

P00-110 - 15<sup>th</sup> and Broadway Walgreens

- REQUEST:
- A. Negative Declaration
  - B. Special Permit to allow a 24 hour drive thru window for a pharmacy
  - C. Variance to reduce the front yard setback from 5 feet to 0 feet.
  - D. Variance to reduce the street side yard setback from 5 feet to 0 feet.
  - E. Variance reduce the stacking distance for a pharmacy drive-thru from 180 feet to 100 feet.
  - F. Variance to locate an off-site sign in the General Commercial (C-2) zone.
  - G. Lot Line Adjustment to relocate a common property line between two parcels.
  - H. Appeal of the Decision of the Design Review/Preservation Board

LOCATION: 1401 and 1429 Broadway  
APN: 009-0254-005 & 008  
Central City Community Plan Area  
Council District 4

APPLICANT:	Kevin Donnelly/Ekistics Design Studio 2203 13 <sup>th</sup> Street, Sacramento, CA 95818 (916) 446-5348
OWNER:	17 <sup>th</sup> and J Properties, LLC 77 Cadillac Drive, Sacramento, CA 95825 (415) 546-9373

APPLICATION FILED: August 9, 2000

STAFF CONTACT: Mark Kraft, 264-8116

SUMMARY:

The applicant is currently requesting entitlements to allow construction of a 14,400 square foot Walgreens's pharmacy with a drive-up service pharmacy window, and a 2,924 square foot restaurant (with a maximum of 78 seats), with 69 parking spaces. The project requires a Special Permit to establish the pharmacy drive-thru lane, a variance to locate the Walgreens building with no front yard setback (along Broadway), a variance to provide no street sideyard setback for the Walgreens's building on 14<sup>th</sup> Street and a variance to provide no sideyard setback for the restaurant building on 15<sup>th</sup> Street. In addition, the project requires a variance to reduce the pharmacy drive thru stacking distance from 180 feet to 100 feet. The project is also requesting a lot line adjustment to relocate the property line between the two parcels on the site. Finally, the project needs a variance to locate an off-site sign in the C-2 zone. Specifically, the project seeks to provide a Walgreens's monument sign on the restaurant parcel. The applicant is also appealing the condition of approval of the Design Review/Preservation Board.

RECOMMENDATION:

Staff recommends approval of the project, subject to conditions. This recommendation is based on the project's consistency with the existing General Plan, Community Plan and zoning designations for the site, as well as policies of the General Plan, the Central City Community Plan, and compliance with the development standards and required findings of the City's Zoning Ordinance.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Community Plan Designation:	General Commercial
Existing Land Use of Site:	2 Vacant Restaurants
Existing Zoning of Site:	General Commercial (C-2)

Surrounding Land Use and Zoning:  
North: Vacant, Gas Station; C-2  
East: Bank, Retail/Office; C-2  
West: Bank, Office, Residential; C-2  
South: Restaurant, Tower Theater, Parking, C-2

Property Dimensions:	322.3 x 171.3
Property Area:	1.27± developed acres

Setbacks:	Required	Provided
Front:	5'	0'
Side(St):	5'	0'
Rear:	0'	59'

Parking Spaces Required: 69

Walgreens 9600 sf /400sf/space = 24 spaces  
4800sf /250sf/space = 19 spaces  
Total for Walgreens = 43 spaces

Restaurant 78 seats/1space/3seats = 26 spaces

Parking Spaces Provided: 69

Height of Building: Walgreens's 28 ft.  
Restaurant 24 ft.

Height Limit: 45 ft.

Exterior Building Materials: Stucco, Glass Block

Topography: Flat

Street Improvements: Existing

Utilities: Existing

Hours of Operation for Drive-Up: 24 Hours

Hours of Operation for Store: 24 Hours

**OTHER APPROVALS REQUIRED:** In addition to the entitlements currently requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit

Building Permits

Sign Permits

Certificate of Compliance

PUE Abandonments

Agency

Building Division

Building Division

Department of Public Works

Department of Public Works

**BACKGROUND INFORMATION:**

The project site is currently occupied by a vacant former McDonald's restaurant (3,350 sf) and a vacant restaurant originally occupied by Denny's and most recently occupied by Ho Sy Guy (a Chinese restaurant). The project proposes to demolish both existing buildings and to construct the proposed Walgreens's and restaurant building.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

1. General Plan

The City of Sacramento General Plan designates the site for Community/ Neighborhood Commercial and Office land uses. The General Plan defines this land use category in the following way: "includes shopping centers (less than 200,000 square feet), commercial strips, and smaller office developments which offer goods and services for the daily needs of adjacent residential areas. These uses may be located adjacent to residential areas without significant adverse impacts." The proposed development is consistent with the land use designation.

The overall project proposal is consistent with Goal B of the Sacramento General Plan Commerce and Industry Element which promotes reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial districts (SGPU, p.4-1) It is also consistent with Policy 4 under the Neighborhood/Community Commercial and Office Areas, which states "strengthen viable strip commercial development and discourage existing marginal strips from being extended." (SGPU, p.4-17)

The proposed project is an infill site, and makes use of parcels which are currently developed with vacant buildings, and will increase the intensity of development on the parcels, in terms of building square footage. As such, the proposal is consistent with General Plan policy which states "some neighborhoods area characterized by vacant land skipped over in the process of development. To more fully utilize this resource, efforts to promote infill and remove development constraints will be necessary"

The project has been designed to enhance pedestrian access and relate directly to the Broadway street frontage. The Walgreens's building has been placed as close as possible to the sidewalk, with the main entrance located directly off the street. The proposed restaurant incorporates outdoor seating adjacent to the street. Parking is located in the rear and in the interior of the site, and the pharmacy drive-thru has been designed to be visually unobtrusive, with auto access to Broadway actually being reduced from the two existing driveways to one driveway. The project is therefore consistent with General Plan Circulation element policies stating "increase the use of the pedestrian mode as a mode of choice for all areas of the City (Sec.5-21) , "encourage new commercial and

office establishments, to front directly on the sidewalk with parking in the rear."(Sec.5-22)

## 2 Central City Community Plan

The project is consistent with the Central City Community Plan environmental goal, to "improve the physical quality of the environment for Central City residents, shoppers, employees and visitors." and the sub-goal to "encourage new residential development which is human in scale".

## 3. Drive-Up Service Policy

On January 23, 1997, Planning Staff presented the proposed approach for a City-wide Drive-thru policy to the City Planning Commission. The policies included design and development standards to address issues of location, distance to surrounding sensitive uses and zones, landscaping, and building and site design. The policy specifically listed zones and areas where drive-thrus would be prohibited, allowed by right, or allowed subject to a Planning Commission Special Permit. In this draft policy, the Broadway Corridor was listed as an area where drive-thru facilities would be allowed subject to a Special Permit. A matrix in the draft policy document states that the rationale for discouraging Drive-thru facilities within this area was a "Community Desire to Discourage Auto Oriented Uses".

At this meeting, the Commission stated their belief that the existing regulations governing drive-thru applications were appropriate, and that a City-wide policy was not needed. On April 10, 1997, the City Council ultimately decided that consensus on city-wide drive-up service policies, over and above those already in the Zoning Ordinance, could not be reached, and staff was directed to discontinue work on a City-wide drive-thru policy and continue to require case by case evaluation of drive thru facilities, under the current regulations.

While not required, the following discussion evaluates the projects compliance with the preliminary development standards for the Drive-thru policy as proposed by staff in 1997:

The project would comply with the following locational criteria:

- a. No drive-thru facilities within 100 feet of residential uses
- b. A minimum of a 0.50+ acre site shall be provided for a drive-thru facility within an existing shopping center and/or in urban areas.
- c. Drive-thrus should be located at least 500 feet away from schools, parks, playgrounds or community centers.

The project would comply with all of the building design standards, including the following:

- a. Discouragement of the use of "franchise architecture"
- b. Architectural compatibility with the best examples of nearby architecture, landscaping to buffer adjacent uses, and adequate lighting.
- c. Pedestrian orientation in building and site design, including location of the building as close as possible to the street.
- d. Distinct entryways
- e. Ample use of windows to provide visibility to and from the street
- f. Use of canopies, particularly over the pickup window
- g. Access to bathroom facilities from inside the building, not directly from the parking area.
- h. Provision of outdoor seating with high quality hardscape

The project would comply with all drive thru lane development standards (many of which are a restatement of existing Zoning Ordinance standards) namely:

- a. No more than one drive-thru lane will be approved for any single facility
- b. Entrances to drive thru lanes at least 25 feet from driveways entering a public street.
- c. Minimum lane width of 11 feet
- d. Stacking lane not interfering with access to parking stalls or circulation.
- e. No interference with traffic or pedestrian activities at the driveways.
- f. Drive thru lane should be visible to streets.
- g. Driveway curb cuts and driveway widths should be minimized.

The project would also comply with parking/circulation criteria, specifically:

- a. Parking located behind the building
- b. Decorative paving used for pedestrian circulation areas

The project would comply with lighting criteria, namely:

- a. Provision of 1.5 foot candles lighting levels

#### 4. Broadway Corridor Planning Task Force

In 1994, the City Council passed a resolution supporting the community initiated Broadway Corridor Planning Task Force. The resolution specifically supported the goal and mission of the task force, namely, the formulation and presentation of recommendations after public review and comment, for consideration by the City to regulate and enhance development within the Broadway Corridor area, including potential recommendations relating to planning, land use, economic development and design review. A final report was to be presented to the City Council, to receive further direction regarding implementation of task force recommendations. The task force has not presented a final report to the City Council. However, subsequent to review and comment by the Planning Commission and Design Review Board, the Task Force, in August of 1998 did release a document titled, "Broadway Corridor Task Force Recommendations". The document has no official standing, but does outline recommendations regarding Streetscape and Infrastructure, Land Use, Traffic and Circulation, and Public Safety and Social Issues. The document also includes recommended Broadway Corridor Design Guidelines.

A discussion in the "Existing Conditions" portion of the Land Use section states that "the Task Force discussed prohibiting specific uses, such as liquor stores, auto repair shops, drive-thrus, social service providers, and recycling centers. Instead, the task force believes that the Broadway Corridor Design Guidelines, implemented with the City's current requirement for a Special Permit, would insure consistency with the Task Force's long term vision for the Corridor." The document also states that "the Broadway task force discussed prohibiting uses that under-utilize vacant parcels. Instead, the task force believes that the City should establish a minimum floor to area ratio for office buildings, general commercial, residential mixed use, multi-family, and heavy commercial uses, to stimulate higher density throughout the corridor."

It is true that, because of the area devoted to the drive-thru lane, drive-up facilities tend to have relatively low floor to area ratios particularly for single story buildings. However, the proposed project maintains a relatively high floor to area ratio for a drive thru facility. The project has an FAR of .300. This compares to a .239 FAR for the retail center developed at 1901 J in 1997, which is generally considered to be an example of good urban design. The General Plan assumption for development in the Community Neighborhood Commercial designation is 9,000 square feet per acre or a .207 FAR. It is difficult to determine whether the proposed project is consistent with the Broadway Corridor Task Force vision in this respect, because the report does not suggest what proposed FAR minimum might be, or, more specifically whether it would be high enough to preclude the development of single story

drive-up facilities.

The project site is located within the "Tower District" of the Corridor, which is described in the Existing Conditions section of the Task Force report as follows:

This district offers a broad base of multi-cultural businesses and services which serve the local community and greater region. It is home to the international retail giant Tower of Records... the district also includes three major financial institutions, auto related businesses, including repair, parts, car wash and sales; and personal services such as travel agencies..... There are no drive thru facilities. To the pedestrian, the commercial area as a whole seems disordered and haphazard. In some locations a series of small storefronts facing the street are built close to their front property lines, for example 13-14th Streets on the north side and 15<sup>th</sup>-18th Streets on the south side, where the average lots are 40 x 80 feet. And in the block between 17<sup>th</sup> and 18<sup>th</sup> Streets there are 8 parcels one of which is used for parking. In contrast, the north side of the same block in the same space has two parcels, a bait shop and a car wash. Because some large retail buildings have long bland walls, with no windows or entrances; there are large gaps in the urban streetscape that make it more difficult for businesses to interact synergetically. Higher density retail development is taking place on some of the north south streets between Broadway and X Street.

The portion of the Tower District surrounding the project site is largely pedestrian oriented in design in the sense that most properties within the area are developed with buildings with little or no setback, with either no parking or parking located to the rear or to the side of buildings. No existing drive-thrus are present west of 24<sup>th</sup> Street on Broadway. The proposed project, with minimal setbacks and with parking to the rear and interior side of the site, is consistent with this pedestrian oriented design.

Although proposed drive-thru component of the proposed project is certainly auto oriented, it is difficult to conclude that this is inconsistent or incompatible with existing development in the area. Given the drive-thru component of the project, its site and building design, particularly with the proposed colonnade structure along Broadway, does maximize orientation to the street, and does minimize, curb cuts and gaps in the streetwall, consistent with the goals of pedestrian oriented design.

The design of the proposed project is consistent with the Streetscape and Infrastructure recommendations to "preserve and enhance the distinctive scale and character of Broadway", specifically the following: 1) Place buildings near

the street with parking in the rear 2) Minimize gaps between parcels in the "building walls" 3) Encourage massing and detailing that is in scale with the streets and neighborhoods, and 4) Encourage diverse building designs created for specific sites, rather than a corporate design that is not in keeping with the overall urban character of the Corridor.

The project, with its orientation to the street is consistent with the overall vision for the Broadway Corridor, as expressed within the Task Force report specifically as relates to the following points of the vision statement:

- 1) A vibrant active business district with a strong and diverse retail base
- 2) A safe clean and visually pleasing business corridor that continually attracts numerous return customers.
- 3) A concentration of retail, residential and office uses that contribute to increased activities compatible with nearby residential neighborhoods.
- 4) A corridor where customers can easily utilize retail services through better pedestrian access, improved traffic conditions and more available parking.
- 5) An improved streetscape and infrastructure that promotes and enhances Broadway's unique character.

Pursuant to the recommendations in this report, staff has evaluated the proposal pursuant to the Task Force recommendations and the proposed design guidelines. Staff's ultimate findings regarding this project are based upon existing Zoning Ordinance regulations and guidelines.

## B. Zoning Requirements/Site Plan Design

### 1. Current Zoning

The project site is located in the General Commercial (C-2) zone. The General Commercial (C-2) zone is a zone which provides for the sale of commodities, or performance of services, including repair facilities, small wholesale stores or distributors, and limited processing and packaging. The proposed Walgreens's store and the proposed restaurant are allowed by right in the General Commercial (C-2) zone. The drive-up service facility window is allowed in the General Commercial (C-2) zone (or any zone) with approval of a Special Permit.

### 2. Setbacks

The proposal meets the required rear setback and interior side yard setbacks requirement of the Zoning Code. The applicant is requesting variances to reduce the front yard setback and the street side yard setbacks on both 14<sup>th</sup> and 15<sup>th</sup> Streets.

Although the Walgreens's building will be set back 10 feet from the face of the existing curb, the project requires a front yard setback variance for the following reason: The City's General Plan identifies the ultimate right of way width for Broadway at 100 feet. Currently Broadway is developed at an 80 foot width. Therefore, projects which proposed new construction must "dedicate" 10 feet of right of way (with no permanent structures located in this area) to accommodate the possibility of future widening of the street. Therefore, although the project will technically have 0 front setback, in actuality the Walgreens's structure will be located 10 feet back from the back of sidewalk. Staff encouraged the applicant to locate the building as close as legally possible to the street, to encourage pedestrian friendly design, and to provide pedestrian friendly landscaping and paving treatment in this 10 foot area. The likelihood that road widening will result in an actual zero setback in the foreseeable future is low, particularly given the fact that many existing buildings lie within this 10 foot area.

Staff is supportive of the location of the proposed structures with zero street side yard setbacks, again to encourage pedestrian friendly design and to provide a street presence.

### 3. Trash Enclosure

The applicant's proposal includes placement of trash enclosure for the Walgreens's on the north property line. The site plan will be revised to provide placement of the trash enclosure for the restaurant building directly to the northwest of the restaurant. The enclosures will be conditioned to be constructed of materials compatible with the architecture of the proposed main structures. The proposal complies with section 34 of the Zoning Ordinance.

### 4. Parking

In the Central City, Zoning Code requires one space for every 400 square feet of retail space up to 9,600 square feet, and one space per 250 square feet for space in excess of 9,600 square feet. Restaurants require one space for every three seats for restaurant land uses. The project proposes 69 parking spaces, with 40 spaces on the Walgreens's parcel and 29 spaces on the restaurant parcel. The proposed Walgreens's would require 43 spaces, leaving 26 spaces available for the restaurant, thereby allowing 78 seats. The project will be conditioned to amend the proposed lot line adjustment to provide 43 seats on the Walgreens's parcel and 26 spaces on the restaurant parcel. The project will also be conditioned to require a reciprocal parking/access easement between the two subject parcels. The project will require 7 bicycle parking spaces, four of which are required by ordinance to be Class I (enclosed) facilities. The project

plan identifies bicycle parking areas for the Walgreens's and restaurant buildings. The project will be conditioned to provide the required number of facilities.

#### 5. Vehicle Circulation

The project site is accessible from 14<sup>th</sup> Street, 15<sup>th</sup> Street, and from Broadway. The 15<sup>th</sup> Street access would remain as currently configured, the 14<sup>th</sup> Street access point would utilize the existing access easement along the abandoned alley between X Street and Broadway, and the two existing driveways on Broadway would be removed and replaced with one driveway access.

The pharmacy drive-thru would be accessed from the east, and exit via the 14<sup>th</sup> Street driveway. The site plan has been revised from the original project submission to address Public Works concerns regarding line-of sight and vehicle conflicts related to the pharmacy drive-thru lane, as well as to comply with the requirements of the existing access easement in the abandoned alley to the north of the property. Public Works has approved the revised design.

#### 6. Pedestrian Circulation/Access

Most pedestrians inside the parking lot must approach the Walgreens's and restaurant entrances by crossing a traffic aisle. This is typical of most, if not all, parking lot circulation patterns. The site plan shows a walkway utilizing alternative paving materials, crossing the pharmacy drive-up lane. Pedestrians approaching from outside the parking lot may enter the buildings from entrances facing directly on Broadway to the south. Pedestrians accessing the restaurant site from the west must cross the drive-way accessing the site from Broadway, however, the project results in a decrease from the existing two driveways accessing the site, to one driveway. The site plan provides adequate opportunity for pedestrians to view vehicles as they enter and exit the Broadway access. Recent improvements along this segment of Broadway, including bulbing at street corners and the installation of vertical curbs, has improved pedestrian safety in the area.

#### 7. Landscaping/Shading

The Zoning Ordinance requires 50 per cent shading of the paved parking lot area within 15 years. The applicant has submitted a plan which will exceed this requirement (50.8 per cent shading). The project will be conditioned to add additional landscaping along the pharmacy drive-thru lane, and to add two trees along the north side of the restaurant building, consistent with the landscape plan submitted at the Design Review/Preservation Board hearing on December 20

## 8. Signage

The applicant is proposing two wall mounted signs on the Walgreens's building. The lettering is proposed to be 45" high on the 14<sup>th</sup> Street corner, and 28" high on the tower at the main entrance to the building. The project also proposes a 24 square foot Walgreens's monument sign on the restaurant parcel. No signage has been proposed for the restaurant parcel. The number of signs proposed is permissible in the C-2 zone. The signage proposed is well below the square footage limits in the City's Sign Ordinance. The project is subject to Design Review, and a condition has placed on the project to provide a sign program for review and approval by Design Review staff. The project does require a variance for placement of a Walgreens's monument sign on the restaurant parcel. Staff supports this request. Given the configuration of the project, staff's position is that the placement of the sign is reasonable, to alert motorists on 15<sup>th</sup> Street that the Walgreens's may be accessed from the 15<sup>th</sup> Street driveway. The project will be conditioned to prohibit detached signage on the Walgreens parcel with the exception of directional signage.

