscaping and common areas;
- G24. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits;
- G25. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

Fire Department

- G26. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- G27. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- G28. Provide appropriate Knox access for site
- G29. 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.
- G30. 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.
- G31. 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.
- G32. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8

ADVISORY NOTES:

Planning

- ADV1. The Plan Review approved as a part of this project is only for the development of a pharmacy on Parcel 1. Future development phases for Parcels 2- 5 will require additional entitlements and will be subject to the Zoning Code and General Plan development standards.
- ADV2. The Special Permit for the drive-through is revocable if congestion attributable to inadequate vehicle stacking space for the drive-through service regularly occurs on public or private streets or alleys, or the design of the facility creates a nuisance to adjacent properties and the management of the facility cannot alleviate the situation.

- ADV3. All signage shall be required to meet the City Code requirements in 15.148.
- ADV4. Trash enclosures shall be required to meet the Zoning Code requirements in 17.72.
- ADV5. As encouraged in the Freeport Boulevard Streetscape Master Plan, staff recommends trees along Freeport Boulevard be spaced 24 feet on center.

Police Department

- ADV6. All the windows on the front and sides of the store should remain free of obstructions in order to enhance public safety through increased visibility.

Department of Utilities

- ADV7. Each parcel shall have one metered domestic water service. Excess services shall be abandoned to the satisfaction of the Department of Utilities (DOU);
- ADV8. All onsite water, sewer and storm drainage shall be private systems maintained by the owner; (DOU)
- ADV9. An onsite surface drainage system is required and shall be connected to the street drainage systems by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual); (DOU)
- ADV10. The Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems; (DOU)
- ADV11. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the services is being furnished, provided that the fire chief may in his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provides for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City; (DOU)
- ADV12. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction; (DOU)
- ADV13. The applicant is required to comply with the "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of

Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative; (DOU)

ADV14. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is not served by a regional water quality control facility and is greater than 1 acre, both source controls and onsite treatment control measures are required. Onsite treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include onsite treatment control measures. Refer to the "Stormwater Quality Manual for the Sacramento and South Placer Regions" dated May 2007 for appropriate source control measures and onsite treatment control measures; (DOU)

ADV15. The proposed project is located in the Flood zone designated as Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective December 8, 2008. Within the Shaded X zone, there are no requirements to elevate or flood proof; (DOU)

Department of Transportation

ADV16. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition; (DOT)

Fire Department

ADV17. Fire service mains shall not cross property lines unless a reciprocal easement agreement is provided. *This shall apply to future development of the remaining 4 parcels;* (FIRE)

Sewer District

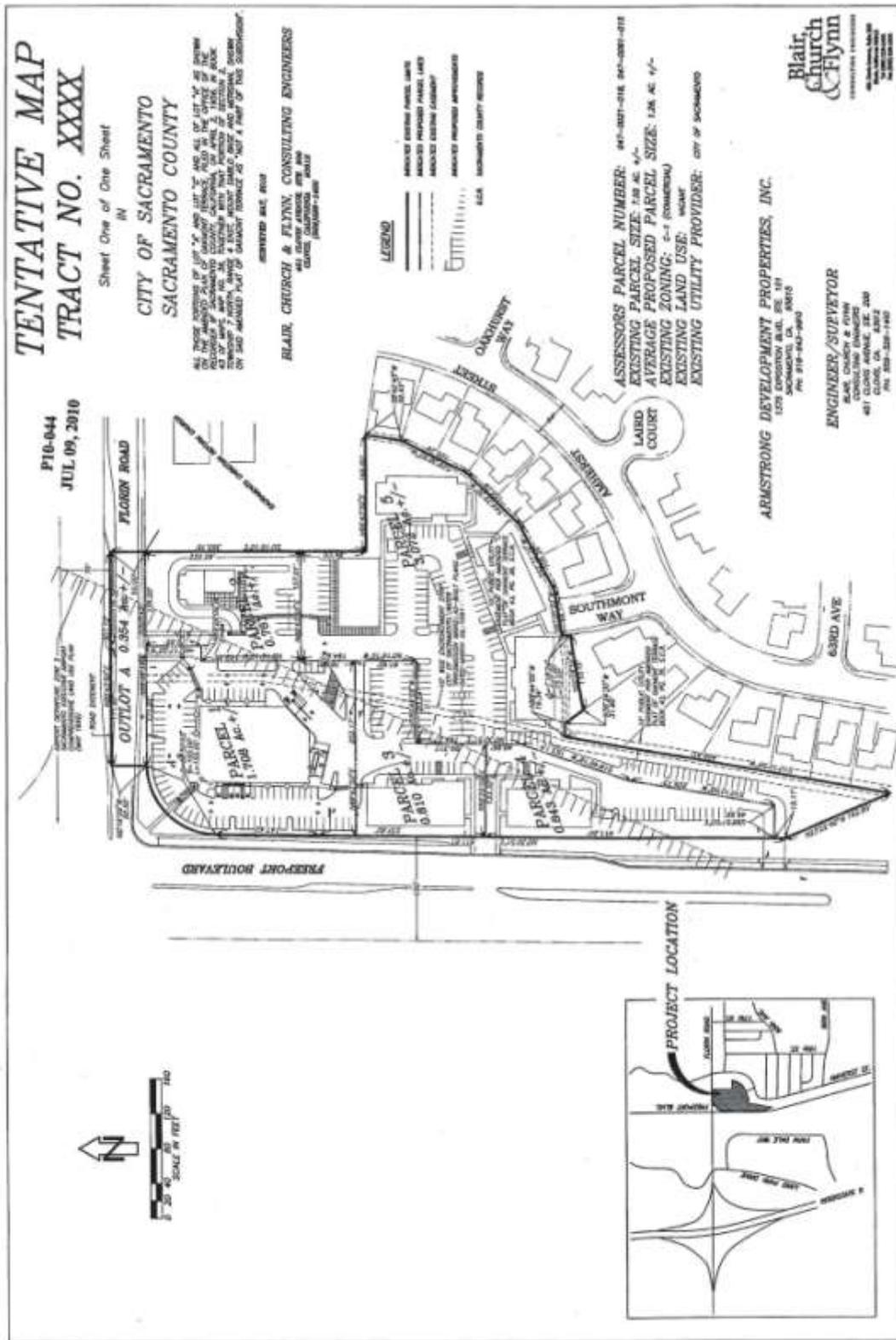
ADV18. Developing this property will require the payment of SRCSD sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or

issuance of Building Permits, whichever is first. Applicant should contact the Fee quote Desk at 876-6100 for sewer impact fee information; (SASD)