## 9. Lighting

A building and parking lot lighting plan has not been provided as part of the project. The applicant is coordinating with Caltrans staff to provide lighting fixtures which are consistent with what will be used for the 15<sup>th</sup>-16 Street W-X Freeway Underpass project, which is funded and in the design phase. Fixtures for this project have not been chosen. Building and parking lot lighting fixtures must be provided for Design Review staff approval prior to issuance of a building permit. Additionally the lighting plan must meet the following requirements: 1) Shielding shall be installed on all on-site overhead lighting such that lighting shall reflect away from residential areas and public streets. 2) Illumination in the parking lot shall be maintained between the hours of dusk and one hour after sunrise at a minimum of 1.5 foot candles per square foot of parking lot. Illumination at a minimum of .25 foot candles per square foot shall be maintained at the surface of any walkway, alcove, or passageway related to the building between the hours of dusk and one hour after sunrise.

## 10. Drive-Up Service Facility Requirements

The Zoning Ordinance (Section 2-E-44) lists three findings which must be made by the Planning Commission in order to grant a Special Permit for a drive-up service facility. These findings are:

- a. The design and location of the facility will not contribute to increased

congestion on public or private streets or alleys adjacent to the subject property;

- b. The design and location of the facility will not impede access to or exiting from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement, and
- c. The design and location of the facility will not create a nuisance for the adjacent properties.

The proposed drive-up pharmacy window has been designed to provide 100 feet of stacking. The window will be used for pickup of prescriptions only. No sale of other retail items shall occur at the window. The Zoning Ordinance requires 180 feet of stacking area for a drive-up service facility window, and therefore requires a variance from this requirement.

In evaluating this request, staff referred to a traffic study, conducted by Kimley-Horn and Associates, Inc. and prepared for the Rite-Aid Corporation. The study was conducted at eight sites in various East coast states. The purpose of the study was to determine the appropriate queuing length for a pharmacy drive through lane. It was found that the storage length required for a pharmacy with one drive-thru window was 80 feet. The storage length required for a pharmacy with two drive thru windows was found to be 60 feet.

To verify these findings for Sacramento based drug stores, a drive-thru count was conducted by City staff at three different locations with similar land use and building size. The purpose of this count was to monitor the operation of the drop-off and pick up prescription only drive-thru lane and to determine if the queuing /stacking length used is sufficient. The findings of the Sacramento based drive-thru counts were consistent with the Rite Aid study. Furthermore, the proposed project is designating 100 feet for storage in the drive-thru lane which is more than adequate. Staff therefore, supports the variance to reduce the stacking distance for the drive-thru lane.

Minimal parking is provided north of the Walgreens's building near the drive-up service facility. A pedestrian pathway is provided from the parking which is provided in this area, across the drive thru lane to the Walgreens's entrance. Therefore, the drive-up window is not anticipated to impede normal site circulation for the project site store, nor will it create dangers to pedestrians within the site. Although residential property is located approximately 170 feet from the drive through window (separated by 14<sup>th</sup> Street), lighting conditions and landscaping buffers have been included as conditions of approval in the project to prevent any nuisance to these residences. Based upon the proposed

facility design and project conditions, staff is able to make the required findings for the Special Permit.

#### 11. Loading Space

The Zoning Ordinance requires that retail stores over 10,000 square feet require a loading space. The space is to be a minimum of 10 feet wide, and 40 feet long. The proposed Walgreens's therefore requires a loading space. The applicant originally proposed to provide off-site loading, on 14<sup>th</sup> Street. However, due to concerns regarding interference with pedestrian and auto circulation, the applicant revised the proposal to utilize an area of the parking lot for loading. The space will use 4 on-site parking spaces, when loading is occurring. Walgreens's receives deliveries a maximum of 2 times per week, with loading time lasting a maximum of 30 minutes. The project will be conditioned such that loading will occur between the hours of 10am and noon, so that loading will occur neither during times of peak parking demand, nor during late night hours.

#### C. Lot Line Adjustment

The applicant is requesting a lot line adjustment to relocate an existing property line between the two parcels on the project site. The reason for the lot line adjustment is so that adequate on-site parking can be provided on site for each of the proposed uses. As previously mentioned, the project will be conditioned to amend the lot line adjustment to include 43 parking spaces for the Walgreens's parcel. Staff has no objection to the proposed lot line adjustment.

#### D. Easement Issues

Several easements exist on the proposed project site. These easements include a ten foot Public Utility Easement (PUE) adjacent to Broadway, a 12'6" PUE adjacent to 14<sup>th</sup> Street, the southern half of a 20 foot PUE located in the abandoned alley on the north of the project, and a 25 foot ingress/egress easement which is located on the western half of the property, and encompasses the abandoned alley, plus a 5 foot strip of property, immediately adjacent to the abandoned alley, on the project site.

The 10 foot PUE along Broadway coincides with the 10 foot dedication requirement for Broadway. The easement is not currently being used and is not proposed to be used for utilities. The project proposes trellises along Broadway, which would encroach into this 10 foot area. An encroachment permit will be necessary for this trellis. However, permanent improvements are not proposed for this area.

The project does propose to construct the Walgreens's building within the 12.5 foot

PUE along 14<sup>th</sup> Street. This will require an abandonment of this PUE. The easement is not currently being used, and the applicant is currently proceeding with the abandonment process for this PUE. In the event that this abandonment is not ultimately approved, the applicant has submitted an alternative plan, which reduces the size of the Walgreens's building to accommodate this PUE.

The applicant has revised the site plan for the project to maintain ingress and egress, via the abandoned alley, from 14<sup>th</sup> Street. The proposed plan allows sufficient access to accommodate ingress and egress from the proposed project directly to the north of the Walgreens's building. However, the proposed plan does still include a trash compactor and four parking spaces within this easement. The project will be conditioned to require that the applicant obtain written permission from the property owner to the north of the site, to allow the proposed construction within the ingress egress easement.

On the eastern half of the project site, the existing PUE does contain an 8" combined sewer/drain line which serves the gas station to the north as well as both parcels on the project site. The Utilities Department has conditioned the that the project eliminate the planter, with trees, which was originally proposed over this area. The applicant will revise the site plan to provide bumper curbs along this PUE, and reduce the size of the planters such that they remain out of the PUE.

#### E. Building/Site Design/ Design Review

On December 20, 2000, the project was heard before the Design Review preservation Board. Staff recommended approval of the project, with conditions.

In the staff report to the Board, staff made the following observations:

##### Site Design

Design Principle A.2 states the applicant should " Locate structures to create usable outdoor places and continuity of desirable characteristics of adjoining structures also on the street face. In addition, Principle A.1 recommends that clearly defined spaces be provided to create a sense of place, or to provide "Placemaking".

Although moving the restaurant building mass along Broadway is preferred, staff feels that the alternative proposed is acceptable. The colonnade element brings massing to the street, while maintaining the building as the applicant originally proposed. Staff feels that the placement of the Walgreens's building is acceptable, maximizing street frontage. Placement of the smaller restaurant building adequately utilizes the site, maximizing useable outdoor places, and creates a sense of place.

Guideline 3.A.s.5 recommends that the applicant should "avoid outdoor spaces that

are inappropriately scaled for their use, or that do not have a clearly defined use" the corner placement of the buildings eliminates unusable areas and maximizes pedestrian interaction. The outdoor café area proposed should meet Principle M.1, recommendation that the sidewalk café design complement the building design and character. Any proposed site furnishings should also meet Principle B.7, recommending that outdoor furnishings compliment the proposed structure and landscaping design.

The Walgreens's building originally had no entrances or fenestration at the corner of 14<sup>th</sup> and Broadway. The applicant has now added glass block to the drum element. Fenestration and interaction with the corner is essential. By providing fenestration and or entries directly relating to street frontages, the project will comply with Principle A.5. Activity and openings at the building corners will also aid in complying with Principal A.6 related to providing "the greatest sense of safety, comfort, aesthetic pleasure and connection to building activities at edges where structures adjoin the public areas. Maximum visibility and observation is also obtained, complying with Principal A.8

Additionally, the applicant proposed a drive-thru pharmacy window at the north face of the building. This type of use is less intensive than a typical fast food drive-thru, and staff is supportive of the placement. The canopy at the drive-thru must be well integrated into the building design.

Auto access to the site is proposed via a driveway off of Broadway, in addition to access from 14<sup>th</sup> and 15<sup>th</sup> Streets. The proposal eliminates an existing driveway that currently exists off of Broadway. Design Principle A.7 indicates that the applicant must "Design garages, parking areas, driveway, and service access to minimize their impact on pedestrians and diminish the visibility from the street? Figure 3.21 indicates a preference for the building to be placed at the street and parking at the rear. IN this proposal, most of the parking is at the rear of the site. The parking between the two buildings visible from Broadway will be additionally screened with the canopy/colonnade elements in addition to landscaping.

Landscaping to shade the parking area is proposed, with trees and shrubbery. Existing street trees are indicated, and will be retained along Broadway and the side streets. Trees in keeping with the typical planting along Broadway should be used, with London Plane trees being the popular choice. Staff feels that with paved outdoor and landscaped areas, the project meets the public open space Principle A.4 based on the scale and use of the project. All planting should have an urban quality per Principle B.1 and a variety of plantings, per Principal B.2. Irrigation should be provided per Principal B.6. Trees provided should be a minimum of 24 inch box. Walls and fencing proposed must comply with Principal B.5 recommending at walls and fences "reflect the style, materials, colors, and architectural character of the building and site." The

colonnade design should be reviewed and the applicant should provide additional information and details of the proposal for staff and the Boards.

Design Principle F.2 states that "Service storage, trash and loading functions should not be located in a position so as to negatively impact adjacent properties." A trash enclosure and a compactor are indicated on the site plan. These elements must be well screened from street view and must have landscaping on tree sides to best screen them from parking areas. Final design, materials and colors of these enclosures/elements must be reviewed and approved by Design Review staff prior to installation. Backflow prevention devices, SMUD boxes, etc., should also be placed where not visible from street views, and screened from any pedestrian view with landscaping and /or other approved elements.

The Board's guidelines state that the exterior lighting style and design should best compliment the character and design of adjacent structures." The applicant has not provided staff with information on lighting. Site and building light fixture design, material and color shall be provided for review by staff and the Board at the hearing. Staff recommends a maximum of height of 14' for parking lot lighting.

Decorative paving is encouraged under Principle B.3. Although more upscale materials are suggested, Guideline 3.B.3.3 states that "concrete can be finished in a variety of ways to create interest and character.. The applicant has indicated paving, but no specific materials or colors have been articulated. Final paving colors and materials should be brought to the Board hearing.

All site signs must meet the Board's criteria that signage be oriented toward the pedestrian (Design Principle E.2). Signs should be of the highest quality per Principle E.3. The applicant has not submitted signage information other than the signage shown on the elevations. A final sign program shall be provided for review and approval by the Board. Staff recommends minimizing the number of signs, and that all approved sign be in appropriate scale. The Board is requested to provide design direction on signage.

Bicycle parking and storage must comply with principle B.8 recommending that it be conveniently placed for the bicyclist, and allow for surveillance from building users.

### Building Design

The applicant proposes a plaster exterior building, with elements evoking an Art Deco theme. Principle C.8 states that projects should have "material textures and colors selected to further articulate the building design". The use of glass block, geometric forms, glazed mosaic tile, and pastel tones will help enhance the building design

theme. Staff recommends that the street wall/colonnade element be further developed and detailed to help screen the parking and to provide a cohesive streetscape across the Broadway streetscape.

The proposed project generally meets the Design Principle C.1 which requires a coherent design concept with appropriate scale and continuity of design on all faces. The project as proposed complies with the scale, height and massing indicated in Principle C.3. Staff feels that, while advocating for some additional massing on the restaurant building, the project massing is compatible with its surrounding, give the location of buildings in the vicinity. This harmony with adjacent structures will help the project comply with Principal C.2 related to relationship to surroundings. Shadow casting details, details at fenestration, planar changes, and other finer grain detailing of the building will help to comply with Principal C.4., recommending that projects "incorporated the scale and level of detail that is typical of well design buildings in the surrounding area

Quality of detailing is also important for the project, to comply with Principle C.7

The entries as proposed are in scale with the project, and relate to the street frontage per Principle A.5. Clear glazing should also be incorporated to maximize the pedestrian/user interaction.

The applicant has not provided floor plans to the two buildings. Staff recommends that floor plans be provided at the Board hearing to best understand the proposed fenestration of each structure. In addition, details explaining how the parapet, sills. Base. Pilasters, canopies, and other building details will be handled on the project.

The parapet wall should be screened to fully screen any roof mounted equipment from any street view, per the Board's guidelines, Principle F.4.

#### F. Appeal of the Decision of the Design Review and Preservation Board

After hearing testimony on the project, the Design Review/Preservation Board took action to approve the project. However, the Board added the following condition of approval to the staff recommended conditions:

Board approved a motion with the following amended conditions: Approve the project with the condition that the drugstore building be relocated to the corner of 15<sup>th</sup> and Broadway and the smaller restaurant building be moved to the 14<sup>th</sup> and Broadway corner. The residual details will be a result of meeting with the applicant, staff, and the 3 member Board subcommittee consisting of Steven Goldstein, Bob McCabe, and Eric Fuller.

Although the applicant has no objections to the staff recommended conditions of

approval (as listed in the Notice of Decision-Attachment C), the applicant has appealed the Board's condition of approval. The appeal states the applicant's position that the current proposed location for the restaurant and outdoor café and 15<sup>th</sup> and Broadway would create a more active use for the corner of 15<sup>th</sup> and Broadway than a larger retail building. This proposed use will compliment the similar active intensive uses at the Tower Theater and café, thereby clustering and amplifying activity at the intersection and creating an entertainment destination. This configuration, with the landmark-type architecture of the proposed Walgreens's adjacent to this entertainment cluster (rather than divisory of it) will be more beneficial to the Broadway area.

Planning and Design Review Staff's position is in agreement with that of the applicant. Public Works staff has also stated that the applicants proposed configuration is preferable to the Design Review Board's suggested "switch" of the building, due to concerns regarding the operation of the drive thru lane proximity to the 15<sup>th</sup> Street entrance. Staff recommends that the Planning Commission approve the appeal of the Design Review/Preservation Board's condition, and condition the project per staff's recommended conditions of approval, as detailed in the attached Notice of Decision.

PROJECT REVIEW PROCESS:

A. Environmental Review

1. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared.

B. Public/Neighborhood/Business Association Comments

Community groups including the Sierra Curtis Neighborhood Association, the Broadway Business Association, and the Land Park Community Association were notified of this project. Land owners within a 500 foot radius of the project site were also notified of the project proposal.

Planning staff has received preliminary comments from the Land Park Community Association regarding the Negative Declaration on the project, and has been informed that a comment letter will be forthcoming. The Land Park Community Association and the Sierra Curtis Neighborhood Association submitted letters of comment at the Design Review hearing on December 20. These letters are attached.

The Sierra Curtis Neighborhood Association letter expressed general support for the project. The letter stated that although they generally oppose drive-thru uses as incompatible with the aesthetics and with the pedestrian focus they desire, they saw a distinction where the drive through is a pharmacy drive through, and that the pharmacy drive-thru feature would be an asset to the neighborhood, particularly the substantial senior population. The letter did request consideration of eliminating driveway access to the project along Broadway.

The Land Park Community Association Letter (Attachment D) provided a substantial number of points of opposition/concern regarding the project. These are outlined below, with staff responses following each point, in italics:

#### MAJOR CENTRAL CITY GUIDELINES IGNORED:

The City's current Design Guidelines call for building mass to create street walls, encourage urban design and encourage actual pedestrian activity. The project ignores the design principles that would improve the heart of the Tower District. In fact, the proposal actually diminishes building mass by demolishing the existing restaurant that you see when you enter the heart of the Tower District on 15<sup>th</sup> Street.

*The project does comply with the Central City Design Guidelines by locating the proposed buildings close to the street, providing outdoor seating adjacent to the street, providing parking to the rear and interior side of the building, and maintaining the street wall proximate to the restaurant by means of a colonnade along Broadway.*

#### RESTAURANT MASSING IS INADEQUATE:

A small 2,400 square foot restaurant would be isolated and surrounded by a sea of asphalt. The applicant indicated that Walgreens's is requiring that the drug store building be "seen" by drivers going south on 15<sup>th</sup> Street and west on Broadway. The applicant appears to be accommodating Walgreens's requirement rather than conforming to the Central City Design Guidelines.

*In response to community and staff concerns, the applicant has revised the project to provide a modest increase in the size of the restaurant building (from 60' x 40' to 68'x43'). The applicant has also increased the parapet height of the building from 15 feet to 21.5 feet, to increase massing on the street wall. Although even more mass along Broadway would be desirable, the project has been designed to be consistent with the Central City Design Guidelines. The restaurant is located directly adjacent to the street, provides outdoor dining*

*adjacent to the street and provides parking interior to the site. The project does not provide excessive parking. The site plan is, to some degree accommodating to the requirements of the prospective major tenant. However, not to the extent that consistency with the Design Guidelines has been forfeited.*

The 2,400 square feet of restaurant is approximately half the size of the existing Ho Sy Guy Restaurant (a.k.a. Denny's) and two-thirds the size of the existing McDonald's. IN fact, this design guarantees at only another "fast food" restaurant (Starbuck's, La Bou) would operate at this site, when a larger building would generate more visibility and potentially other uses.

*It is true that the proposed restaurant is smaller than the existing restaurants on the site. However, when taking into account the proposed Walgreens's, building massing on the whole site is substantially increased. The applicant had originally stated that the restaurant would be a sit-down restaurant, and traffic generation had been calculated on this basis. The applicant has since amended their position to request that Coffee houses, Juice Bars (such as Jamba Juice), Delis, Mexican Restaurants (such as Dos Coyotes or Chipotle) be included as possible tenants for the restaurant. These proposed uses are allowed in the C-2 zone. In addition, despite the slightly increased size of the restaurant, and the possibility that the restaurant could be considered a fast food restaurant for traffic generation purposes, the proposed projects would still not generate a sufficient number of trips to require a traffic study.*

The total square footage of both parcels is 52,564 square feet and the buildings' square footage is 17,200-a gross under-utilization of these major opportunity sites. If you were considering the restaurant alone (2400 sf building on a 25,500 parcel it's easy to see that it's grossly inadequate. With the lot line adjustment of this proposal the project is basically a drug store with a sea of parking as if it's a project at a suburban intersection.

*At a .300 FAR the project is more intensive than the retail center developed at 1901 J Street (.239 FAR) which is generally considered to be an appropriately designed urban project. The project does not provide more parking than prescribed as the minimum requirement for commercial uses in the Central City.*

It would be better to keep the existing Ho Sy Guy restaurant (a.k.a Denny's) because of its larger scale and design. The 4,400 sf building would compliment the proposed Walgreens's and provide a larger presence when entering the Tower District.

*The applicant is attempting to create a comprehensive design concept which is marketable to prospective restaurant tenants. The existing restaurant is not*

*compatible with the Art Deco style of Design characteristic of the Tower District. Also, preservation of the existing building would result in insufficient parking for the site as a whole.*

#### TOWER DISTRICT'S URBAN SIGNIFICANCE IF BEING IGNORED

The site is a major opportunity site within the Tower District. 15<sup>th</sup> Street is the major entrance to the center of the Tower District. Major activities to promote the Tower District are being undertaken:

A Tower Theater Preservation District is being proposed that would include the Tower Theater building, Old Melarkey's and the historic building west of the theater to 14<sup>th</sup> Street directly across from the project. In order to compliment this district, the project must reflect the existing building scale and design and promote pedestrian activity.

*It is staff's position that the project has been designed to complement the existing building scale and design of the District. The proposed buildings are designed to relate to Broadway and particularly the street corners, with parking located to the rear and interior side of the buildings. This configuration is consistent with the buildings mentioned, with the exception of the building west of the Tower Theater which provides parking in front as well as to the rear of the building, an existing condition which is inconsistent with the Central City Design Guidelines.*

The City has designated Broadway as a "neighborhood commercial revitalization area: where the City will foster development the "builds on existing and/or historical assets". In addition, new street infrastructure has been made in the district. The District's unique character must be maintained and enhanced, and the most must be made of every parcel, particularly in the heart of the Tower District. This design underutilizes the parcel.

*It is staff's position that the project does not underutilize the parcel by any objective measure. No regulations are currently in effect which provide minimum heights or minimum Floor to Area ratios. The project provides the minimum amount of parking prescribed in the Zoning Code for the proposed uses. It should be noted that with the exception of the drive-thru lane (which is subject to approval of a Special Permit) there are no entitlements required for the use proposed. The entitlements requested are setback variances to bring the proposed buildings closer to the street.*

The City Council selected the Greater Broadway Partnership as a "model for the Main Street Program". Partnership members will be trained in the "Main Street

Approach to Revitalization" in anticipation of being selected as a Main Street District. This program helps develop organizations to increase retail activities, enhance existing building design and protect the Tower District as an urban area. The District needs urban designs that will enhance and create more pedestrian activity and density. This project only goes half way and ignores the urban massing of the area.

*It is staff's position that the project will enhance existing building design, increase retail activity, and increase pedestrian activity in the area, consistent with the existing development pattern in the area.*

Approving a drive-through in the Tower District is inconsistent with the pedestrian activity and urban nature of the Tower Theater. The community has consistently stated that drive-throughs should not be allowed in the Tower District (21<sup>st</sup> Street to Riverside Boulevard). The Planning Commission and the Design Review Board opposed a drive through on this site in 1992 because of adverse impacts to pedestrian use and the desire to increase pedestrian uses in the Tower District. Approving this Special Permit would encourage other drive throughs to locate in the Tower District.

*The proposed drive-thru is a prescription only drive-thru which will be a much lower intensity use than a typical fast food drive-thru. This element of the project provides a service to seniors and customers in ill health, who are not physically able, or who prefer not to walk-in to a commercial facility. Staff's position is that allowing this type of drive-thru facility would not set a precedent for allowing fast food or other high intensity drive thrus in the Tower District. Also, permitting this type of drive-thru would not sacrifice pedestrian activity which would otherwise occur in the area. During the December 20 Design Review/Preservation hearing, the Board expressed support for the drive-thru facility, with one Board Member stating the position that a pharmacy drive-thru is a "completely different land use" than a fast food drive-thru.*

#### THE PROJECT SETS A "DOUBLE STANDARD" FOR PEDESTRIAN ACTIVITY

The Central City Design Guidelines say that buildings should encourage actual pedestrian activity. Prior developments along Broadway were required to include entrances on busy corners at 13<sup>th</sup> and Broadway (the Asian Market) and the northwest corner of Riverside and Broadway (Lux Taylor property). Yet, this project-which has more pedestrian activity at 14<sup>th</sup> Street in the core of the Tower District-reuses to incorporate an entrance at 14<sup>th</sup> Street. Adding "window blocks" to give the appearance of pedestrian interaction does not meet the design guidelines of increasing actual activity and lowers the standard that has been required by this Board.

*The Design Guidelines state (Principle 3.A.5) "Provide clearly defined site and building entries that are in scale with the proposed project, and that relate directly to the street" and (Principle 3.A.6) Provide pedestrians with the greatest possible sense of safety, comfort, aesthetic pleasure and connection to building activities at edges where structures adjoin the street. Principle 3.A.8 states "Design projects to build in safety with maximum visibility and opportunity for observation, as well as ensuring adequate sight distance in circulation systems" Guidelines 3.A.8.5 states that "The first floor of a building fronting or siding on a street should have a minimum of 30% of its length in windows. There should be no lengths of walls in excess of 40 feet without windows" Although Planning and Design Review staff expressed a preference that an entrance be located at the corner of 14<sup>th</sup> Street, it should be noted that the project does comply with the aforementioned guidelines and principles. The project does provide a clearly defined entrance that relates directly to the street, and provide well in excess of 30% of the length of both the Broadway and 14<sup>th</sup> Street elevations with windows. The lack of an entry way at the corner of 14<sup>th</sup> and Broadway does represent a concession to the requirements of the proposed tenant, but not at the expense of inconsistency with the Guidelines.*

An attachment to the letter, titled "Proposed Improvements To The Project" echoes many of the concerns expressed in the letter. The concerns are paraphrased as follows:

1. Massing and 2. Pedestrian Interaction and Street Wall on Broadway

The restaurant building should have a larger mass and street wall, and should duplicate the street wall that is created by the Tower Theater and Bank of America building.

*Staff encouraged the applicant to provide a larger restaurant building and/or orient the longer side of the building to the Broadway frontage. The applicant explored the feasibility of rotating the building and has determined that this is not a viable option for them. The applicant has provided a colonnade along Broadway, which extends the street wall and brings massing to the street. The applicant has also provided a modest increase in the size of the building, and increase parapet wall heights to provide more mass. Although moving the building mass along Broadway is preferred, alternative proposed is acceptable.*

3. Landscape Plan

Nothing in the report requires that London Plane trees be kept along Broadway. They are also encouraged along 15<sup>th</sup> Street. A landscape plan should be

submitted and approved by DRB.

*The project has been conditioned that a landscape plan is to be reviewed and approved by Design Review staff. The project is also conditioned to retain existing street trees and to add new trees along 15<sup>th</sup> Street.*

#### 4. Signage Plan

A signage plan still has not been provided and should be approved with the application to ensure consistent signage and to ensure location, quality of materials both on buildings and on site. Signage should be of the best quality and design. Signage should be kept to a minimum and the monument sign on 15<sup>th</sup> Street should be eliminated.

*A complete Signage Plan has not been submitted, and will therefore be subject to review and approval by Design Review Staff. No signage has been proposed for the restaurant as the tenant is not yet known. The number, size and location for the attached Walgreens signs complies with the limitations of the City's Sign Ordinance, but is subject to Design Review approval due to the project's location in the Central City Design Review District. As previously explained, the proposed monument sign is supported by staff.*

#### 5. Drive thru

Drive thru customers utilize Broadway's limited traffic capacity and do not provide business to other retail stores in the Corridor. Drive thrus are counter to pedestrian orientation. Approving a drive thru would establish a precedent.

*This comment has been addressed in response to the comments made in the main letter.*

#### 6. Traffic Study

*Response to these comments will be addressed in the response to comments made in the preliminary comments on the Initial Study, which follows.*

#### 7. CEQA Compliance

*Response to these comments will be addressed in the response to comments made in the preliminary comments on the Initial Study, which follows.*

#### 8. Lighting

A lighting plan must be approved with the proposed project.

*The project has been conditioned such that final light fixture and parking lot lighting shall be reviewed and approved by Design Review staff. Lighting shall be conditioned to provide 1.5 footcandles of illumination per square foot, and .25 foot candles for all walkways.*

#### 9. Parking requirements

Rather than provide required parking on-site, there is an opportunity to share parking with the parcel north of the project site at 14<sup>th</sup> and X and also the gas station, thus allowing more space for building square footage.

*The parcel at 14<sup>th</sup> and X is proposed for development, and is not providing excess parking. The concept of providing off-site parking at the adjacent gas station was suggested to the applicant, however, staff feels that it would be inappropriate to require the applicant to obtain off-site parking from another property owner when it is feasible to provide on-site parking.*

#### 10. Ingress/Egress

The driveway on Broadway should be eliminated for safety of pedestrian and to eliminate traffic congestion on Broadway.

*The proposed project decreases the number of driveways on Broadway from two to one. At 26 feet in width, the proposed driveway is the minimum width necessary to provide adequate maneuvering area for the proposed parking spaces. Staff's position is that providing one access point off of Broadway is reasonable, particularly given that the project will actually reduce the number of access points off of Broadway.*

#### 11. Loading and Unloading

Frequency and allowed times for loading/unloading are not identified, so we can't determine if it will impact parking.

*Loading/Unloading will be limited to a maximum of twice per week for a maximum of 30 minutes. Loading times will be conditioned to be between 10am-12pm so that on site parking will not be reduce during peak hours.*

#### 12. SMUD boxes, bike racks, storage

These are not incorporated into the site plan and must be identified so they are

integrated into the overall architectural features.

*Bike rack areas are shown on the project plans, and the project will be conditioned to provide the required number and type of bicycle parking spaces. The project is conditioned such that backflow prevention devices, SMUD boxes, etc. shall be placed where not visible from street views, and screened from any pedestrian view.*

### 13. Metal Awnings

These should be eliminated and cloth awnings used to reflect the current trend in the Tower District.

*The project has been conditioned such that final materials are subject to Design Staff review prior to construction, to ensure that harmony with adjacent structures is achieved. However, staff's position is that the project is generally compatible with adjacent structures.*

### 14. Paving on Sidewalks

The colored pavers on the sidewalk should be eliminated on city sidewalks. This treatment is more suburban in nature.

*The project is conditioned that sidewalks be retained, and if recast, must be in the historic score pattern and concrete color. Decorative brick pavers shall be placed at the entry in the setback area.*

## RESTAURANT COMMENTS

### 1. Massing:

The building massing and height do not reflect the importance of Broadway. The building massing could be increased by:

- Extending it forward to Broadway by at least 10 feet
- Extending the building west to create an L shaped building for more massing.
- Add a second story to the building

*As previously discussed, and increase in restaurant massing has been discussed with the applicant, and, although it is the preferred option, staff feels that the proposed project, with the colonnade providing additional street wall on Broadway, is an acceptable option. Current building placement allows for*

*outdoor café seating which will provide activity on the corner of 15<sup>th</sup> and Broadway.*

2. South Elevation:

Colonnade: While the wall has been increased slightly, it is still too small (approximately 15 feet) for a street wall. It should be raised to meet the first horizontal line of the restaurant building in order to unify more with the restaurant. Benches should be eliminated and a stronger wall structure should be developed with more interest.

*The proposed colonnade has been increased to provide the equivalent of a one story street wall along Broadway. Staff's position is that the proposed project does provide an adequate street wall along Broadway.*

Landscaping: A landscaping plan should be reviewed and approved by the Board. Keeping the existing London Plane trees is positive and they should have metal grids placed around them.

*The project has been conditioned such that the final landscape plan shall be reviewed and approved by staff.*

Café Seating: The café seating was increased and extended west. How many outdoor seats would the current site plan provide? The pavers have been extended in to four parking lot spaces to maximize outdoor café, which supports a major design guideline elements.

*The parking proposed allows for an 78 seat restaurant. This includes both indoor seating and outdoor seating on private property. Outdoor seating in the public right of way, if proposed would require an additional entitlement.*

Palm Trees: while the placement of palms tries to capture the feel of existing palm trees at the Tower Theater their placement should be more natural. This would include adding an odd number, rather than even number, to the number of palm trees and placing them in a close but random way.

*The project has been conditioned such that the final landscape plan is subject to Design Review staff approval. These comments will be taken into consideration during the review of the final plans.*

### 3. Signage

The project should not be approved without a signage plan. We don't know where signage would be placed. Signage should only be on the wedge, and be limited. Monument signs should not be allowed.

*As previously discussed the project is conditioned such that final signage plans must be approved by Design Review staff prior to project construction. The sign program will be evaluated relative to the Design Guidelines calling for signs of the highest quality. Design Review staff will ensure that signs proposed will be in appropriate scale. The signage proposed for the Walgreens building complies the sign ordinance in terms of number and square footage of signs. The project does not propose a Walgreens monument sign on the restaurant property, which is supported by staff.*

### 4. East Elevation

The design is not fully developed. 15<sup>th</sup> Street is a major entrance to the Tower District and should have more interest for both auto and pedestrian traffic. Add London Plane trees to 15<sup>th</sup> Street to continue the landscaping from Broadway.

*Staff supports the project as proposed. The project is compatible with the scale, height and massing of buildings in the vicinity and incorporates the level of detail that is typical of well designed buildings in the surrounding area. The project will be conditioned to provide London Plane trees in the 15<sup>th</sup> Street right of way.*

### 5. North Elevation

The north elevation needs to be both active and more interesting since it is the main entrance to the Tower District. Currently the building looks like a blank wall. Landscaping and more detail should be added.

Add irrigated landscaping next to the building's north elevation to soften the building.

Where is the trash enclosure for restaurant? It needs to be the same material as the building and have irrigated landscaping to soften walls and discourage graffiti.

*It is staff's position that the project complies with the Design Guidelines requiring a design concept with appropriate scale and continuity on all faces. The north elevation of the restaurant building provides a building entry and provides storefront windows along the entire elevation. Trees will also be provided.*

*adjacent to the north elevation of the restaurant. The trash enclosure for the restaurant will be provided directly to the northwest of the restaurant. The project is conditioned to match the building materials colors and finishes, and landscaping on three sides of the trash enclosures is required. The enclosures shall be reviewed and approved by Design Review staff prior to installation.*

#### DRUG STORE COMMENTS

Overall, the building is the right mass. However, there are some additional comments on the building design. All columns on the building above the parapet height need to be extended.

*Design Review staff and the applicant disagree that this modification would enhance the building design.*

The building is approximately 20 feet from the curb and should be moved 10 feet closer to Broadway to create an urban street wall. Pedestrian Interaction on Broadway: The proposed circular element at 14<sup>th</sup> and Broadway doesn't provide an interactive corner. The building should have a clearly defined entrance at 14<sup>th</sup> Street along with display windows.

*The building is located as close to Broadway as possible. The City Council adopted ultimate right of way width for Broadway at 100 feet. Currently Broadway is developed at an 80 foot width. Therefore, projects which propose new construction must "dedicate" 10 feet of right of way (with no permanent structures located in this area) to accommodate the possibility of future widening of the street. Therefore at 10 feet from the existing back of sidewalk, the project is as close to the street as is allowed under City Code. As previously discussed, although staff strongly recommended locating an entrance at the corner of 14<sup>th</sup> Street and Broadway, the proposed plan is consistent with the Central City Neighborhood Design Guidelines.*

Eliminate the driveway on Broadway and allow ingress and egress from 14<sup>th</sup> and 15<sup>th</sup> Streets.

*As previously discussed, it is staff's position that one access off Broadway is reasonable for this project, particularly given that the project will decrease the number of Broadway access points from two to one.*

Circular element on 14<sup>th</sup> and Broadway. While playful and trying to balance the wedge on the south elevation, it should be reconsidered. It currently looks like a water tank without any entrance, windows etc. While we thought a dome to mimic the arched stucco accent wall might work, it may be better to add a

dome or height to the drum.

*It is the position of staff that the proposed drum element is an appropriate feature of the Art Deco style proposed.*

## 2. North Elevation

The wall needs to be given more detail and interest because it is the entrance to the tower district. Add landscaping next to the building and between the parking lot to soften the building and eliminate graffiti.

*It is staff's position that the building complies with the Design Guidelines requiring continuity of design on all faces, providing columns and a weather protection structure for the drive-thru window which is consistent with the building design. Adequate space is not available to provide landscaping directly to the north of the building. However, landscaping is provided along the pharmacy drive thru lane to the north of the building.*

The following is a list of preliminary comments addressing the Initial Study/Negative Declaration for the project, with staff responses to these comments:

The City hasn't filed a Notice of intent according to CEQA 15072.

*On November 17, 2000, public notice was given (Published in the Daily Recorder) on January 11, 2001 a notice of intent was recorded with the county clerk that a Negative Declaration had been prepared for the 15<sup>th</sup> and Broadway Walgreens project.*

The initial study must reflect the project. A fast food restaurant that John Saca testified will be built on the site, rather than a sit down restaurant and the traffic study must also reflect these counts.

*Public Works staff has calculated traffic generation numbers based on the possibility of a restaurant which would be considered fast food for purposes of traffic generation. The calculation also took into account the increased square footage of the restaurant. Even given these modifications, the project will not generate a sufficient number of additional trips to warrant a traffic study.*

The project description is inadequate because it does not include: 1) removal of the existing restaurants, 2) removal of several mature trees 3) removal of other trees and landscaping, 4) the drive-thru window, 5) the off-site Walgreens's

sign, all major components of the project.

*1) The project description section identifies the existing buildings on site and identifies the new buildings to be constructed, but does not specifically mention that the existing buildings will be removed. New information will be added to the Negative Declaration to clarify that the existing buildings will be removed.*

*2)and 3) The project will remove several "mature" trees on the site, but the project will not result in a significant impact which exceeds the Standards of Significance for Biological Resources, specifically:*

*creation of a potential health hazard; or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;*

*Substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal*

*Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands) or*

*Violate the Heritage Tree Ordinance (93-066, amended)*

*New information will be added to clarify that 29 on-site trees will be removed from the site, and replaced with 22 on-site trees.*

*4) The drive-thru window is mentioned under the Project Location heading in the project description section, as well as in the entitlements section.*

*5) The entitlement necessary to locate an off-site sign identified in the Entitlements section of the Initial Study*

It is also inadequate because it does not describe the proposed restaurant as being a fast food restaurant, does not give the number of outside seats and does not mention the need for Planning Commission approval of the drive thru window.

*As previously stated, the applicant has stated that they would prefer to procure a sit-down restaurant tenant, they would request the option of locating a coffee house, juice bar (i.e., Jamba Juice), deli, or Mexican restaurant such as Dos Coyotes or Chipotle. These uses would be allowed in the C-2(General Commercial) zone without the necessity of an entitlement.. Traffic Generation*

*numbers were calculated to reflect these numbers, and the project still did not generate sufficient additional trips to necessitate a traffic study. The number of outdoor versus indoor seats is not known at this time. The 78 total seats on-site represents the allowable seating given the parking provided for the site. The Entitlement Section of the Initial Study cites that a Special Permit to allow a 24 hour drive thru window for a pharmacy is a required entitlement for the project.*

#### 1. Land Use

The Environmental setting is incorrect in saying that the major street access to the project is Broadway. Only vehicles proceeding west on Broadway would be able to access the project from Broadway, due to the left turn prohibition. 14<sup>th</sup> and 15<sup>th</sup> Streets must also be listed as major streets accessing the project.

*New information will be added clarifying that the project may be accessed from 14<sup>th</sup> and 15<sup>th</sup> Streets, as well as Broadway.*

The Design Review and Preservation Board, the City's authority on the subject, took strong exception to the staff's evaluation that the project conformed to the Central City Guidelines and conditioned their approval by a major change in the project layout, which is not included in the project description.

*The Design Review Board condition of approval specified that the site plan be "reversed" to locate the Walgreens's on 15<sup>th</sup> Street and the restaurant on 14<sup>th</sup> Street, to provide more building mass on 15<sup>th</sup> Street. This condition is not evidence that the Board took "strong exception" to staff's evaluation that the project conformed to the Central City guidelines, but rather that they viewed this as a preferable alternative. The applicant is appealing this decision, therefore, the reversed site plan is not a part of the proposed project description.*

#### 2. Population and Housing

The evaluation of potential impacts to population and housing is inadequate in that it does not evaluate General Plan Section 2, Goal A, Policy 6, that prohibits intrusion of incompatible uses into residential neighborhoods. Operation of the 24-hour drive thru window could be an unbearable intrusion into the 5 residential units facing the project on 14<sup>th</sup> Street.