Parks Department

ADV19. 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 permit. The Park Development Impact Fee (PIF) due for this project is estimated at \$2,805. This is based on 16,500 square feet at the Specified Infill Commercial/Retail Rate of \$0.17 cents 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 building permit; (PARKS)

Exhibit A: Tentative Map



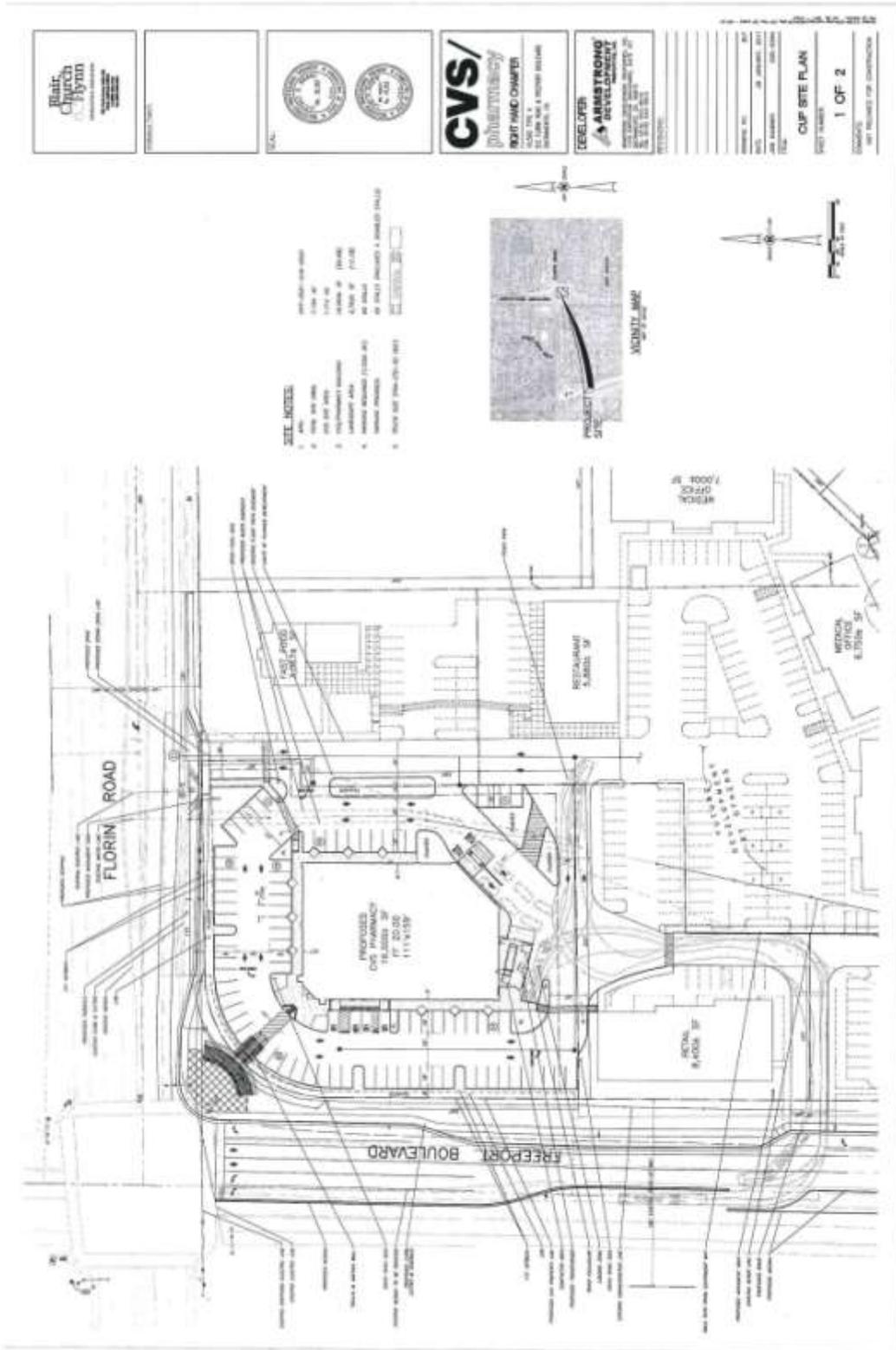
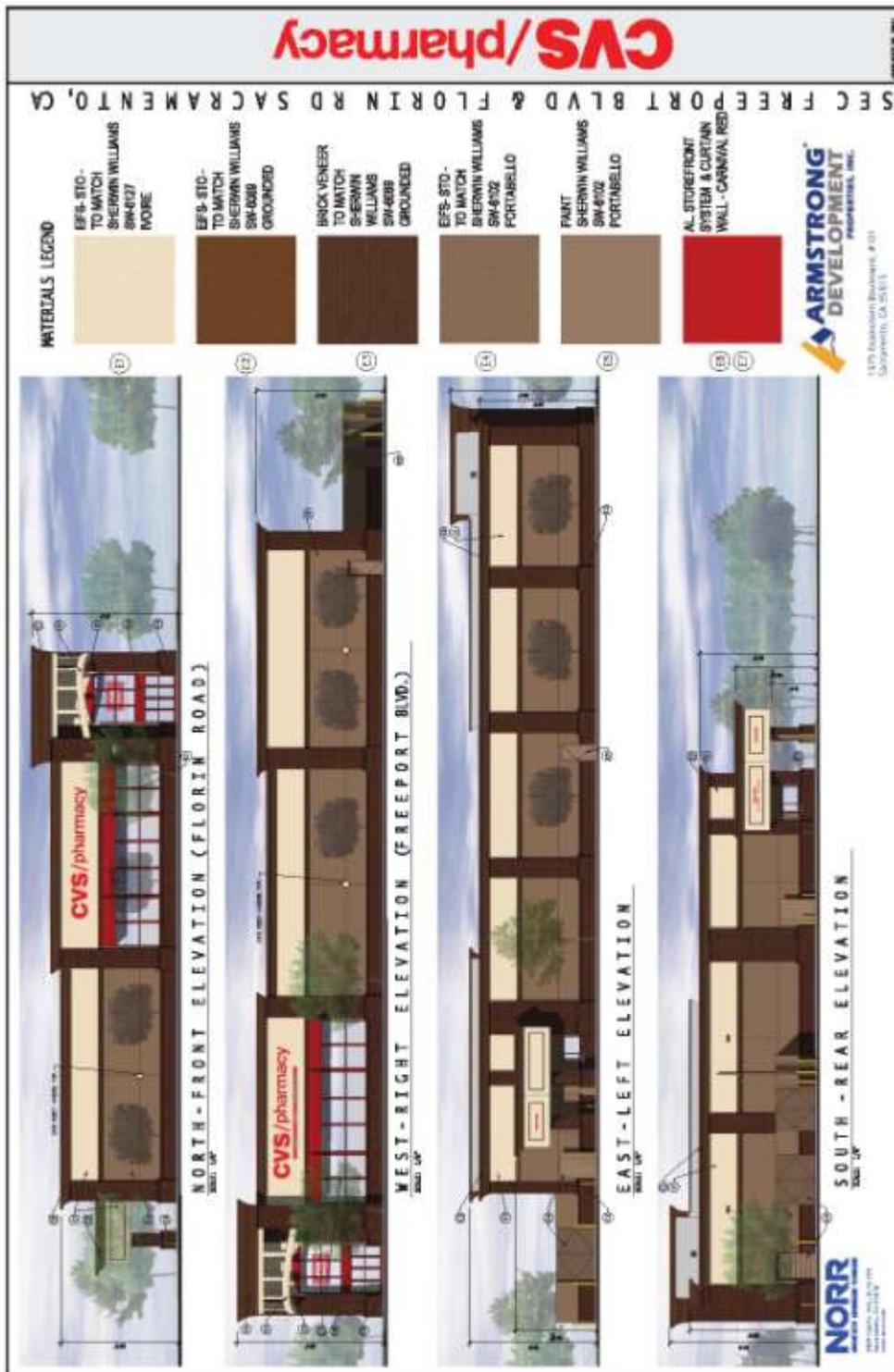