*The standards of significance for population and housing are as follows:*

*For purposes of this analysis, an impact is considered significant if the project*

would induce substantial growth that is inconsistent with the approved land use plan for the area, or displace existing affordable housing. The proposed project is not anticipated to result in either of these effects. It should be noted that properties to the northwest of the site, which are currently occupied by residential uses, are zoned General Commercial (C-2), and are designated as General Commercial in the Central City Community Plan.

### 3. Seismicity, Soils and Geology

Answers to Checklist Questions- Question A is unclear and must be corrected. We do not know which roadway is part of the project.

*"Roadway" will be replaced by "project" in the Negative Declaration.*

### 4. Water

Answers to Checklist Questions-Question B mentions a prior EIR and Addendum. There are no such documents for this project. This must be corrected.

*The EIR and Addendum referenced in this answer is the Programmatic Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-year Floodplain (the "Policy") (M89-054) which was adopted by the City Council on February 6, 1990. The following clarifying language will be added to the Negative Declaration:*

*The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineate flood hazard zones for communities. The project site is currently within an area designated as an A99 flood zone by a Letter of Map Revision (LOMR) to the City's FIRM (dated July 6, 1998), issued by FEMA on May 22, 2000. This zone is applied to areas of the City which have less than 100-year flood protection; however, FEMA has determined that adequate progress has been made on a Federal-funded flood control project which, when completed, will provide 100-year flood protection to those areas. Implementation of the project will, therefore, expose people and/or property to the risk of injury and damage in the event of a 100-year, or greater, flood. These risks are considered significant adverse impacts under CEQA. The City of Sacramento has evaluated these risks associated with allowing development within the A-99 Flood Zone in the Programmatic Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (the "Policy") (M89-054) which was adopted by the City Council on February 6, 1990. Accordingly, the findings adopted by the Council*

*in connection with its certification of the Program EIR and its adoption of the Policy are applicable to the proposed project. These findings are set forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Flood Plain in the City of Sacramento. This Program EIR and Addendums thereto are available at the City of Sacramento, Planning and Building Department, 1231 I Street, Room 300, Sacramento.*

*In 1998, per congressional mandate to establish a Special Flood Hazard Area (SFHA) addressing flood control systems that no longer provide 100-year protection, FEMA issued a final flood elevation determination letter and revised the FIRM for portions of the Sacramento area, replacing the A99 designation with a new flood zone entitled AR Flood Zone. This AR zone was intended for communities, such as Sacramento, where a certified 100-year or greater flood protection system had been decertified due to updated hydrologic or other data. The AR zone allowed for development to continue, with some restrictions, while progress was being made toward restoring a 100-year flood protection level. In 1998, the City of Sacramento certified Addendum III to the EIR for Land Use Planning Policy within the 100-year Floodplain, which evaluated the risks of allowing development to continue within the AR zone.*

*Subsequent to the AR zone redesignation, the Army Corps of Engineers lowered the estimates for 100-year flood flows on the American River. In addition, the Sacramento Area Flood Control Agency (SAFCA) continued to make progress on flood control projects along the American River. These two occurrences enabled the City to apply for and receive a flood map revision. On May 22, 2000, FEMA notified the City that the FIRM was being revised to redesignate areas previously listed as an AR zone back to the A99 zone. FEMA's action removes the 3-foot elevation and floodproofing requirement for new buildings but does not eliminate the mandatory flood insurance requirement. Because of an underlying floodplain from Morrison Creek, the City will also require that some building restrictions remain in place in the Pocket and Meadowview areas until the South Sacramento Stream Groups Project is at least 50% complete (possibly within 2001-2003). On July 25, 2000, the City Council adopted these updates relating to the City's flood zone status and the Morrison Creek Floodplain policies (Resolution # 2000-451).*

*The proposed project falls within the scope of the Program EIR and the findings adopted for the City's Flood Zone Land Use Policy and will not result in any significant impacts over and above those previously analyzed in the EIR and subsequent Addendums.*

##### 5. Air Quality

The potentially significant impacts of dust from building demolition and grading operations must be described and mitigation provided. The restaurant building that originally housed Denny's is old enough that it might contain asbestos. Business and their patrons, especially outdoor diners at the Tower Café during a dry north wind, could be adversely impacted by dust from the project.

*Staff completed the Sacramento Metropolitan Air Quality Management District's Air Quality Thresholds of Significance worksheet for the project. The purpose of this worksheet is to identify development projects that may have a significant adverse effect on air quality. The Short Term Grading emissions for the project were calculated to be .31 Pounds per day of Reactive Organic Gases (ROG) as compared to a threshold of significance of 85 pounds per day. Nitrous Oxide (NOx) emissions were calculated to be 1.97 pounds per day as compared to a threshold of significance of 85 pounds per day. Airborne dust emissions (PM10) was calculated to be 75 pounds per day as compared to a threshold of significance of 275 pounds per day. The construction emissions were calculated to be 16.27 pounds per day of ROG versus a threshold of 85 pounds, 29.36 pounds of Nox versus a threshold of 85 pounds and 2.15 pounds of PM10 versus a threshold of 275 pounds per day. Further, Sacramento City Code (Section 15.40.050) states that any person who has been issued a building permit shall take responsible precautions to prevent and control movement of dust created by construction activities. City Code (Section 15.40.060) states that if a project is in violation of this article, the Building Department Director may order the work to be stopped. Enforcement of these sections under the Sacramento City Code regarding proper maintenance of a job site will ensure that there is a less-than significant impact upon air quality due to particulate matter. The proposed project is therefore not anticipated to result in a significant impact to air quality.*

*As to the possibility of asbestos in the former Denny's Building, Existing older buildings have some potential to have been constructed with products that contain asbestos. Demolition, removal and/or displacement of the existing buildings on the project site could subject workers and surrounding residents to significant health risks from exposure to asbestos. Section 65-019 of the California Labor Code requires developers to identify all asbestos containing materials in existing buildings prior to demolition. If asbestos containing materials are identified on the project site, the applicant will determine the quantity of materials to be removed and comply with appropriate county and/or federal regulations as administered by the Sacramento Metropolitan Air Quality Management District. Compliance with existing regulations will ensure that the project will have a less than significant effect upon air quality.*

Air Quality impacts of the additional traffic must also be included in this section.

*Staff completed the Sacramento Metropolitan Air Quality Management District's Air Quality Thresholds of Significance worksheet for Long Term emissions anticipated for the project. The project is anticipated to generate 44.16 pounds of ROG per day as compared to the threshold of significance of 85 pounds per day. The project will generate 33.25 pounds per day of Nox as compared to the 85 pound per day threshold, and will generate 117.43 pounds of PM10 per day as compared to the 275 pound per day threshold. Therefore the project is not anticipated to result in a significant impact to air quality.*

#### 6. Transportation and Circulation

The Environmental Setting is deficient in not describing 14<sup>th</sup> and 15<sup>th</sup> Streets, the primary access to the project. See our first comment under Land Use. It is also incorrect in stating that the nearest bikeway are on T Street and Riverside Boulevard; there are bike lanes on Land Park Drive, one Block from the project, which is half the distance to Riverside. Both of these errors must be corrected.

*Information will be added to the Negative Declaration to clarify that the project can be accessed from 14<sup>th</sup> and 15<sup>th</sup> Streets, and that a bike lane exists on Land Park Drive.*

The standards of significance are incomplete and must be made complete. Under Roadway Traffic, an adverse impact also occurs when an intersection at a level of service D, E, or F is degraded by 5.0 seconds or more.

The Existing Daily Operations section is incomplete and must be corrected and a traffic study must be completed. Apparently only the Broadway direction of traffic was considered at the 14<sup>th</sup> and Broadway intersection and as noted above, 14<sup>th</sup> Street is a primary access to the project. See the Trip Distribution '65% of the project traffic will have to use 14<sup>th</sup> Street, because of the left turn prohibition into the driveway on Broadway. Pages 12 and 13 of Broadway McDonalds Traffic Impact Analyses, March 7, 1994 by the City of Sacramento Department of Public Works and the 1999 traffic analysis work sheets for McDonalds drive thru proposal both indicate that the 14<sup>th</sup> Street directions are currently at LOS D. See the bottom right corner of the Trip Generation Worksheet, a traffic study is required when a main access is at Level D And the project will generate more than 50 trips

The project Trip Generation section is wrong and must be corrected. The Trip generation Worksheet indicates that traffic from a high turnover 2400 square foot restaurant was assumed. This is wrong on two counts. The developer, as noted above is building a fast food restaurant, which produces traffic at a rate more than two and a half times greater than assumed. And there was no

accounting of traffic generated by the undisclosed, but considerable, outdoor seating. Correcting these mistakes will increase the project traffic to over 100 trips, thereby triggering the need for a traffic study.

*The number of intersections that were studied is based on the size of the project, and its anticipated impacts to nearby intersections. In an effort to address community concerns, the intersection of Broadway and 16<sup>th</sup> street was evaluated.*

*In the City of Sacramento, a significant impact occurs at an intersection when: The traffic generated by a project degrades peak period Level of Service (LOS) from A, B, or C (without project) to D, E, or F (with project); or, The LOS (without project) is D, E, or F, and project generated traffic increases the peak period average delay by 5 seconds or more.*

*Traffic counts were performed at the Broadway and 16<sup>th</sup> street intersection. The intersection analysis showed that the west bound left turn into Land Park Drive is operating at a LOS E. The reason being that the left turn stacking lane is only 80 feet long, and it is not a sufficient length to accommodate the amount of left turns at the intersection. However, the analysis showed that the intersection as a whole is operating at a LOS B. A subsequent analysis was performed with the addition of projected project trips. It was determined that the LOS with the project is anticipated to remain as LOS B. Thus, based on City Of Sacramento criteria, this project will cause no significant traffic impacts;*

*The LOS D identified in the analysis is for the minor leg at the intersection of 14<sup>th</sup> Street and Broadway. The number of peak hour vehicles on 14<sup>th</sup> Street is very low compared to the amount of vehicles traveling on Broadway. Although the LOS on the minor leg is D, the overall LOS for the intersection is a LOS B.*

*There are approximately 15 drug stores in the surrounding area. Staff does not believe that the proposed project will serve regional clients, but serve the local community. Thus, there would be minimal traffic from the freeway. Additionally, there are various drugstores and markets east of the project site (in the Alhambra, Franklin and Stockton Boulevard areas). Thus, we do not anticipate a very high amount of traffic from the east.*

*The proposed land use is consistent with the land use identified in the City's General Plan. An EIR was completed for the General Plan, therefore, no future analysis is necessary for this project.*

*One of the concerns outlined by LPCA was the base traffic flows not being increased for the present condition. Staff has reviewed base maps and development proposals within the local area and determined that no significant*

*development has occurred within the last 2 years. Thus, no large traffic generators from development has recently occurred. However, when Public Works evaluated the network and looked at the intersections surrounding the site, the base volumes were increased by 3% to accommodate for growth in the area. LOS analysis were performed with the increased traffic volumes and the additional project trips. It was determined that no significant impacts would occur.*

*There was a traffic study prepared for the East End project to determine the impacts of that State project on the roadway network. That study was completed when the McDonald's site was still open and took into account the traffic generated by McDonald's. That study identified some mitigation measures to address those impacts. Since the Walgreens site will generate fewer trips than the McDonald's site from the trip generation point, then it is concluded that the Walgreens project will not create any impacts not previously identified when this site was studied.*

*After meeting with LPCA representatives, and noting their concerns regarding the counts at three local drug stores, the Department of Public Works addressed these concerns with the following actions:*

*A detailed explanation was given for the purpose of doing the Drive-Thru counts. The main reason that prompted that count was to determine the adequate stacking length of a drive-thru lane for a local drug store. The local data were counted and compared to data from a study performed on the East Coast. The East Coast study found that 60 feet of stacking distance was adequate for a drug store with two drive-thru lanes, and 80 feet was adequate for one drive-thru lane. The local data was consistent with the findings of the East Coast study. The applicant has provided 100 feet of stacking distance which is more than the recommended distance.*

*In an effort to address community concerns, trip generation studies were conducted at three local drugstores. The studies were performed during P.M. peak hours at locations with similar demographics. Due to time constraints, those counts were conducted one week before Christmas, which would normally reflect very high volumes as compared to typical daily operations. The trip generation was then incorporated into our traffic analysis to determine the impact on the roadway system and intersections. The findings were that anticipated project traffic would not reduce the level of service at the site's adjacent intersections to an unacceptable level. Therefore, it was concluded that this project would have no significant impacts on traffic operations in the area.*

*The applicant has consistently maintained the fact that the proposed restaurant would be of the Quality sit-down type. This fact was brought up at the early stages of the entitlement process since it is a key factor when determining the*

*Trip-Generation rates for the site. The applicant has provided a letter stating his intended use. Staff has performed the traffic analysis using a "worst case" scenario.*

#### 7. Biological Resources

The Environmental Setting is inadequate in that it does not describe the existing trees, especially the row of trees between the existing restaurant buildings that were preserved as a mitigation measure for the construction of McDonald, therefore must be addressed in this initial study.

*Information will be added to the Environmental Setting section specifying that 29 on site trees will be removed, and replaced by 22 new trees (24" box). There were two 8" Chinese Pistache trees which were preserved as a mitigation measure for the McDonald project, however, removal of these trees does not constitute a significant environmental impact, as defined in the Thresholds of Significance for Biological Resources in the Initial Study. As stated in the Initial Study, no heritage trees are being removed as a part of this project.*

Answers to Checklist questions-Question B. The project site plan shows palm trees where some London Plan street trees currently exist. The plan must be corrected.

*The project will be conditioned to preserve all existing street trees*

#### 13. Aesthetics, Light and Glare

Glare from headlights using the 24-hour drive thru window into the residences on 14<sup>th</sup> Street must be addressed and mitigated. See our comment on population and housing.

*Vehicles queuing in the proposed drive thru lane will be a minimum of 150 feet away from the nearest residential unit, and will be aligned a minimum of 80 feet to the south of these residences. Lights from vehicles exiting the parking lot at the 14<sup>th</sup> Street driveway will shine on the adjacent residences. However, this will not result in impacts beyond that normally associated with commercial activity, allowed by right, at the site.*

#### Notification

LPCA, which has for many years received copies of all the City's environments documents for projects in and near Land Park, has not received the notice of

intent to file a negative declaration and, as of January 2, 2001, the notice had not been posted by the County Recorder. According to CEQA, the negative declaration can not be adopted before January 19, 2000.

*On November 17, 2000 notice of the preparation of the Negative Declaration was given in the Daily recorder. Verbal notification (by phone), was given to the Land Park Neighborhood Association that a Negative Declaration had been prepared on November 17, 2000. Notice of the Public hearing on the project, including the intent to file a Negative Declaration was mailed on December 28, 2000. A notice of intent to file a Negative Declaration was filed at the County Recorder on January 11, 2001.*

C. Summary of Agency Comments

The project has been reviewed by City Departments and other agencies. The following summarizes the comments received from City Departments or other agencies:

1. Department of Public Works/Department of Utilities

Comments received from the Department of Public Works and Department of Utilities related to site access and circulation, frontage improvements, grading, drainage, and standard lot line adjustment requirements. Many of the traffic issues have been incorporated into the most current revised site plan. These comments have been included as conditions of project approval in the attached Notice of Decision and Findings of Fact (Attachment C).

2. Police Department

Comments received from the City's Police Department related to site landscaping and lighting. These concerns have been addressed with conditions of approval for the project and included in the attached Notice of Decision and Findings of Fact (Attachment C).

3. Utilities Department

Utilities Department comments dealt with drainage, floodplain issues, PUE issues, water quality control and grading erosion and sediment control. These concerns have been addressed with conditions of approval for the project and included in the attached Notice of Decision and Findings of Fact (Attachment C).

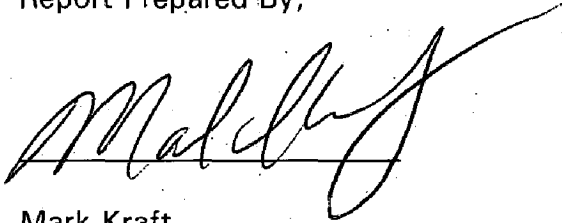
**PROJECT APPROVAL PROCESS:** The Planning Commission has the authority to approve, conditionally approve, or deny each of the entitlements indicated below. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

**RECOMMENDATION:**

Staff recommends the Planning Commission take the following action :

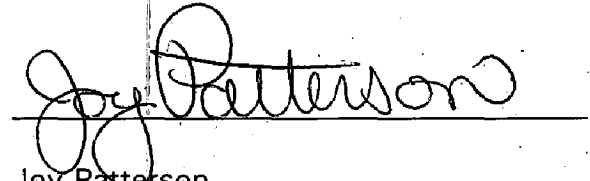
- A. Adopt the attached Notice of Decision & Findings of Fact ratifying the Negative Declaration;
- B. Adopt the attached Notice of Decision & Findings of Fact approving the **Special Permit** to allow a 24 hour drive thru window for a pharmacy
- C. Adopt the attached Notice of Decision & Findings of Fact approving the **Variance** to reduce the front yard setback from 5 feet to 0 feet.
- D. Adopt the attached Notice of Decision & Findings of Fact approving the **Variance** to reduce the street side yard setback from 5 feet to 0 feet.
- E. Adopt the attached Notice of Decision & Findings of Fact approving the **Variance** to locate an off-site sign in the General Commercial (C-2) zone.
- F. Adopt the attached Notice of Decision & Findings of Fact approving the **Variance** reduce the stacking distance for a pharmacy drive-thru from 180 feet to 100 feet.
- G. Adopt the attached Notice of Decision & Findings of Fact approving the **Lot Line Adjustment** to relocate a common property line between two parcels.
- H. Adopt the attached Notice of Decision & Findings of Fact approving the **Appeal of the Decision of the Design Review/Preservation Board**