Exhibit D: Floor Plan



Exhibit E: Elevations



Attachment 5: Land Use and Zoning Map



City of Sacramento, Development Services Department Geographic Information System

Attachment 6: Aerial Map



Attachment 7: Occupancy Rate Comparative Analysis Study



1375 Exposition Blvd.
Suite 101
Sacramento, CA 95815
916-643-8618 Phone
916-643-8613 Fax

Occupancy Rate Comparative Analysis Study

CVS/pharmacy #9823
SEC Florin & Freeport, Sacramento, CA
October 22, 2010

Purpose

The Purpose of this Study is to determine the anticipated occupancy rates for the proposed CVS/pharmacy located at the southeast corner of Florin Road and Freeport Boulevard in Sacramento, California and to confirm conformance to the standards outlined in the Sacramento Executive Airport Comprehensive Land Use Plan (CLUP). As defined in the CLUP, the CVS/pharmacy building is proposed to be located within the Approach-Departure Zone 2 safety area. While a retail drug store, such as CVS/pharmacy, is listed as a compatible use for the Approach-Departure Zone 2, it must be determined that the use does not result in concentrations of people greater than 50 persons per acre at any time. The following study was conducted in order to confirm that the CVS/pharmacy project will not exceed the concentration of people restrictions set forth in the Sacramento Executive Airport CLUP.

Method

Maximum Occupancy Rate

The proposed CVS/pharmacy will be developed on approximately 1.68 acres of land within the Approach-Departure Zone 2. By multiplying 50 (persons per acre) by 1.68 acres (of land), it is determined that the CVS/pharmacy cannot generate more than 84 persons at any time in order to comply with the regulations set forth in the Sacramento Executive Airport CLUP.

Sample Store Selection

In order to determine the estimated occupancy rates of the new CVS/pharmacy location, customer counts for existing locations were taken using an ingress and egress counting device that counts each time an individual enters or exits the store. The design of the front door of existing CVS/pharmacy locations vary such that some stores have a door that swings into the store while others have a sliding door system. In stores equipped with a swinging door, when an individual enters the store, the door will interfere with the sensor counting ingress movements which will impact the accuracy of the customer counts. As such, only the data from the egress counting sensor was collected for the purpose of this study.

Only a few CVS/pharmacy locations throughout the Country are equipped with customer counting device used for this study. After analyzing the characteristics of each existing CVS/pharmacy that

is equipped with this system, two locations were identified to be used for this study. The two stores that were analyzed were:

- **CVS/pharmacy #9823 – 1349 Florin Road in Sacramento, California (Existing Store)**
- **CVS/pharmacy #6867 – 4490 Paradise Road in Las Vegas, Nevada (Paradise Road)**

The reason for selecting the store located at 1349 Florin Rd. is that the new CVS/pharmacy will be the relocation for this store. The existing store is located at the northwest corner of the same location as the new store and is also located within the Approach-Departure Zone 2. It is assumed, the number of customers that are currently generated for the existing location will be retained at the new CVS/pharmacy location.

The reason for selecting the store located at 4490 Paradise Road is that this store shares characteristics with both the existing and the new CVS/pharmacy locations at the intersection of Florin Rd. & Freeport Blvd. For instance, the CVS/pharmacy on Paradise Road is an established store with comparable sales figures to the existing CVS/pharmacy. However, the Paradise Road location also shares some of the physical characteristics of the new store such as has having similar building square footages as well as having drive-through facilities for pharmaceutical pickup and drop off. In addition, the Paradise Road location is open 24 hours a day; consistent with the proposed hours of operation for the new CVS/pharmacy. It should also be noted that, compared to the intersection of Florin Road & Freeport Boulevard, the Paradise Road location is in a more densely populated area; located near the University of Nevada – Las Vegas Campus, McCarran International Airport, and several large Hotels and Casinos.

A side by side comparison of the three stores (existing, new, and Paradise Road locations) is provided as Exhibit A to this study.

Days & Duration of Counts

The customer counts were collected for the existing store at 1349 Florin Rd. from Thursday August 26, 2010 through Monday August 30, 2010 while counts for 4490 Paradise Rd were collected from Thursday October 7, 2010 through Sunday October 10, 2010. These periods were chosen based on historical data that suggests this timeframe to be the busiest days of operation for a typical CVS/pharmacy location during the week.

According to formal research conducted previously by CVS/pharmacy, 87% of customers spend less than 15 minutes visiting a CVS/pharmacy. Additionally, over half of customers spend less than 5 minutes visiting a store. An excerpt of this research project, entitled "The In-Store Experience Study" is included as Exhibit B of this study. Based on this study and the length of the vast majority of customer's visits, the collected customer counts were organized into 15 minute increments.

Results

Based on the count of customers leaving each store, a reasonable estimate on the number of people in the store during a 15 minute period can be established. The raw data collected for the existing CVS/pharmacy located at 1349 Florin Rd and 4490 Paradise Rd. are included in the attached Exhibit C and Exhibit D respectively. The Following is a summary of the data collected for each store:

CVS/pharmacy #9823 – 1349 Florin Road in Sacramento, California (Existing Store):

- > Highest Number of Customers Within a 15 Minute Period: 60 customers
- > Lowest Number of Customers Within a 15 Minute Period: 3 customers
- > Range of Daily Average of Customers Within a 15 Minute Period: +/- 23-27 Customers

CVS/pharmacy #6867 – 4490 Paradise Road in Las Vegas, Nevada (Paradise Road)

- > Highest Number of Customers Within a 15 Minute Period: 66 customers
- > Lowest Number of Customers Within a 15 Minute Period: 1 customer
- > Range of Daily Average of Customers Within a 15 Minute Period: +/- 21-26 Customers

Furthermore, while the existing CVS/pharmacy located at 1349 Florin Road had a high occupancy rate of 60, the number of customers within a 15 minute period did not exceed 50 in any other period. Similarly, the Paradise Road location only had two 15 minute periods in which the customer count exceeded 60.

It should be noted that this study does not take into account the number of employees staffed at a CVS/pharmacy location during the days in which the data was collected. The typical number of employees staffed at a given time throughout the day may be between 4-12 depending on time of day, year and other factors. Even if it is assumed that a high estimate of 12 employees were staffed during the busiest 15 minute time increments for either of the CVS/pharmacy locations, the total number of people located within the stores during this timeframe would still not exceed the maximum number of 50 persons per acre allowed pursuant to the Sacramento Executive Airport CLUP. For instance, if 12 employees were added to the highest number of customers within a 15 minute period at the CVS/pharmacy located at 1349 Florin Road (60), the total number of people during this timeframe would only be 72. If the same method is applied to the Paradise Road location, the most people within this store in a 15 minute increment is 78.

This study also does not factor for employees exiting the store through the front door because the counting devices that were used for this study have no way to distinguish an employee from a customer. Throughout the day, employees may exit the store through the front door to conduct various tasks including to: assist customers, retrieve shopping carts, or empty trash receptacles. While employees performing such tasks would be included in the statistics provided in the attached Exhibit C and Exhibit D; they would also be accounted for in the conservative estimate provided above for the total number of people in a 15 minute increment (Customers + 12 Employees). Therefore, it is entirely reasonable to assume that the estimated number of total people for each store could be lower than the 72 and 78 people for the respective stores.

Conclusion

Based on the statistics provided, the proposed CVS/pharmacy located at the southeast corner of Florin Road and Freeport will generate a maximum occupancy less than 84 people at any time. Therefore, the proposed project located on 1.68 acres of land can be deemed compatible with the regulations for the Approach-Departure Zone 2 safety area of the Sacramento Executive Airport Comprehensive Land Use Plan.

Exhibit A
Comparison of CVS/pharmacy Stores

Store Information & Characteristics	9823 (New Store)	6867 (Paradise Road)	9823 (Existing Store)
Address	To Be Determined	4490 Paradise Road	1349 Florin Road
City	Sacramento	Las Vegas	Sacramento
State	California	Nevada	California
Retail Store Hours of Operation	Mo-Fr: Open 24 Hours Sa: Open 24 Hours Su: Open 24 Hours	Mo-Fr: Open 24 Hours Sa: Open 24 Hours Su: Open 24 Hours	Mo-Fr: 7:00 AM - 10:00 PM Sa: 7:00 AM - 10:00 PM Su: 8:00 AM - 10:00 PM
Total Retail Store Hours (Weekly)	168	168	104
Pharmacy Hours of Operation (Per Day)	To Be Determined	Mo-Fr: 8:00 AM - 10:00 PM Sa: 9:00 AM - 6:00 PM Su: 10:00 AM - 5:00 PM	Mo-Fr: 9:00 AM - 9:00 PM Sa: 9:00 AM - 6:00 PM Su: 10:00 AM - 6:00 PM
Total Pharmacy Hours (Weekly)	To Be Determined	67	77
Store Type	Freestanding	Freestanding	In-Line (End Cap)
Drive-Through Facilities	Yes	Yes	No
Years Open	N/A	6	34
Total Building Area (Sq. Ft.)	16,500	13,013	27,802
Retail Area (Sq. Ft.)	12,890	10,582	18,600
Total Sales & Customer Counts for 2009	9823 (New Store)	6867 (Paradise Road)	9823 (Existing Store)
Retail Sales Total (\$)	To Be Determined	\$6,652,543	\$4,223,701
Prescriptions Total	To Be Determined	39,825	70,842
Total Sales (\$)	To Be Determined	\$8,897,547	\$7,847,007
Total Customer Count	To Be Determined	551,067	347,014