Report Prepared By,



Mark Kraft  
Associate Planner

Report Reviewed By,



Joy Patterson  
Senior Planner

Attachments

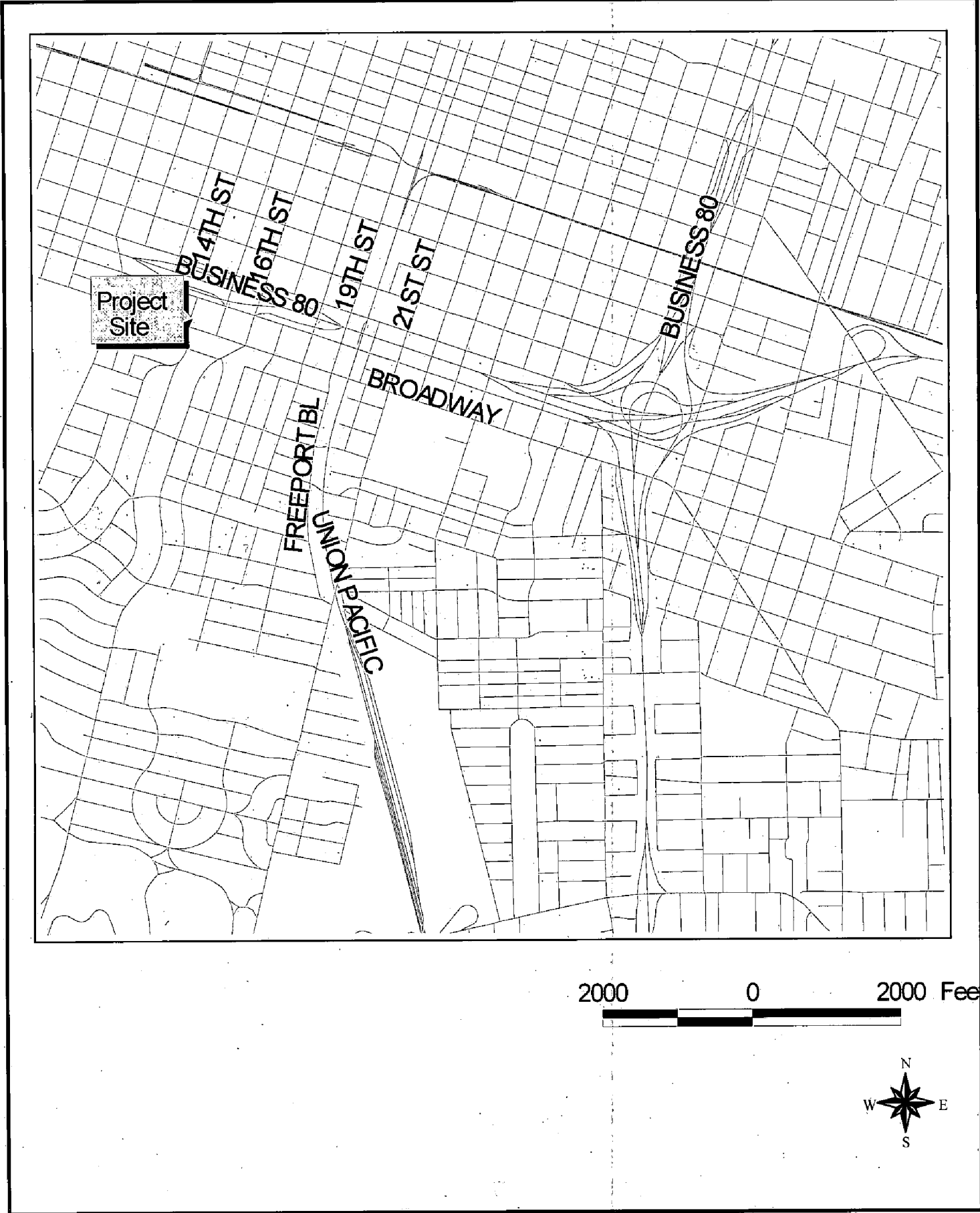
Attachment A- Vicinity Map

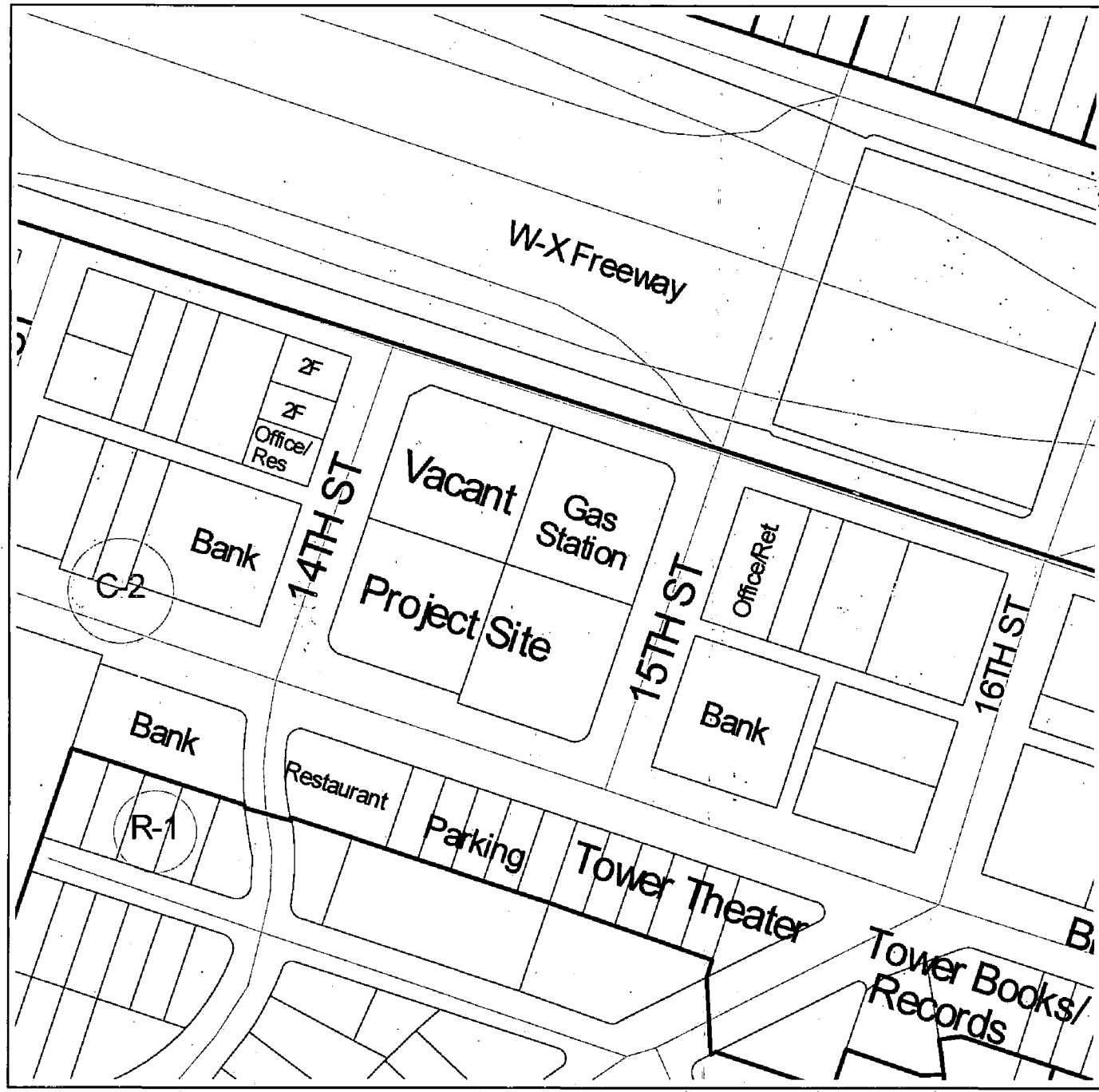
Attachment B- Land Use and Zoning

Attachment C- Notice of Decision & Findings of Fact.

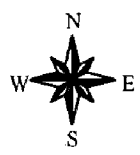
Exhibit C- Site Plans, Landscape Plans, Elevations, Lot Line Adjustment Exhibit

Attachment D- Community Comments





Attachment B-Land Use & Zoning  
P00-110- 15th and Broadway Walgreens



**ATTACHMENT C****NOTICE OF DECISION AND FINDINGS OF FACT FOR  
15<sup>th</sup> and Broadway Walgreens's, LOCATED AT 1401 and 1429 Broadway  
SACRAMENTO, CALIFORNIA IN THE  
GENERAL COMMERCIAL (C-2) ZONES. (P0-110)**

At the regular meeting of February 8, 2001 the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Ratified the Negative Declaration;**
- B. **Approved the Special Permit to allow a 24 hour drive thru window for a pharmacy**
- C. **Approved the Variance to reduce the front yard setback from 5 feet to 0 feet.**
- D. **Approved the Variance to reduce the street side yard setback from 5 feet to 0 feet.**
- E. **Approved the Variance reduce the stacking distance for a pharmacy drive-thru from 180 feet to 100 feet.**
- F. **Approved the Variance to locate an off-site sign in the General Commercial (C-2) zone.**
- G. **Approved the Lot Line Adjustment to relocate a common property line between two parcels.**
- H. **Approved the Appeal of the Decision of the Design Review/Preservation Board**

These actions were made based upon the following findings of fact and subject to the following conditions:

**FINDINGS OF FACT**

- A. **Negative Declaration: The City Planning Commission approves the Negative Declaration (the Negative Declaration is approved), based upon the following findings:**
  - 1. **The Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;**
  - 2. **The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;**
  - 3. **Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a**

significant effect on the environment.

B. The **Special Permit** to allow a 24 hour drive thru window for a pharmacy is hereby approved subject to the following findings of fact:

1. The project, as conditioned, is based upon sound principles of land use in that the drive-up facility use is allowed with a Special Permit and includes conditions addressing facility location, design, and public safety.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that adequate circulation and stacking distances are provided, as well as provision of buffers from the existing residential.
3. The project is consistent with the General Plan land use designation of Community/Neighborhood Commercial & Offices.
4. The design and location of the drive-up facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property because adequate stacking is provided.
5. The design and location of the facility will not impede access to or exiting from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement.
6. The design and location of the facility will not create a nuisance for the adjacent properties.

C. The **Variance** to reduce the front yard setback from 5 feet to 0 feet is hereby approved subject to the following findings of fact:

1. The variance does not constitute a special privilege extended to an individual property owner in that the same variance would be appropriate for other property owners facing similar circumstances.
2. The proposal does not constitute a variance to use in that the proposed use is an allowed use in the C-2 zone.
3. The project, as conditioned will not be detrimental to the public welfare or result in the creation of a public nuisance:
4. The project, as conditioned is consistent with General Plan and Central City Community Plan Goals and Policies.

D. The **Variance** to reduce the street side yard setback from 5 feet to 0 feet is hereby approved subject to the following findings of fact:

1. The variance does not constitute a special privilege extended to an individual property owner in that the same variance would be appropriate for other property owners facing similar circumstances.
  2. The proposal does not constitute a variance to use in that the proposed use is an allowed use in the C-2 zone.
  3. The project, as conditioned will not be detrimental to the public welfare or result in the creation of a public nuisance:
  4. The project, as conditioned is consistent with General Plan and Central City Community Plan Goals and Policies.
- E. Approved the Variance to reduce the stacking distance for a pharmacy drive-thru from 180 feet to 100 feet is approved subject to the following findings of fact:.
1. The variance does not constitute a special privilege extended to an individual property owner in that the same variance would be appropriate for other property owners facing similar circumstances.
  2. The proposal does not constitute a variance to use in that the proposed use is an allowed use in the C-2 zone.
  3. The project, as conditioned will not be detrimental to the public welfare or result in the creation of a public nuisance, in that the proposed stacking distance is adequate for the proposed pharmacy drive thru use.
  4. The project, as conditioned is consistent with General Plan and Central City Community Plan Goals and Policies.
- F. The Variance to locate an off-site sign in the General Commercial (C-2) zone is hereby approved subject to the following findings of fact:
1. The variance does not constitute a special privilege extended to an individual property owner in that the same variance would be appropriate for other property owners facing similar circumstances.
  2. The proposal does not constitute a variance to use in that the proposed use is an allowed use in the C-2 zone.
  3. The project, as conditioned will not be detrimental to the public welfare or result in the creation of a public nuisance:
  4. The project, as conditioned is consistent with General Plan and Central City Community Plan Goals and Policies.

- G. The Lot Line Adjustment to relocate a common property line between two parcels is hereby approved subject to the following findings of fact:
1. The Lot Line Adjustment will not result in the abandonment of any street or utility easement of record, and that if the lot line adjustment will result in the transfer of property from one owner to another owner, the deed to the subsequent owner expressly reserves any street or utility easement of record;
  2. The Lot Line Adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel, or that the application is accompanied by new easements to provide access which meet all the City requirements regarding access to parcels in the location and of the size as those proposed to be created; and
  3. The resulting parcels conform to the requirements of the City's Building code and the City's Zoning Ordinance.
- H. The Appeal of the Decision of the Design Review Preservation Board is hereby approved, subject to the following Findings of Fact:
1. The project, as conditioned, enhances the surrounding neighborhood.
  2. The project, as conditioned, will complement structures in the surrounding area.

#### CONDITIONS OF APPROVAL

- B. The Special Permit to allow a 24 hour drive thru window for a pharmacy is hereby approved subject to the following conditions of approval:
- B1. Remove and reconstruct any existing deteriorated curb, gutter and sidewalk per City Standards. Reconstruction shall be to the satisfaction of the Department of Public Works.
- B2. Remove and reconstruct any deteriorated or non ADA compliant handicapped ramps per City Standards and to the satisfaction of the Public Works ADA coordinator. The affected handicapped ramps are the Southeast and Southwest corners of the site along Broadway. It is the applicants responsibility to reconstruct or make the following ramps ADA compliant:
- a) The handicap ramps at the southeast corner of the site and at the intersection of Broadway and 15<sup>th</sup> Street
  - b) the receiving end of that ramp across 15<sup>th</sup> Street. The applicant is responsible for reconstructing one ramp at the receiving end. However, it is City policy that the applicant reconstruct both ramps at that receiving end, and then get reimbursed for one of these ramps.

- c) The other receiving end of the ramp mentioned above(a) and across Broadway. There is only one ramp at that side of Broadway.
- d) The handicap ramps at the southwest corner of the site and at the intersection of Broadway and 14<sup>th</sup> Street.
- e) The receiving end of that ramp across 14<sup>th</sup> Street. The applicant is responsible for reconstructing one ramp at the receiving end. However it is City policy that the applicant reconstruct both ramps at that receiving end, and then get reimbursed for one of the ramps.
- f) The other receiving end of the ramp mentioned above(d) and across Broadway. There is only one ramp at that side of Broadway.
- B3. Dedicate sufficient right of way (10') for the future widening of Broadway Blvd. to a 100 foot wide facility.
- B4. All loading areas shall be accommodated on site and within the loading zone adjacent to the drive thru lane. The loading areas shall be property signed and striped showing loading days and times.
- B5. Construct a 6 inch concrete curb to separate the drive thru lane from the proposed loading area shown on the site plan as a striped zone. The curb should start 15 feet from the north-east corner of the proposed Walgreens building and extend to the end of the drive thru lane.
- B6. No building permits shall be issued until the abandonment procedures of the PUE on 14<sup>th</sup> Street are approved and completed. In the case the abandonment of the PUE on 14<sup>th</sup> Street does not get approved, then the Walgreens building shall be constructed behind the existing PUE on 14<sup>th</sup> Street.
- B7. No building permits shall be issued until the applicant enters into an agreement with the adjoining property owner to the north (APN:009-0254-007-0000), the allows the applicant of Walgreens to locate the trash compactor and 4 parking stalls in the egress/ingress easement located between the two parcels. In the event that an agreement is not obtained from the adjoining owner, the relocation of the trash compactor and parking stalls shall be to the satisfaction of the Department of Public Works.
- B8. The driveway located on Broadway shall be striped and signed as a "Keep Clear" zone. The striping area shall extend from the beginning of the driveway at the back of sidewalk to the median isle located 68 feet away.
- B9. The applicant shall obtain an encroachment permit from the City of Sacramento before constructing the proposed public benches and colonnade structure adjacent to Broadway and in the Right-of-way.
- B10. Any domestic water services shall be metered. Only one domestic water service will be allowed per parcel.

- B11. Multiple fire services are allowed per parcel and may be required.
- B12. The proposed project shall not locate planters over existing public sewer, drainage or water systems. The 20 foot former east-west alley along the north boundary of the site has been retained as a public utility easement and contains both combined sewer/drainage and water mains. Allowable uses over public sewer, drainage or water systems include driveways and parking spaces.
- B13. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for private storm drainage systems ( per Section 11.12 of the Design and Procedures Manual).
- B14. Drainage across property lines is not allowed. Either the lots must be graded so the drainage does not cross property lines or a private reciprocal drainage easement must be recorded at time of initial sale of parcels to the satisfaction of the Department of Utilities. If private reciprocal drainage easements are required, the following note: " Private reciprocal drainage easement must be recorded concurrently with the initial sale of parcel" shall be placed on the certificate of compliance.
- B15. The proposed project is located in the 100-year floodplain, designated as an A99 zone on the Federal Emergency Management Agency (FEMA Federal Insurance Rate Maps (FIRMS) and have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone, there are no requirements to elevate or flood proof. Please contact the Department of Utilities at (916) 264-1400 prior to building design for an up-to-date status of the flood zone.
- B16. 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. Only source control measures are required. This will not affect site design. Refer to the draft "Manual of Standards for Design of New Development On-site Storm water Quality Control Measures", dated January 23, 1995, for appropriate source control measures and recommended on-site control measures.
- B17. The applicant must comply with the City of Sacramento Grading Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- B18. Any demolition or other work conducted within Stat Route 160 (15<sup>th</sup> Street) right of way will require an encroachment permit from CalTrans. Contact Rich Jones Caltrans District 3 Office of Permits at (530) 741-5374.

- B19. Any landscape plans with specified planting setback from the State highway and and plant species to be used should be submitted at the time of encroachment permit application for review.
- B20. The drive-thru shall be limited to the sale and dispensing of pharmaceutical products only.
- B21. The project will provide at least 7 bicycle parking spaces, at least four of which must be enclosed spaces. Design of these facilities must be reviewed and approved by the Alternative Modes Coordinator prior to issuance of a building permit.
- B22. The site plan shall be revised to continue the landscape planter, adjacent to the pharmacy drive-thru lane, an additional 40 feet to the east, making the planter a total of 80 feet in length, and two additional 24" box trees shall be planted in this planter.
- B23. The site plan shall be amended to add two additional 24" box trees directly to the north of the proposed restaurant.
- B24. All signage proposed for the project shall be reviewed and approved by Design Review staff prior to issuance of any building permits for the project
- B25. A lighting plan, including height and design of lighting fixtures shall be submitted to Design Review staff for review and approval prior to issuance of any building permit for the project. Lighting fixtures shall not exceed 14 feet in height.
- B26. Lighting for the project shall maintain illumination of 1.5 footcandles per square foot of parking lot between the hours of dusk and one hour after sunrise. Illumination at a minimum of .25 footcandles per square foot shall be maintained at the surface of any walkway, alcove or passageway related to the building between the hours of dusk and one hour after sunrise.
- B27. Shielding shall be installed on all on-site overhead lighting such that lighting shall reflect away from residential areas and public streets.
- B28. Deliveries for the pharmacy will occur no more than twice per week, for a duration of no longer than 30 minutes. Deliveries shall occur between the hours of 10am and 12 noon.
- B29. Final landscape plans shall be reviewed and approved by Design Review staff prior to issuance of any building permit
- B30. All existing street trees shall be retained, and street trees shall be added proximate to the project site, along 15<sup>th</sup> Street

- B31. The Walgreens store shall not sell alcoholic beverages. The sale of alcoholic beverages at this site would be subject to approval of a Special Permit by the Planning Commission.
- B32. Landscaping shall be maintained at a minimum plant and/or shrub height of 30" and trees maintained at a minimum distance of 6' from the lowest branch to the ground.
- B33. Decorative planting shall be maintained as not to obstruct or diminish lighting levels throughout the project (to be noted on landscape plans).
- B34. The applicant shall post and maintain on the premises and in the parking lot used in conjunction therewith, notices clearly visible to the patrons of the establishment and parking lot and to persons on the public sidewalk, stating in block lettering, the following (locations to be noted on site plan and building permit plans):
- "UNLAWFUL TO ENTER, BE OR REMAIN ON ADJACENT PARKING LOT OR ADJACENT PUBLIC SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE CONTAINER C.P.C. 647e(a); S.C.C. 26.01.24(c)"**
- B35. The applicant shall sign an agreement delegating the sworn employees of the Sacramento Police Department to act as applicant's agents for the sole purpose of enforcing Section 602(k) of the California Penal Code and that the applicant agrees to properly post project property, aid in the investigation, and prosecution of such cases. The posting shall consist of notices, in block lettering, with the following wording:
- "NO TRESPASSING -- VIOLATORS WILL BE PROSECUTED UNDER 602(K) C.P.C.**
- B36. Any exit doors located on the north side of the building shall be equipped with an audible alarm system when opened and Fire Department panic hardware.
- F. The Variance to locate an off-site sign in the General Commercial (C-2) zone is approved subject to the following conditions:
- F1. With the exception of directional signage, the project shall be limited to the one detached sign specified on the site plan. No additional detached signage will be allowed on the restaurant parcel, and no detached signage will be allowed on the Walgreens parcel.
- F2. The detached monument sign shall be a maximum of 24 square feet in area.
- F3. A sign program shall be submitted for the project, subject to the review and approval of Design review staff, prior to issuance of any building permit. The sign

program shall include the plans for the one detached monument sign, any attached signs, and any proposed directional signs.