Exhibit B
Excerpt From "In-Store Experience Study"

Dissecting The Shopping Trip

Trip duration – in minutes/total sample

- And just over half of the customers spend less than 5 minutes in the stores during their entire visit.

Trip Duration (%)	Total
15+ minutes	13
10-15 minutes	11
5-10	24
Under 5 minutes	51
Mean trip duration (minutes)	8.0

Exhibit C - Data

CVS/pharmacy #9823 - 1349 Florin Road - Sacramento, CA
 Customer Counts (door exits) by 15 minute increments

Time (and)	Thurs 2/24/2010	Fri 2/27/2010	Sat 2/28/2010	Sun 2/09/2010	Mon 2/10/2010
09:15	7	25	11	10	10
09:30	16	26	11	10	11
09:45	24	21	19	11	22
10:00	16	24	15	19	21
10:15	27	22	17	15	12
10:30	16	17	27	23	27
10:45	25	17	28	23	21
11:00	20	20	25	20	14
11:15	23	23	11	16	13
11:30	33	21	23	19	18
11:45	26	33	22	23	33
12:00	21	29	27	25	25
12:15	36	17	31	28	26
12:30	22	31	28	35	31
12:45	24	27	23	45	20
13:00	25	20	34	24	19
13:15	26	25	35	21	25
13:30	14	26	44	10	42
13:45	30	33	29	42	28
14:00	29	33	27	32	28
14:15	24	28	38	45	28
14:30	30	29	27	25	28
14:45	21	23	24	21	26
15:00	16	29	42	31	32
15:15	26	50	30	40	33
15:30	32	32	31	38	27
15:45	24	45	31	27	21
16:00	25	31	29	25	28
16:15	37	35	32	24	15
16:30	41	36	27	25	21
16:45	19	24	21	10	25
17:00	16	19	23	21	24
17:15	21	30	33	23	23
17:30	17	40	35	19	20
17:45	25	29	18	13	49
18:00	18	24	22	15	44
18:15	25	28	18	23	60
18:30	26	25	29	17	15
18:45	27	35	20	18	24
19:00	13	28	24	22	21
19:15	24	30	22	27	21
19:30	21	28	7	18	13
19:45	10	25	16	10	17
20:00	21	24	19	18	14
20:15	23	24	16	18	12
20:30	10	13	19	3	14
20:45	11	10	12	8	9
Daily Customer Totals	1079	1274	1152	1059	1107
Number of 15 Minute Increments per Day	47	47	47	47	47
Average Number of Customers in a 15 Minute Increment	22.96	27.11	24.51	22.53	23.55

Exhibit C - Graph

CVS/pharmacy #9823 - 1349 Florin Road - Sacramento, CA
Customer Counts (door exits) by 15 minute increments

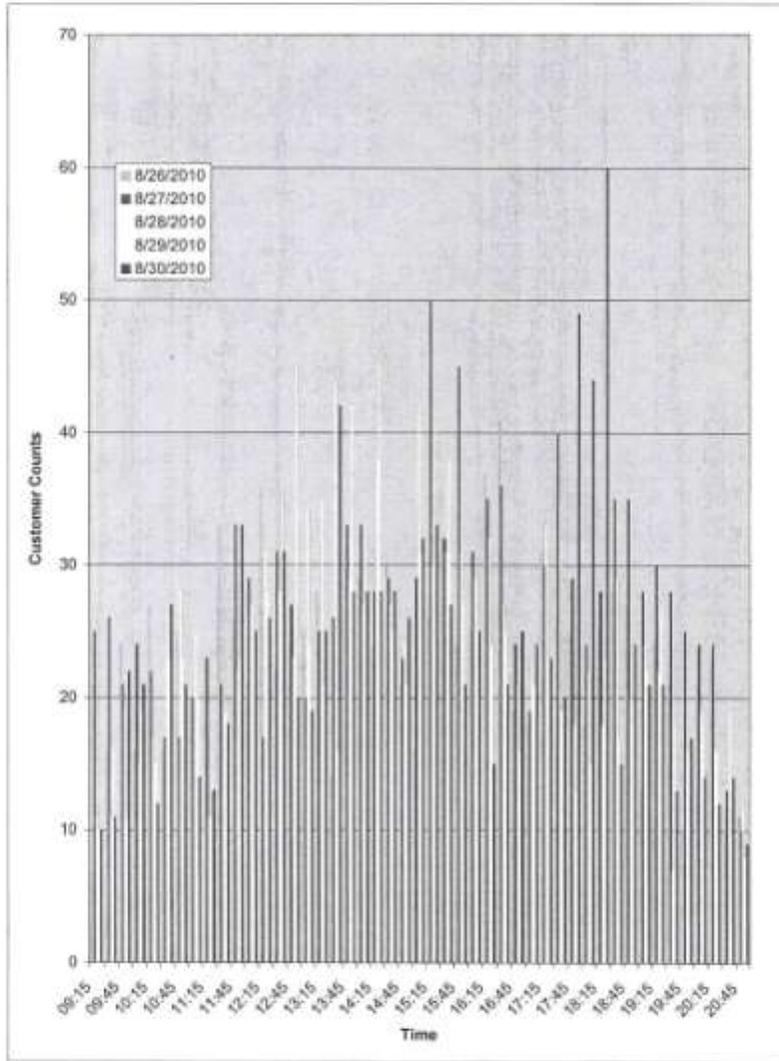


Exhibit D - Data

CVS/pharmacy #6867 - 4490 Paradise Road - Las Vegas, NV
 Customer Counts (door exits) by 15 minute increments