- G. The Lot Line Adjustment to relocate a common property line between two parcels is hereby approved, subject to the following conditions.
- G1. The lot line adjustment shall be revised to provide 43 parking spaces for the Walgreens's parcel, leaving 26 spaces for the restaurant parcel. The restaurant shall therefore be limited to 78 seats.
- G2. The applicant shall record a reciprocal parking/access agreement between the two parcels, prior to issuance of a building permit.
- G3. Drainage across property lines is not allowed. Either the lots must be graded so the drainage does not cross property lines or a private reciprocal drainage easement must be recorded at time of initial sale of parcels to the satisfaction of the Department of Utilities. If private reciprocal drainage easements are required, the following note: " Private reciprocal drainage easement must be recorded concurrently with the initial sale of parcel" shall be placed on the certificate of compliance.
- G4. The proposed project is located in the 100-year floodplain, designated as an A99 zone on the Federal Emergency Management Agency (FEMA Federal Insurance Rate Maps (FIRMS) and have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone there are no requirements to elevate or flood proof. Please contact the Department of Utilities at (916) 264-1400 prior to building design for an up-to-date status of the flood zone.
- G5. File a Certificate of Compliance and pay necessary fees. Submit all the required documents for a lot line adjustment application.
- G6. File a waiver of Parcel Map
- G7. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- H. The Appeal of the Decision of the Design Review Preservation Board is hereby approved, subject to the following conditions:
- H1. The buildings shall be located as indicated on the site plan presented in Exhibit C.
- H2. Auto access to the site shall be as indicated on the site plan as presented in Exhibit C.
- H3. Mechanical equipment shall be screened behind parapet walls, and not visible from any street view. Final drawings indicating compliance shall be reviewed and

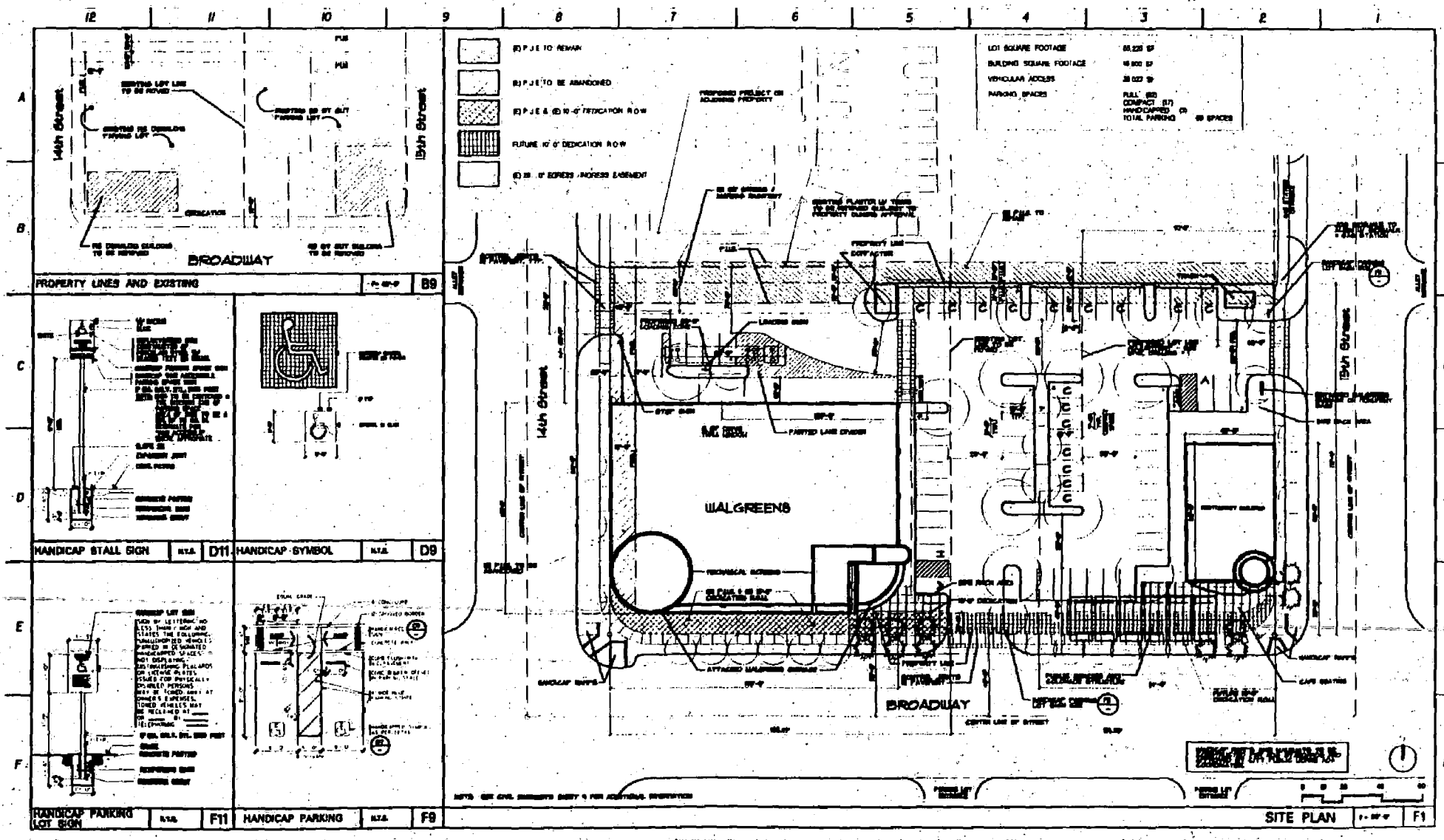
- approved by staff. Backflow prevention devices, SMUD boxes, etc, shall also be placed where not visible from street views, and screened from any pedestrian view.
- H4. Parking lot lighting and building lighting at the front facade shall be complementary to the building. Final fixture selection shall be reviewed and approved by staff.
- H5. Sidewalks should be retained, and if recast, must be in the historic score pattern and concrete color. Decorative brick pavers shall be placed at the entry in the setback area.
- H6. A sign program shall be provided for review. All signage shall be reviewed and approved by Design Review staff.
- H7. Trash and compactor enclosure/element must conform with City standards and match the building materials, colors and finishes and shall be reviewed and approved by Design review staff prior to installation. Landscaping on three sides of the element is required.
- H8. All new landscaping shall be the most mature planting possible. The minimum tree size shall be 24" box, with more mature shrubbery also planted. The final landscape plan shall be reviewed and approved by staff.
- H9. The project design shall be as proposed in the elevations and information in Exhibit C. Exterior details such as parapet edge, sills, fenestration, base, etc. shall be submitted for Design Review staff approval prior to the issuance of any building permit.
- H10. Final canopy design materials and colors shall be reviewed by Design Review staff prior to the issuance of any building permits.
- H11. All required new and revised plans shall be submitted for review and approval of staff prior to the issuance of building permits. A set of the appropriate plans shall be submitted directly to Design Review staff. Any necessary planning entitlements shall have been approved by the planning Commission or the zoning Administrator prior to final Design Review sign off of plans.
- H12. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within two years of the date of approval. Prior to expiration, an extension of time may be granted by the Board upon written request of the applicant.
- H13. Final occupancy shall be subject to approval by Design Review staff and shall involve an on-site inspection.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO CITY PLANNING COMMISSION

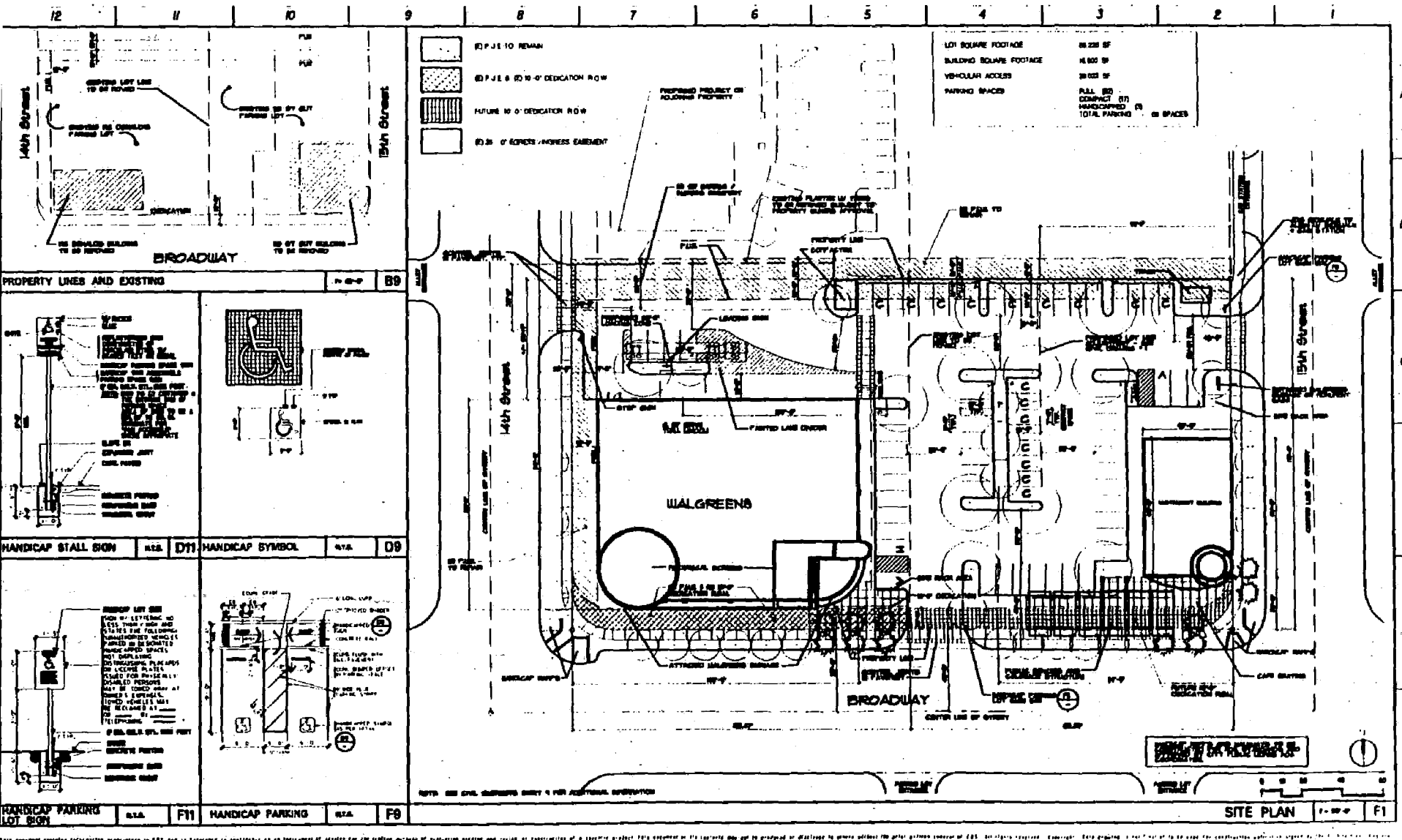
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DATE (P00-110)



EXISTING SITE PLAN

<p>CONSULTANT</p>		<p>PROJECT</p> <p><b>15TH &amp; BROADWAY SACRAMENTO CA</b></p>		<p><b>ERISTICS DESIGN STUDIO</b></p> <p>3119 J. www.eristicsdesign.com</p>		<p>DRAWING TITLE</p> <p><b>SITE PLAN AND FLOOR PLAN</b></p>		<p>JOB NO.</p> <p>DATE VALUE</p> <p>DRAWN BY: [signature]</p> <p>CHECKED BY:</p>		<p>SHEET NO.</p> <p><b>A1.1</b></p> <p>OF SHEETS</p>	
<p>HANDICAP STALL SIGN NTA D11</p>		<p>HANDICAP SYMBOL NTA D8</p>		<p>HANDICAP PARKING LOT SIGN NTA F11</p>		<p>HANDICAP PARKING NTA F8</p>		<p>SITE PLAN P. 000 F1</p>		<p>PROGRESS SET NOT FOR CONSTRUCTION.</p>	

EXHIBIT C - ALTERNATIVE SITE PLAN

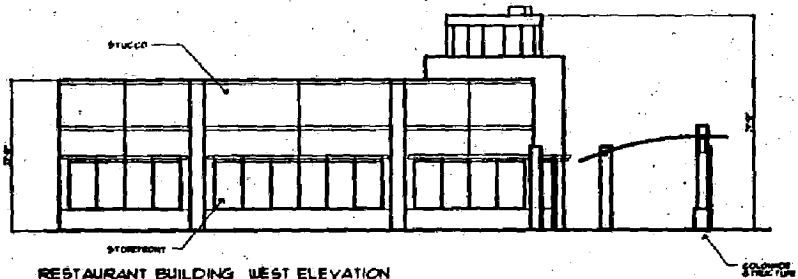


<p>CONSULTANT</p>		<p>PROJECT</p> <p><b>15TH &amp; BROADWAY SACRAMENTO CA</b></p>		<p>ERISTICS DESIGN STUDIO Sacramento, CA 95811, 916-442-2222 www.eristicsdesign.com</p>	<p>DRAWING TITLE</p> <p><b>SITE PLAN AND FLOOR PLAN</b></p>		<p>JOB NO.</p> <p>DA19 104-001</p>		<p>SHEET NO.</p> <p><b>A1.1a</b></p>	
					<p>PROGRESS SET <b>NOT FOR CONSTRUCTION</b></p>		<p>DRAWN BY: [signature]</p>		<p>OF SHEETS</p>	

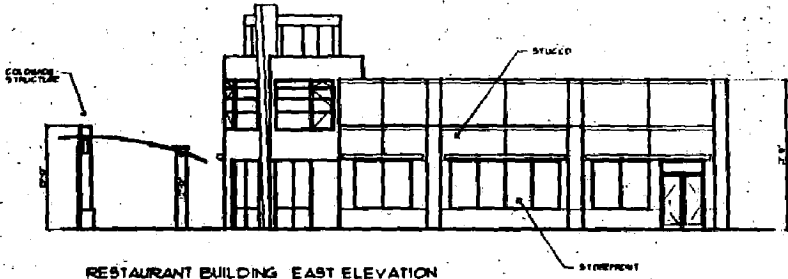


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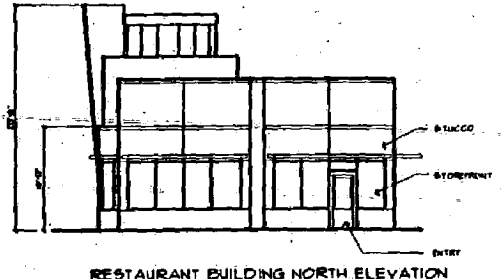
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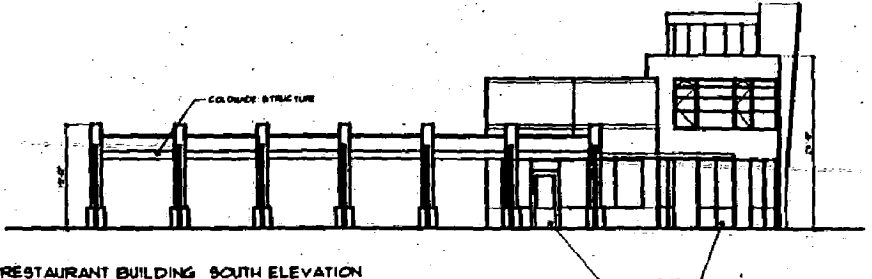
RESTAURANT BUILDING WEST ELEVATION



RESTAURANT BUILDING EAST ELEVATION



RESTAURANT BUILDING NORTH ELEVATION



RESTAURANT BUILDING SOUTH ELEVATION

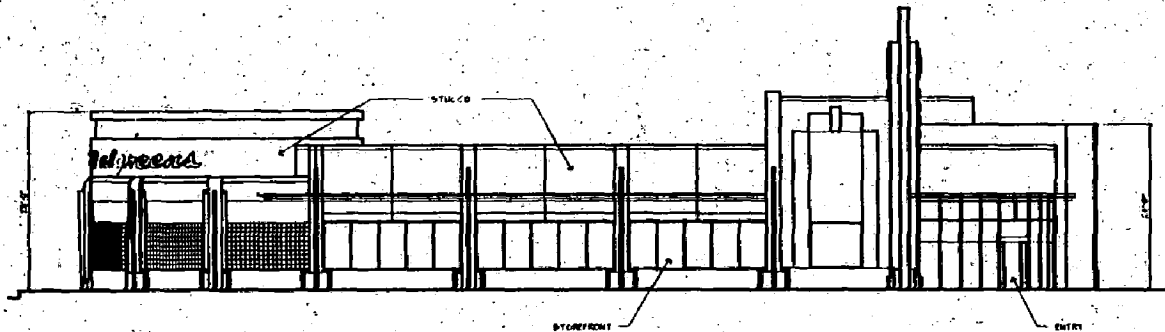


EXHIBIT C - RESTAURANT ELEVATIONS

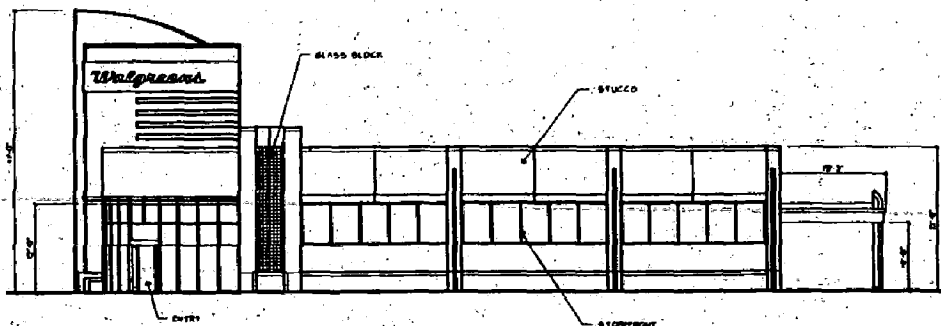
<p>CONSULTANT</p>	<p>PROJECT</p> <p><b>15TH &amp; BROADWAY SACRAMENTO CA</b></p>	<p><b>EKISTICS DESIGN STUDIO</b> ARCHITECTURE, INTERIOR, STREET DESIGN AND LANDSCAPE</p> <p>20 242 000 000 50 242 000 000 2000 1200 0000 SACRAMENTO, CA 95811 http://www.ekisticsdesign.com</p>	<p>DRAWING TITLE</p> <p><b>EXTERIOR ELEVATIONS</b></p> <p>PROGRESS SET NOT FOR CONSTRUCTION</p>	<p>JOB NO.</p> <p>DATE 10/08/08</p> <p>DRAWN BY: [signature]</p> <p>CHECKED BY:</p> <p>SHEET NO</p> <p><b>A2.1A</b></p> <p>OF SHEETS</p>
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PAGE 18

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WALGREENS BUILDING SOUTH ELEVATION



WALGREENS BUILDING EAST ELEVATION



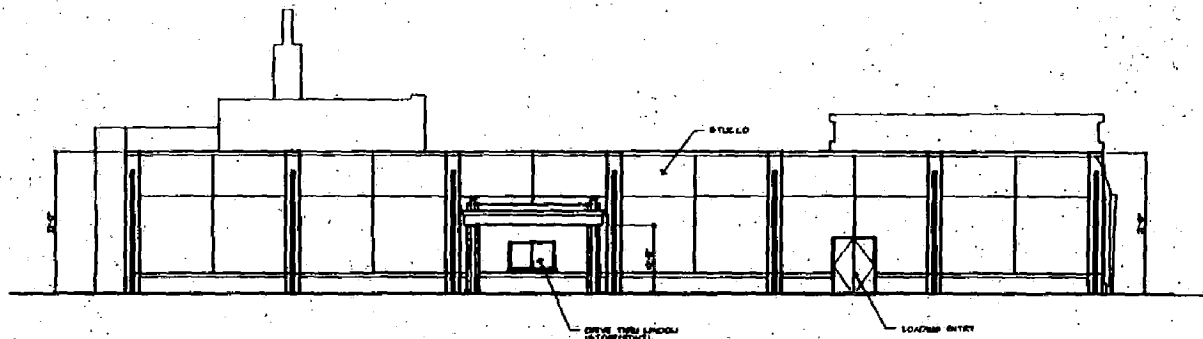
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EXHIBIT C - WALGREENS ELEVATIONS

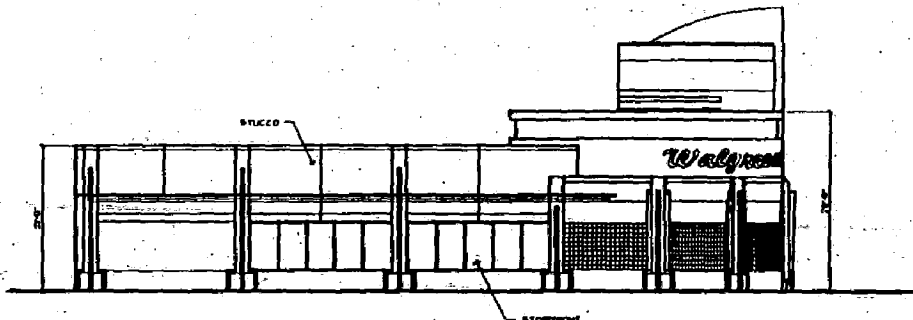
PAGE 61

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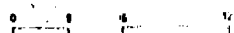
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WALGREENS BUILDING NORTH ELEVATION



WALGREENS BUILDING WEST ELEVATION



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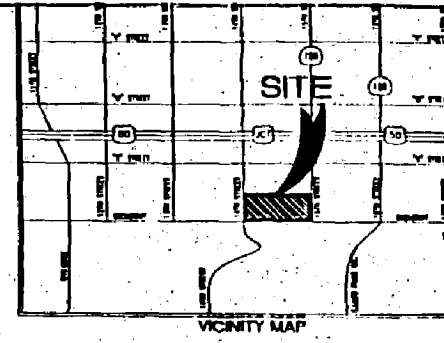
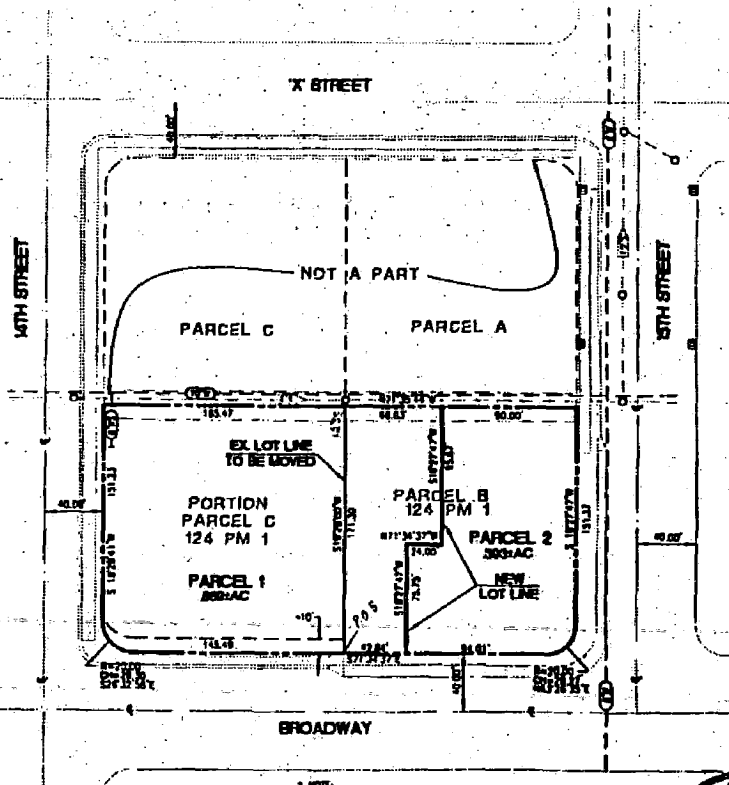
<p>CONSULTANT</p>	<p>PROJECT</p> <p><b>15TH &amp; BROADWAY SACRAMENTO CA</b></p>	 <p><b>EKISTICS DESIGN STUDIO</b></p> <p>200 2ND FLOOR SACRAMENTO, CA 95804 TEL: 916.442.2222 WWW.EKISTICSDESIGN.COM</p>	<p>DRAWING TITLE</p> <p><b>EXTERIOR ELEVATIONS</b></p> <p>PROCESS SET <b>NOT FOR CONSTRUCTION</b></p>	<p>JOB NO.</p> <p>DATE ISSUED</p> <p>DRAWN BY: [signature]</p> <p>CHECKED BY:</p> <p>SHEET NO</p> <p><b>A2.2</b></p> <p>OF SHEETS</p>
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EXHIBIT C - WALGREENS ELEVATIONS

Page 6

S:\2000-057\067\067-LLA-snt.dwg Wed Aug 02 16:36:27 2000 JTS Engineering Consultants Inc.

EXHIBIT C - LOT LINE ADJUSTMENT



**LOT LINE ADJUSTMENT EXHIBIT**  
 FOR  
 CITY OF SACRAMENTO SHEET 1 OF 1 APN 008-028-008-008 COUNTY OF SACRAMENTO  
 NEW FRONTAGE  
 PARCELS B, 04 PM 1 AND PORTION OF PARCEL C, 04 PM 1

**EXISTING LOTS DESCRIBED BY PARCEL A**  
 (APN 008-028-008-008)  
 PARCEL A IS A PORTION OF THE CORNER BLOCK OF CORNER 14th STREET & 15th STREET, AND IS BOUNDED BY 14th STREET AND BROADWAY TO THE NORTH, 15th STREET TO THE EAST, BROADWAY TO THE SOUTH, AND PORTION OF 14th STREET TO THE WEST. PARCEL A IS 124.00 FEET ALONG 14th STREET, 124.00 FEET ALONG 15th STREET, 124.00 FEET ALONG BROADWAY, AND 124.00 FEET ALONG PORTION OF 14th STREET TO THE WEST.

**EXISTING LOTS DESCRIBED BY PARCEL B**  
 (APN 008-028-008-008)  
 PARCEL B IS A PORTION OF THE CORNER BLOCK OF CORNER 14th STREET & 15th STREET, AND IS BOUNDED BY 14th STREET AND BROADWAY TO THE NORTH, 15th STREET TO THE EAST, BROADWAY TO THE SOUTH, AND PORTION OF 14th STREET TO THE WEST. PARCEL B IS 124.00 FEET ALONG 14th STREET, 124.00 FEET ALONG 15th STREET, 124.00 FEET ALONG BROADWAY, AND 124.00 FEET ALONG PORTION OF 14th STREET TO THE WEST.

OWNER	APN	ACRES	OWNER	APN	ACRES
14th STREET	008-028-008-008	124.00	14th STREET	008-028-008-008	124.00
15th STREET	008-028-008-008	124.00	15th STREET	008-028-008-008	124.00
BROADWAY	008-028-008-008	124.00	BROADWAY	008-028-008-008	124.00

- NOTE:**
- CURB, GUTTER, AND SIDEWALK IS EXISTING ALONG FRONTAGE OF 14th, 15th, & ST. AND BROADWAY. EXISTING RECORDS RESTAURANT ON PARCEL C AND CORNER ON PARCEL B SHALL BE DEMOLISHED.
  - ADDITIONAL L&P DEDICATED FOR RECORDING OF RECORDS IS NOT REFLECTED HEREON AS THE RELEVANT DOCUMENTS WERE NOT PROVIDED AT THE TIME OF THE PREPARATION OF THIS MAP.



**UTILITY BLOCK**

UTILITY	PROVIDER	DEPT.	ADDRESS
WATER	SACRAMENTO WATER	1000	1000
SEWER	SACRAMENTO SEWER	1000	1000
ELECTRICITY	SACRAMENTO ELECTRIC	1000	1000
TELEPHONE	SACRAMENTO TELEPHONE	1000	1000
CABLE	SACRAMENTO CABLE	1000	1000
POSTAL	SACRAMENTO POSTAL	1000	1000
STREET LIGHTS	SACRAMENTO STREET LIGHTS	1000	1000
TRASH	SACRAMENTO TRASH	1000	1000
TELEVISION	SACRAMENTO TELEVISION	1000	1000

BENCHMARK ELEV. _____	<b>JTS ENGINEERING CONSULTANTS, INC.</b> 1808 J STREET SACRAMENTO CALIFORNIA 95814 (916) 441-8708	DESIGNED: _____	SCALE: F=80'	NO. _____	REVISION _____	APPROVAL _____	DATE _____	CITY OF SACRAMENTO	APN 008-028-008-008	CALIFORNIA	JTS 100 1000 0
FIELD BOOK NO. _____ PC _____		DRAWN: _____	SUBMITTED: _____								

FROM 1 OF 1  
PAGE 63

# SIERRA CURTIS

NEIGHBORHOOD ASSOCIATION

December 19, 2000

Mr. Louis Sanchez  
City of Sacramento Planning Division  
Design and Review Department  
1231 I Street  
Sacramento, CA 95814

Re: Walgreen's and Restaurant Building developed by John Saca on  
Broadway between 14<sup>th</sup> and 15<sup>th</sup> streets

Dear Mr. Sanchez:

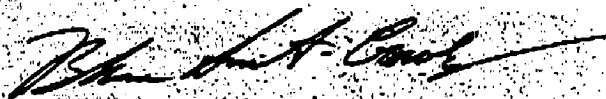
On behalf of the Sierra Curtis Neighborhood Association Board of Directors, I write to express support for the Walgreen's drug store and the adjacent restaurant proposed on Broadway between 14<sup>th</sup> and 15<sup>th</sup> Streets. I am also asking that further consideration be given to locating driveways off Broadway and assuring that signage and color are appropriate to the location.

Although we generally oppose drive-through uses as incompatible with aesthetics and with the pedestrian focus we desire, we do see a distinction where the use is an all-night pharmacy. We believe this feature will be an asset to our neighborhood, and in particular to our substantial senior population. We also endorse the proposed outdoor seating at the restaurant as conducive to pedestrian use.

We ask that consideration be given to the option of driveway access along 14<sup>th</sup> and 15<sup>th</sup> in lieu of on Broadway. We would also request consideration of whether the proposed signage is appropriate for this location and we would to know what color exterior paint will be applied. Generally, the design aspects of this project appear compatible with the architecture in the Tower District.

We appreciate the opportunity to comment on this welcome addition to the area. We look forward to learning more about it as it progresses. We hope to continue to work with the developer throughout the design process to help this proposal become a reality.

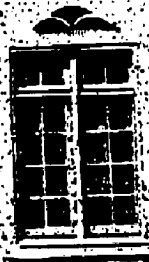
Sincerely,



Blane Smith-Crowley  
President, SCNA



Charles Ramsey  
SCNA Board member



771 3rd Street  
Sacramento, CA  
95811  
916 462-8005  
Fax 916 751-4536  
www.sierra2.org



December 20, 2000

## LAND PARK COMMUNITY ASSOCIATION

TO: Members, Design Review and Preservation Board  
City of Sacramento

FM: Land Park Community Association (LPCA)

RE: DR00-174: Proposed Drug Store and Small Restaurant Building

After the Design Review and Preservation Board's November "Review and Comment" meeting, City Staff arranged a meeting with the applicant, the Land Park Community Association (LPCA) and Broadway Business Association (BBA) to discuss changes to the project. At this meeting, the applicant indicated that he would not make any design changes that would jeopardize obtaining Walgreen's as a tenant – even those requested by the Design Review Board. The applicant agreed to submit revised plans after talking with Walgreen's on the following Monday. The new submitted plans make no major design improvements including those requested by the Board.

The project ignores major Central City Design Guidelines and community. It is contrary to the efforts to preserve and enhance street wall and urban character of the Tower District. Therefore, the Land Park Community Association (LPCA) must oppose the project as proposed. The major reasons for our opposition are listed below and suggested improvement are in the attachment.

### 1. MAJOR CENTRAL CITY DESIGN GUIDELINES IGNORED

The City's current Design Guidelines call for building mass to create street walls, encourage urban design and encourage actual pedestrian activity. This project ignores these design principles that would improve the heart of the Tower District. In fact, the proposal actually diminishes building mass by demolishing the existing restaurant that you see when you enter the heart of the Tower District on 15<sup>th</sup> street.

### 2. RESTAURANT MASSING IS INADEQUATE:

- A small 2,400 square foot (sf) restaurant perched at the corner of 15<sup>th</sup> Street would be isolated and surrounded by a sea of asphalt. The applicant indicated that Walgreen's is requiring that the drug store building be "seen" by drivers going south on 15<sup>th</sup> Street and west on Broadway. The applicant appears to be accommodating Walgreen's requirement, rather than conforming to the Central City Design Guidelines.
- The 2,400 square feet restaurant is approximately half the size of the existing Ho Sy Guy Restaurant (a.k.a. Denny's) and two-thirds the size of the existing McDonald's. In fact, this design guarantees that only another "fast food" restaurant (Starbucks, La Bou) would operate at this site, when a larger building would generate more visibility and potentially other uses.
- The total square footage of both parcels is 52, 574 square feet and the buildings' square footage is 17,200 – a gross under-utilization of these major opportunity sites. If you were considering the restaurant alone (2,400 sf building on a 25,500 parcel it's easy to see that it's grossly inadequate. *With the lot line adjustment of this proposal, the project is basically a drug store with a sea of parking as if it's a project at a suburban intersection.*
- It would be better to keep the existing Ho Sy Guy restaurant (a.k.a. Denny's) because of its larger scale and design. The 4,400 sf building would compliment the proposed Walgreen's and provide a larger presence when entering the Tower District.

### 3. TOWER DISTRICT'S URBAN SIGNIFICANCE IS BEING IGNORED

- The site is a major opportunity site within the Tower District. 15<sup>th</sup> Street is the major entrance to the center of the Tower District. Major activities to promote the Tower District are being under taken:

- A Tower Theater Preservation District is being proposed that would include the Tower Theater building, Old Melarky's and the historic building west of the theater to 14<sup>th</sup> Street, directly across from the project. In order to compliment this district, the project must reflect the existing building scale and design and promote pedestrian activity.
- The City has designated Broadway as a "neighborhood commercial revitalization area" where the City will foster development that "builds on existing and/or historical assets". In addition, new street infrastructure has been made in the district. The District's unique character must be maintained and enhanced, and the most must be made of every parcel, particularly in the heart of the Tower District. This design under utilizes the parcel.
- The City Council selected the Greater Broadway Partnership as a "model" for the Main Street Program. Partnership members will be trained in the "Main Street Approach to Revitalization" in anticipation of being selected as a Main Street District. This program helps develop organizations to increase retail activities, enhance existing building designs and promote the Tower District as an urban area. The District needs urban designs that will enhance and create more pedestrian activity and density. This project only goes half way and ignores the urban massing of the area.
- Approving a drive through in the Tower District is inconsistent with the pedestrian activity and urban nature of the Tower Theater. The community has consistently stated that drive throughs should not be allowed in the Tower District (21<sup>st</sup> Street to Riverside Blvd). The Planning Commission and the Design Review Board opposed a drive through on this site in 1992 because of adverse impacts to pedestrian use and the desire to increase pedestrian uses in the Tower District. Approving this special permit would encourage other drive throughs to locate in the Tower District.

**4. THE PROJECT SETS A "DOUBLE STANDARD" FOR PEDESTRIAN ACTIVITY**

The Central City Design Guidelines say that *buildings should encourage actual pedestrian activity*. Prior developments along Broadway were required to include entrances on busy corners at 13<sup>th</sup> and Broadway (The Asian Market) and the northwest corner of Riverside and Broadway (Lux Taylor property). Yet, this project – which has more pedestrian activity at 14<sup>th</sup> Street in the core of the Tower District – refuses to incorporate an entrance at 14<sup>th</sup> Street. Adding "window blocks" to give the "appearance" of pedestrian interaction does not meet the design guidelines of increasing actual activity and lowers the standard that has been required by this Board.

For these reasons, LPCA has no choice but to oppose the project, if this project is approved, it will undersell the Tower District's potential and set an inferior standard for future development in the heart of the Tower District. Please support urban design and site features that enhance the Tower District's urban nature.

**LAND PARK COMMUNITY ASSOCIATION**  
Comments on the proposed  
**Proposed Drug Store and Restaurant**  
Between 14<sup>TH</sup> and 15<sup>TH</sup> Streets on Broadway  
(December 20, 2000)

**PROPOSED IMPROVEMENTS TO THE PROJECT**

1. **Massing:** The Tower District is the heart of Broadway and contains the most retail services along the boulevard, including the Tower Theater, directly across the street from the site. In keeping with the urban feel for this pedestrian node, any proposal directly across from the Tower Theater should replicate the size and mass of buildings on the street. While the drug store building is generally a larger mass, the restaurant's footprint is inadequate (2,400 sf) and will be isolated by asphalt on the corner of 15<sup>th</sup> and Broadway. The major entrance to the Tower District from the north is 15<sup>th</sup> Street – this entrance should have a larger street wall and duplicate the street wall that is created by the Tower Theater and the Bank of America building.
2. **Pedestrian Interaction and Street Wall on Broadway:** In addition to increasing mass, a street wall should be established along Broadway that encourages pedestrian activities in the Tower District. The restaurant should have a greater presence along Broadway, by making the restaurant larger (possible "L" shaped and wrapped around the corner or two stories). The proposed drug store must have entrances at the corner of 14<sup>th</sup> Street.
3. **Landscape Plan:** We are encouraged that the London Plane trees will be kept on Broadway and would also encourage them along 15<sup>th</sup> Street. However, there is nothing in the report that requires this or other landscaping that have been suggested by LPCA and the Board. A landscape plan should be submitted and approved by DRB.
4. **Signage Plan:** A signage plan still has not been provided and should be approved with this application to ensure consistent signage and to ensure location, quality of materials, both on buildings and on site. Signage should be of the best quality and design. Signage should be kept to a minimum and monument sign on 15<sup>th</sup> Street should be eliminated.
5. **Drive Through:** Drive through customers utilize Broadway's limited traffic capacity and do not provide business to other retail stores in the Corridor. LPCA supports the enhancement of pedestrian usage and the establishment of a pedestrian node. Approving a drive through results in the location of additional drive throughs. The Planning Commission and the Design Review Board opposed a drive through on this site in 1992. LPCA believes that the Tower District is a pedestrian node and drive throughs should not be allowed because of adverse impacts to pedestrian use and the ability to increase pedestrian uses in this significance Tower District. The 24-hour drive through should also be studied in the environmental review.