Time (mm)	1st	2nd	3rd	4th
00-00	4	4	7	6
00-15	6	7	4	5
00-30	4	14	8	9
00-45	9	14	10	11
01-00	5	1	8	5
01-15	6	14	7	9
01-30	7	6	7	7
01-45	3	6	12	7
02-00	14	9	10	11
02-15	11	12	29	17
02-30	17	21	13	17
02-45	10	20	23	18
03-00	15	23	15	18
03-15	21	27	21	23
03-30	17	27	20	21
03-45	24	16	18	19
04-00	22	24	14	20
04-15	28	35	25	29
04-30	26	21	27	25
04-45	23	13	25	21
05-00	25	26	33	28
05-15	24	35	45	35
05-30	22	28	33	28
05-45	21	35	47	34
06-00	23	38	18	26
06-15	34	25	25	28
06-30	21	25	50	32
06-45	27	24	29	27
07-00	29	35	31	32
07-15	22	33	29	28
07-30	25	24	48	33
07-45	23	38	27	29
08-00	24	57	44	42
08-15	36	35	33	35
08-30	31	42	47	10
08-45	43	31	40	38
09-00	30	33	20	29
09-15	28	19	44	30
09-30	26	27	36	33
09-45	25	41	37	19
10-00	36	29	45	22
10-15	40	34	37	18
10-30	35	26	48	30
10-45	33	43	57	25
11-00	33	62	41	24
11-15	38	66	34	24
11-30	31	31	43	29
11-45	45	53	49	25
12-00	41	38	45	35
12-15	37	32	45	23
12-30	39	50	48	38

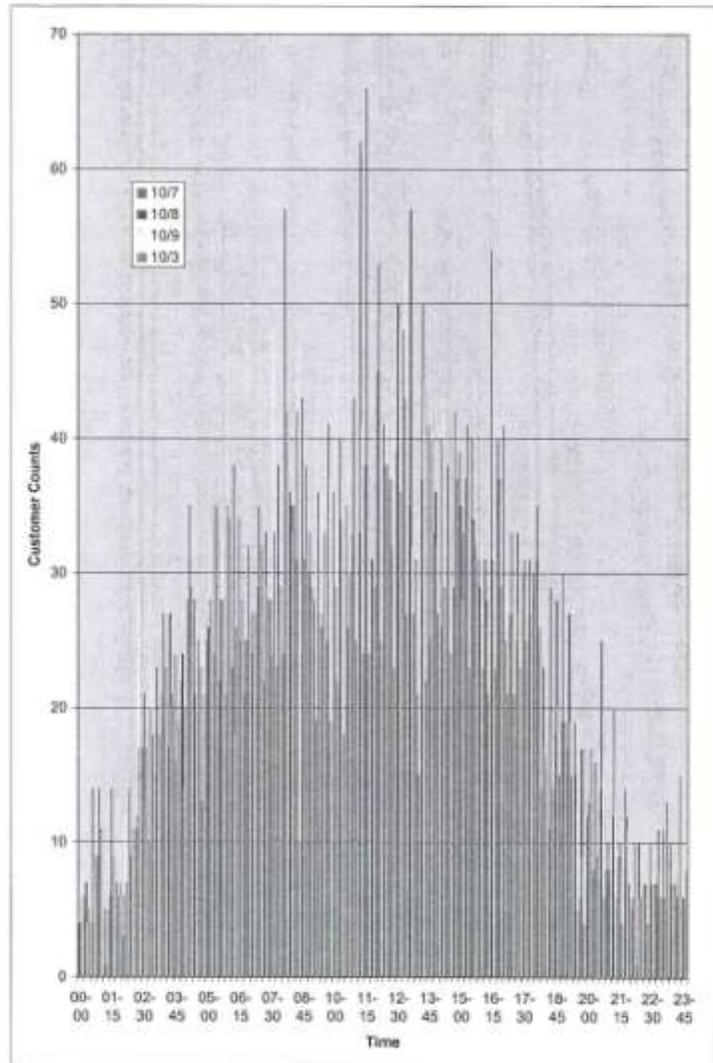
Exhibit D - Data (cont.)

CVS/pharmacy #6867 - 4490 Paradise Road - Las Vegas, NV
Customer Counts (door exits) by 15 minute increments

Time (exit)	Thurs	Fri	Sat	Sun
12-15	45	43	34	27
13-00	35	57	32	27
13-15	31	21	34	15
13-30	37	50	44	22
13-45	41	25	42	40
14-00	33	36	32	27
14-15	26	40	43	29
14-30	20	38	38	24
14-45	29	42	40	37
15-00	39	35	28	33
15-15	37	41	34	23
15-30	40	54	45	32
15-45	31	29	40	23
16-00	31	28	26	21
16-15	54	31	36	23
16-30	40	37	35	29
16-45	41	25	29	21
17-00	27	33	26	21
17-15	25	33	27	23
17-30	30	31	29	25
17-45	31	27	29	30
18-00	31	35	30	26
18-15	14	23	17	16
18-30	11	29	18	14
18-45	18	25	20	15
19-00	19	30	22	19
19-15	17	27	19	13
19-30	19	15	13	5
19-45	6	17	9	4
20-00	12	13	14	17
20-15	8	16	11	9
20-30	14	25	15	6
20-45	8	10	9	6
21-00	12	20	13	6
21-15	9	10	8	4
21-30	14	12	11	7
21-45	5	6	7	10
22-00	1	10	6	6
22-15	7	7	6	4
22-30	10	7	8	7
22-45	7	11	8	6
23-00	11	6	10	13
23-15	10	7	8	7
23-30	7	6	9	15
23-45	6	6	7	8
Daily Customer Totals	2226	2541	2552	1992
Number of 15 Minute Increments per Day	96	96	96	96
Average Number of Customers in a 15 Minute Increment	23.19	26.47	26.58	20.75

Exhibit D - Graph

CVS/pharmacy #6867 - 4490 Paradise Road - Las Vegas, NV
Customer Counts (door exits) by 15 minute increments



Attachment 8: Airport Land Use Commission Approval

Sacramento Area
Council of
Governments

1415 L Street,
Suite 300
Sacramento, CA
95814

tel: 916.321.9000
fax: 916.321.9551
tdd: 916.321.9550
www.sacog.org



Mr. Evan Compton
City of Sacramento Planning Department
300 Richards Blvd, Third Floor
Sacramento, CA 95811

November 9, 2010

Mr. Compton:

On behalf of the Airport Land Use Commission, this letter serves as the staff's formal review of the proposed CVS Pharmacy at the southeast corner of Freeport Boulevard and Florin Road. The city of Sacramento provided the ALUC with a map of the site plan, tentative map, and a letter from the applicant, Armstrong Development, regarding the proposed development and occupancy rate analysis.

The proposal is to construct a 16,500 square foot retail drug store on a parcel of land located at the site described above. This subject parcel is one of six proposed parcels that will result when a 7.35 acre parcel (APN 047-0021-018-0000) is subdivided. According to information provided by the applicant, the subject parcel is 1.68 acres and is located on the northwest corner. It is identified as "Parcel 1" on the Tentative Map that was provided by the city (if this map changes, and Parcel 1 is affected, the ALUC requests to review it accordingly; note that the map says this parcel is 1.708 acres). This is the only proposed parcel being reviewed for this application. Any other proposed development on the five remaining proposed parcels will be handled independently of this review. For any development on those parcels will be reviewed based solely on the size of each parcel and what is proposed; "transferability" amongst the parcels will not be considered by the ALUC.

The subject parcel lies within the Influence Area of the Executive Airport Comprehensive Land Use Plan (CLUP). As such, this project is subject to the three standards within the CLUP: height, noise and safety. This review examines each standard.

Height: The assumed height of the building is assumed not be incompatible with the CLUP. The building is assumed to be less than 50 feet tall. Unless the ALUC is notified otherwise, it will not need to review the building height and assumes the proposal is compatible with this standard.

Noise: The project lies outside of the 65 CNEL noise contours, and is therefore not subject to the CLUP's noise restrictions.

Safety: The subject parcel does lie within the CLUP's Approach Departure 1 Safety Zone. The CLUP identifies a list of compatible and incompatible land uses within

- Altura
- Citrus Heights
- Colusa
- Davis
- El Dorado County
- El Grove
- Folsom
- Galt
- Grass Valley
- Lincoln
- Live Oak
- Loomis
- Marysville
- Placer County
- Placerville
- Sierra Conclave
- Sutter
- Suzuki
- Sacramento
- Sacramento County
- Sutter County
- West Sacramento
- Woodland
- Woodland Hills
- Yuba County
- Yuba City
- Yuba County

this safety zone. "Grocery store and drug store" are listed as compatible if "they do not result in concentrations of people greater than 50 persons per acre at any time".

According to the CLUP standards, the 1.68 acre subject parcel may have a maximum of 84 persons at any given time. The drug store is the only proposed land use within the subject parcel. The applicant has provided detailed occupancy studies at two other CVS pharmacies, including the one that the proposed project will replace. According to the data provided, neither exceeded the standard of 84 persons at any given time despite being substantially larger stores than the proposed. In addition, based on the ALUC's prior experience with occupancy rates and related planning issues, the 84 person seems highly unlikely to be exceeded on this parcel. As such, the ALUC concurs with the applicant that the proposal is compatible with the CLUP for safety.

Two notes: First, as noted above, any development proposal for the remaining portions of the subdivided parcel (5.67 acres, or 7.35 acres minus 1.68 acres) will be evaluated each on their own, meaning there is no transfer of occupancy densities between each of them and the CVS parcel. That land will be evaluated strictly within its legal parcel lines. In addition, this review only addresses the proposal within Parcel 1, and does not address in any way any other proposed developments on the other parcels. Secondly, if the pharmacy use at the CVS subject property eventually leaves, and a new land use is proposed, the new tenant or property owner will have to submit any proposed use for evaluation for compatibility with the CLUP to the ALUC.

In summary, the proposed use as identified in the applicant's October 22, 2010 email, letter and tentative map is compatible with the CLUP per the above discussion.

If you have any questions, please feel free to give me a call at (916) 340-6227.

Sincerely,



Gregory Chew, Senior Planner
SACOG/Airport Land Use Commission

Attachment 9: Walk Sacramento Letter



August 24, 2010

Heather Forest, Associate Planner
City of Sacramento Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

RE: CVS at Florin & Freeport (P10-044)

Dear Ms. Forest:

WALKSacramento has reviewed the July 21, 2010 project routing for CVS Pharmacy at Florin & Freeport (P10-044). The project proposes subdividing 7.35 acres into 5 parcels with a site plan for developing a shopping center in future phases and constructing a 16,500 square foot pharmacy with drive-through on a resulting 1.68 acre parcel.

The project site, located at the southeast corner of Freeport Boulevard and Florin Road, is zoned C-1 Limited Commercial and is designated Suburban Corridor in the General Plan. Both sides of Freeport Boulevard between Florin Road and Meadowview Road, one mile to the south, are designated Suburban Corridor but have no access points to the adjacent residential subdivisions.

The proposed pharmacy parcel is in the northwest corner of the overall project site. The remainder of the proposed development would be on the parcels between the pharmacy parcel and the residential lots to the south and east.

Pedestrian access to the pharmacy would initially be provided by the attached sidewalk on Florin Road that currently ends at the project site. The Southmont Way street stub would not provide pedestrian access to the project until the overall development of the site occurs.

The proposed overall development as shown on the Tentative Map and Sheet 2 of the CUP Site Plan will present more challenges for pedestrians than the proposed pharmacy, so our comments will begin with the post-Phase I proposal.

Proposed Overall Development (Post Phase I)

1. Move restaurant and retail close to residential

The proposed medical office uses will generate far fewer walking trips and significantly fewer vehicle trips than the restaurant and retail shops. Place the medical offices near the street and the restaurant and three retail buildings at the rear of the site nearer to the existing residential.

2. Add driveway at Southmont Way

The street stub at Southmont Way presents a potential access point for car trips. With the proposed pedestrian-only access at Southmont Way, trips from within the neighborhood to the south of the project site will generally turn left from Amherst Street onto Florin Road and then turn left from the median into the shopping center. Left turns on multi-lane roadways are some of the most dangerous for drivers, and the risk for pedestrians from those types of left turns is high. It would be much safer for drivers and pedestrians along Florin Road if these short local trips could use Southmont Way.

3. Make the walkway to the restaurants more direct and convenient

There are many more homes and businesses within walking distance to the east of the project site than to the west. Pedestrians would be better served if the walkway that connects Florin Road to the restaurants was moved from the west side to the east side of the restaurants. This would shorten the walking distance and match the path of desired travel by not having to double back. Also, a pedestrian crossing of the drive-through lane might be avoided.

4. Reconfigure the site plan with Southmont Way as an entrance and add a second walkway

The walkway from the sidewalk on the west side of Southmont Way approaches the rear of two medical office buildings. Pedestrians should not have to choose between walking in the "back door" and walking the extra 1200' to go in the front way. The site plan should be reconfigured to add a pedestrian "entrance" to the shopping center from Southmont Way and connect on-site walkways to both sidewalks on Southmont Way.

Proposed Pharmacy Building with Drive-Through Facility (Phase I)**5. Eliminate parking in front of building on Florin and Freeport**

The site plan shows two rows of parking on a single aisle between the building and the roadways. The parking lot around the building makes it less desirable as a walking destination and adds more points of vehicle-pedestrian conflict. The urban form guidelines for the Suburban Corridor designation in the City of Sacramento General Plan includes "Parking limited in front of the building and located to the side and rear of buildings."

6. Provide temporary walkway from Southmont Way to pharmacy site

People will want to walk to the pharmacy after it opens but walking through the unimproved area could be hazardous due to the ground conditions. We request that a temporary asphalt concrete walkway from Southmont Way to the pharmacy parking lot be installed prior to occupancy.

7. Redesign pharmacy building to provide windows on all sides

The urban form guidelines for the Suburban Corridor designation in the City of Sacramento General Plan includes "Building facade and entrances directly addressing the street and have a high degree of transparency on street-fronting facade." The only transparency apparent on the elevation drawings are the front entrance, a segment of the wall on each side of the entrance, and the drive-through service window.

WALKSacramento encourages people to walk and bicycle in their communities. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality and a stronger sense of cohesion and safety in local neighborhoods. *WALKSacramento* reviews land-use development proposals and provides recommendations to create more walkable, bikeable, and transit friendly neighborhoods, schools, shopping centers, office buildings, streets, and parks.

Thank you for your consideration of these comments and recommendations. If you have questions or need additional information, please contact me at (916) 446-9255 or cholm@walksacramento.org.

Sincerely,



Chris Holm
Project Analyst

WALKSacramento
909 12th Street, Suite #122
Sacramento, CA 95814

Heather Forest

From: Jordan Lang [jordan.lang@att.net]
Sent: Friday, September 03, 2010 7:05 AM
To: Heather Forest
Cc: Walt Seifert
Subject: Comments on CVS Pharmacy at Florin & Freeport

*Heather Forest, Associate Planner
City of Sacramento Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811*

RE: CVS at Florin & Freeport (File No. P10-044)

Dear Ms. Forest:

Thank you for the opportunity to comment on the subject application.

We appreciate that the project application states that "Multiple pedestrian connections are provided to encourage customers to walk to the site from neighboring residential communities." We request that any such connections also include bikeways so bicyclists, both customers and employees, can also easily access the site from its neighboring streets. Unfortunately the maps and site plans in the project application do not easily show where the "multiple connections" may be located.

1) We request that complete bicycle and pedestrian connections be provided from the project site to Tiverton Avenue to the east and Southmont Way to the south because:

- Tiverton Ave provides easy and safe bicycle access eastward for many blocks via its intersection with Wakefield Way, and
- Southmont Way provides easy and safe access southward for many blocks via its intersection with Amherst Street.

Without these connections, residents of this large neighborhood will be forced to drive vehicles out onto Freeport or Florin to visit the project site.

2) We request that the project provide both adequate short-term (for customers) and long-term (for employees) parking for bicycles, according to the guidelines of the Association of Pedestrian and Bicycle Professionals (see APBP Bicycle Parking Guidelines at <http://www.apbp.org/default.asp?page=Publications>)

3) We request that the CVS building be sited closer to the Freeport & Florin intersection, with prominent pedestrian and bicycle routes from the intersection to the store, thereby encouraging walkers and bicyclists to travel from the neighborhoods west of Freeport Boulevard. Vehicle parking should be located predominantly behind or to the side of the building.

4) We request that additional full-sized trees be included in the landscaping to provide shade to the sidewalks and street edges (where bicyclists ride) along Freeport and Florin and to the other bicycle and pedestrian connections onto the site (e. at Southmont and Tiverton).

SABA works to ensure that bicycling is safe, convenient, and desirable for everyday transportation. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

Thank you for considering our comments.

Yours truly,

Jordan Lang

Project Assistant