6. **Traffic Study:** The City built upon the 1999 analysis of the McDonald's drive through proposal. Even though LPCA pointed out the prior study's inadequacies a year ago, they were repeated.
- An inadequate number of intersections were studied. For example, the intersection of Broadway, 16<sup>th</sup> Street and Land Park Drive (only one block away) is so congested that the City Traffic Engineer monitors congestion using a closed circuit TV camera mounted in front of Tower Records.
  - Only traffic impacts on Broadway were reported for Broadway at 14<sup>th</sup> Street intersection, even though the work sheets indicated LOS D in the 14<sup>th</sup> Street direction. This is a significant flaw in the McDonald's report because it masks impacts to the existing businesses and residences.
  - The assumed trip distribution was irrational. Freeway off ramps, major employers and primary access to and from Land Park and Central City all east of the site, yet only 35% of the trips were assumed for that direction. Yet the less congested part of Broadway to the west was assumed to carry 40% of the trips.
  - Future traffic conditions were not analyzed as required by CEQA.

The City Staff's analysis is now even more problematic.

- The base traffic flows for the present condition have not been increased even though Target was enlarged last year and brings more customers to fill its parking lot. Also, Golden One Credit Union has increased its customer base, causing congestion and parking complaints along 14<sup>th</sup> Street. Growth in Laguna has overloaded I-5 Freeway causing more traffic on surface streets and Broadway.
  - Part of the future conditions ignored a year ago are being built: the State's massive East End project at 15<sup>th</sup> and 16<sup>th</sup> Streets and the 14<sup>th</sup> St and X Street Retail Building are not included and should be studied for future impacts.
  - Drive through window operations were observed at three drug stores in the Sacramento area, yet only the drive through operations were recorded and nationwide trip generation data was used to estimate walk-in customer traffic, rather than counting it directly.
  - Trip generation data for a sit down restaurant was used, yet the proposed restaurant is only two-thirds the size of McDonald's. This could become a fast food restaurant and generate trips at a rate 2.5 times greater than a sit down restaurant.
7. **CEQA Compliance:** The City must complete an initial study to assess land use, aesthetics, and air quality and traffic impacts. In addition, City Staff needs to determine whether there is a significant impact from both existing and future conditions and make this information public for review and comment.
8. **Lighting:** A lighting plan must be approved with the proposed project. We would like to review and comment on it prior to approval.

9. **Parking Requirements:** Planning Staff indicates that 70 parking spaces are necessary for the proposed square footage. However, there is an opportunity to share parking with the parcel north of the total parcel at 14<sup>th</sup> and X Street and also the gas station, thus allowing more space for building footage. In fact, the parcel at 14<sup>th</sup> and Broadway has legal access to the north parcel (14<sup>th</sup> and X) that were established when the lot split into two parcels and one was sold to McDonald's.
10. **Ingress/Egress:** The driveway on Broadway should be eliminated for safety of pedestrian and to eliminate traffic congestion on Broadway. This would encourage more pedestrian activity along Broadway. Traffic Staff indicates that this is achievable. Entering and exiting would occur on 15 and 14<sup>th</sup> Streets. Any proposed driveway width should be the minimal City Standard.
11. **Loading and unloading:** We agree with City Staff that loading should occur on site. However, frequency and allowed times for loading/unloading are not identified so we can't determine if it will impact parking.
12. **SMUD boxes, bike racks, storage** are not incorporated into the site plan and must be identified so they are integrated into the overall architectural features.
13. **Metal Awnings:** These should be eliminated and cloth awnings used to reflect the current trend in the Tower District.
14. **Paving on sidewalks:** The colored pavers on the sidewalk should be eliminated on city sidewalks. This is treatment that is more suburban in nature.

**RESTAURANT COMMENTS:**

1. **Massing:** The proposed footprint (60 by 40 feet) is inadequate for this corner, the major entrance to the Tower District. The building is only 2,400 sf. The massing and height of 15 feet doesn't reflect the importance of this corner. The building's mass could be increased by:
  - Extending it forward to Broadway by at least 10 feet.
  - Extending the building west to create an "L" shaped building for more massing. This would move the building into the first four parking spaces.Another option with the expanded footprint is to:
  - Add a second story to the building. This would encourage massing and detailing that is in scale with the street and surrounding buildings and create a presence. In fact, a second story terrace wrapped around the south and east elevation would allow outdoor seating and a view of both the Tower Theater and Broadway.
2. **South Elevation:**

**Colonnade:** While the wall has been increased slightly, it is still too small (approximately 15 feet) for a street wall. It should be raised to meet the first horizontal line of the restaurant building in order to unify more with the restaurant. Benches should be eliminated and a stronger wall structure should be developed with more interest.

- Landscaping: A landscaping plan should be reviewed and approved by the Board. Keeping the existing London Plane street trees is positive, and they should have metal grids place around them.
  - Café Seating: The café seating was increased and extended west. How many outdoor seats would the current site plan provide? (the August 16 notification indicates 81 seats.) The pavers have been extended into the four parking lot spaces to maximize outdoor café, which supports a major design guideline element.
  - Palm Trees: While the placement of palms tries to capture the feel of existing palm trees at the Tower Theater, their placement should be more natural. This would include adding an odd number, rather than even number, to the number of palm trees and placing them in a close, but random way.
3. **Signage:** The project should not be approved without a signage plan. We don't know where signage would be placed. Signage should only be on the wedge and be limited. Monument signs should not be allowed.
  4. **East Elevation:** The design is not fully developed. 15<sup>th</sup> Street is a major entrance to the Tower district and should have more interest for both auto and pedestrian traffic.
    - Add London Plane Trees to the 15<sup>th</sup> Street to continue the landscaping from Broadway.
  5. **North Elevation:** The north elevation needs to be both active and more interesting since it is the main entrance to the Tower District. Currently, the building looks like a blank wall. Landscaping and more detail should be added.
    - Add irrigated landscaping next to the building's north elevation to soften the building.
    - Where is trash enclosure for restaurant? It needs to be same material as the building and have irrigated landscaping to soften the walls and discourage graffiti.

**DRUG STORE BUILDING COMMENTS:**

Overall, the building is the right mass. However, there are some additional comments on the building design. All columns on the building (north, south, east and west) above the parapet height need to be extended. In addition:

1. **South Elevation:**
  - The building is approximately 20 feet from the curb and should be moved ten (10) feet closer to Broadway to create an urban streetwall.  
Pedestrian Interaction on Broadway: The first staff report stated that "fenestration and interaction with the corner is essential". We agree: the proposed circular element at 14<sup>th</sup> and Broadway doesn't provide an interactive corner. The building should have a clearly defined entrance at 14<sup>th</sup> street, along with display windows.

- Moving the building forward and adding an entrance at 14<sup>th</sup> Street, allows for another tenant or additional space for the drug store. An entrance would add a strong active element and increase pedestrian activity at this corner.
  - Eliminate the driveway on Broadway and allow ingress and egress from 14<sup>th</sup> and 15<sup>th</sup> Streets. Traffic staff indicated that this would work with a circular one way traffic around the parking lot.
  - Circular element on 14<sup>th</sup> and Broadway: While playful and trying to balance the "wedge" on the south elevation, it should be reconsidered. It currently looks like a water tank without any entrance, windows, etc. While we thought a dome to mimic the arched stucco accent wall (wedge) might work, it may be better to add a dome or height to the drum.
  - Windows: The additional of additional windows along Broadway (lowered) helps promote the pedestrian feel of the street.
2. **North Elevation:**
- The wall needs to be given more detail and interest because it is the entrance to the Tower District. Landscaping: add landscaping next to the building and between the parking lot to soften the building and eliminate graffiti.
3. **Eastern Elevation:**
- The main entrance window treatment is good, accentuating the entrance. However, it looks as if the doors have been split (one on either side) on either side of the entrance. It would be better to have two doors (in and out) on each side of the entrance area.

We hope these comments result in major revisions to this project – improving upon the urban character of the Tower District at this major opportunity location.

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**From:** "Luree Stetson" <lstetson@earthlink.net>  
**To:** "Mark Kraft" <mkraft@cityofsacramento.org>  
**Date:** 1/3/01 9:35PM  
**Subject:** Walgreen's Project

Here are comments on initial study that we will be finalizing, but wanted you to see as soon as possible. We'll be refining these because we can't finish before your deadline of tomorrow. The most serious issue is that it appears the City hasn't filed a notice of intent according to CEQA (Section 15072). Also, the initial study must reflect the project -- a fast food restaurant that John Saca testified will be built on the site, rather than a sit down restaurant and the traffic study must also reflect these counts. Let me know what you think. (this is my home email, so if you respond, I won't see it until late Thursday night..)

Comments Submitted by LPCA  
Walgreen's Initial Study/ Negative Declaration

January 2, 2001

#### Introduction

At the Design Review and Preservation Board hearing, Mr. Saca said the restaurant will be fast food restaurant. This highly important information needs to be included in the Introduction and in following sections.

#### Project Description

The project description is inadequate because it does not include: 1) removal of the existing restaurant buildings, 2) removal several mature trees and 3) removal of other trees and landscaping, 4) the drive thru window or 5) the offsite Walgreens sign, all major components of the project.

It is also inadequate because it does not describe the proposed restaurant as being a fast food restaurant, does not give the number of outside seats and does not mention the need for Planning Commission approval of the drive thru window.

#### 1. Land Use

The Environmental Setting is incorrect in saying the major street access to the project is Broadway. Only vehicles proceeding west on Broadway would be able to access the project from Broadway, due to the left turn prohibition. 14th and 15th Streets must also be listed as major streets accessing the project.

The Design Review and Preservation Board, the City's authority on the subject, took strong exception to the staff's evaluation that the project conformed to the Central City Guidelines and conditioned their approval by a major change in the project layout, which is not included in the project description.

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## 2. Population and Housing

The evaluation of potential impacts to population and housing is inadequate in that it does not evaluate General Plan Section 2, Goal A, Policy 6, that prohibits intrusion of incompatible uses into residential neighborhoods. Operation of the 24-hour drive thru window could be an unbearable intrusion to the 5 residential units facing the project on 14th Street.

## 3. Seismicity, Soils and Geology

Answers to Checklist Questions – Question A is unclear and must be corrected. We do not know which "roadway" is part of the project.

## 4. Water

Answers to Checklist Questions – Question B mentions a prior EIR and Addendum. There are no such documents for this project. This must be corrected.

## 5. Air Quality

The potentially significant impacts of dust from building demolition and grading operations must be described and mitigation provided. The restaurant building that originally housed Denny's is old enough that it might contain asbestos. Business and their patrons, especially outdoor diners at the Tower Café during a dry north wind, could be adversely impacted by dust from the project.

Air quality impacts of the addition traffic must also be included in this section.

## 6. Transportation and Circulation

The Environment Setting is deficient in not describing 14th and 15th Streets the primary access to the project; see our first comment under Land Use. It is also incorrect in stating that the nearest bikeways are on T Street and Riverside Boulevard; there are bike lanes on Land Park Drive, one block from the project, which is half the distance to Riverside. Both these errors must be corrected.

The Standards of Significance are incomplete and must be made complete. Under Roadway Traffic, an adverse impact also occurs when an intersection at a level of service D, E or F is degraded by 5.0 seconds or more.

The Existing Daily Operations section is incomplete and must be corrected and a traffic study must be completed. Apparently only the Broadway direction of traffic was considered at the 14th and Broadway intersection and as noted above 14th Street is a primary access to the project. See the Trip Distribution; 65% of the project traffic will have to use 14th Street, because of the left turn prohibition into the driveway on Broadway. Pages

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12 and 13 of Broadway McDonalds Traffic Impact Analyses, March 7, 1994 by the City of Sacramento Department of Public Works and the 1999 traffic analysis work sheets for McDonalds drive thru proposal both indicate that the 14th Street directions are currently at LOS D. See the bottom right corner of the Trip Generation Worksheet, a traffic study is required when a main access is at Level D and the project will generate more than 50 trips.

The Project Trip Generation section is wrong and must be corrected. The Trip Generation Worksheet indicates that traffic from a high turnover 2400 square foot restaurant was assumed. This is wrong on two counts. The developer, as noted above, is building a fast food restaurant, which produces traffic a rate more than two and a half times greater than assumed. And, there was no accounting of traffic generated by the undisclosed, but considerable, outdoor seating. Correcting these mistakes will increase the project traffic to over 100 trips, thereby triggering the need for a traffic study.

LPCA comments under Traffic Study in our December 20, 2000 written comments addressed to Members, Design Review and Preservation Board, not superseded by the above comments, are incorporated herein by this reference to them.

#### 7. Biological Resources

The Environment Setting is inadequate in that it does not describe the existing trees, especially the row off trees between the existing restaurant buildings that were preserved as a mitigation measure for the construction of McDonalds, therefore must be addressed in this initial study.

Answers to Checklist Questions – Question B The project site plan shows palm trees where some London Plane street trees currently exist. The plan must be corrected.

#### 13. Aesthetics, Light and Glare

Glare from headlights using the 24-hour drive thru window into the residences on 14th Street must be addressed and mitigated. See our comment on Population and Housing

#### Notification

LPCA, which has for many years received copies of all the City's environmental documents for project in and near Land Park has not received the notice of intent to file a negative declaration and, as of January 2, 2001, the notice had not been posted by the county recorder. According to the CEQA, the negative declaration can not be adopted before January 19, 2001.

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CC: ""Babbitt, Donald" " <donbabbitt@msn.com>



## LAND PARK COMMUNITY ASSOCIATION COMMENTS

on

Drug Store and Restaurant Proposal  
Between 14<sup>TH</sup> and 15<sup>TH</sup> Streets on Broadway  
Presented to the Design Review and Preservation Board  
November 14, 2000

The Land Park Community Association (LPCA) appreciates the opportunity to comment on this proposal because of its importance to not only the Tower District but to the City, as well. These two parcels, in the heart of the Tower District, are major opportunity sites because they are across from the historic Tower Theater and along the main entrance to the Tower District. Any development on these parcels should enhance the District and set the standard for future development. We have met with the developer and his architect, Kevin Donnelly of Ekistics Design Studio, to discuss the importance of this location and this project. While the project is a first step, we believe there are important issues to be addressed before a project of this importance can be approved.

The parcels border 15<sup>th</sup> Street, the major entrance to the Tower District. This district contains the most retail services and pedestrian activity along the boulevard, particularly on these blocks. In keeping with the urban feel for this pedestrian node, any proposal should develop an urban street wall, adequate massing and generally replicate the retail activity through its building design. Currently, the project does not do this. While the drug store building is generally an adequate mass, the restaurant's is too small and lost on the corner of 15<sup>th</sup> and Broadway.

The proposal should also promote pedestrian activities and have minimum impacts to the residences, offices and businesses located on 14<sup>th</sup> Street, Broadway and X Street. In addition, any project impacts, including traffic and loading, must be evaluated thoroughly so that traffic circulation and congestion can be minimized in the district.

The Planning Commission and the Design Review Board opposed a drive through on this site in 1992. LPCA has long held the position that the Tower District is a pedestrian node and drive throughs should not be allowed because of adverse impacts to pedestrian use, the impact to current traffic congestion, and that they don't contribute to other businesses. This parcel is a significant opportunity site located at the major entrance to the Tower District. It must be a quality project that compliments the Tower District, contributes to the urban streetscape and sets a standard for this important historic district.

### OVERALL PROJECT COMMENTS:

1. **Street Wall on Broadway:** The proposal does not create a street wall along Broadway in keeping with the urban design of the area. The buildings must be enlarged and moved toward Broadway to accomplish this

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2. **Entrances:** The entrances of both buildings are inadequate and don't invite pedestrian activities along Broadway. The corner of 14<sup>th</sup> Street has not entrance and as a result is "dead" to anyone on Broadway. It must be made interactive. The restaurant entrance is minimal and should be enhanced. These actions, combined with the existing east elevation entrance of the drug store would create pedestrian interaction on Broadway.
3. **Drive Through:** LPCA supports the enhancement of pedestrian usage in the Tower District. Drive through customers would utilize Broadway's limited traffic capacity and do not provide business to other retail stores in the Corridor. We have not seen any environmental analysis of the additional traffic from both the restaurant and drug store (with the drive through) in order to determine the impact from this proposal. Approving a drive through stimulates the location of additional drive throughs because retailers know that it is a "proven" area where drive-by customers will come to a business. The 24-hour drive through should also be studied in the environmental review.
4. **Parking Requirements:** Planning Staff indicates that 70 parking spaces are necessary for the proposed square footage. However, there is an opportunity to share parking with the parcel north of the total parcel at 14<sup>th</sup> and X Street and also the gas station, thus allowing more space for building footage. In fact, the parcel at 14<sup>th</sup> and Broadway has legal right to access the north parcel (14<sup>th</sup> and X) when a lot split occurred in the early 1990's and was sold to McDonald's.
5. **Signage Plan:** We would like to have a copy of the signage plan to comment on location, quality of materials, both on buildings and on site. Signage should be a minimal on Broadway, 14<sup>th</sup> and 15 Streets. For example, the drug store signage on Broadway should only be on the "wedge". No backlighting, plastic or materials should be used; any materials should be approved. Quality materials should be used that support the historic aspect of the district. The proposed monument sign (15<sup>th</sup> Street) is 12 feet wide, the size of similar monuments on major suburban streets, such as Arden Way and should be eliminated.
6. **Driveways:** The driveway on Broadway should be eliminated for pedestrian safety and to eliminate traffic congestion on Broadway. Entering and exiting would occur on 15 and 14<sup>th</sup> Streets. The width of drive ways should be the City's minimum width.
7. **Lighting:** We would like a copy of the lighting plan to comment on perimeter and parking lot lights, in addition to that on the buildings.
8. **Loading and unloading:** The August 16 early project notification indicates that the applicant is asking for a waiver from on-site loading. Walgreen's elevations indicated that these activities will occur somewhere on 14<sup>th</sup> Street, but it's not clear where and how traffic coming from the site (including the drive through) and street traffic at the intersection would be effected. Also, the report does not indicate how often or when loading/unloading occurs. There is no mention of the restaurant's loading and unloading activities at all.
9. **Landscape Plan:** We'd like to review a landscape plan. We are encouraged that the London Plane trees will be kept on Broadway and would also encourage them along 15<sup>th</sup> Street.

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10. SMUD boxes, bike racks, storage are not incorporated into the site plan and must be identified so they are integrated into the overall architectural features.

**RESTAURANT:  
Specific Comments:**

1. **Massing:** The existing footprint (60 by 40 feet) and height is too small for this corner, the major entrance to the Tower District. This building must be increased to reflect the importance of this opportunity site. The building's mass could be increased by:
  - Extending it forward to Broadway by at least 10 feet.
  - Rotating the building so that its longer side is on Broadway.
  - Extending the building west to create an "L" shaped building for more massing. This would move the building into the first four parking spaces.
  - Adding a second story to the building. This would encourage massing and detailing that is in scale with the street and surrounding buildings and create a presence. In fact, a second story terrace wrapped around the south and east elevation would allow outdoor seating and a view of both the Tower Theater and Broadway.
2. **South Elevations:**
  - **Colonnade:** The colonnade is too thin and does not have enough mass. It only relates to the two structures, but disappears on all the other elevations. Benches should be eliminated and a stronger wall structure should be developed with more interest. It should be tied in to the outdoor seating area of the restaurant so that the outdoor seating is not an after thought.
  - **Landscaping:** We appreciate the fact that the London Plane street trees are kept. The existing trees on Broadway should have metal grids placed around them. These should be planted along 15<sup>th</sup> street also.
  - **Café Seating:** The café should be enhanced starting on 15<sup>th</sup> Street, continuing on Broadway. It now looks as if you walk through the outdoor seating area and that it wouldn't be used. How many square feet are proposed for outdoor seating? How many outdoor seats would the current site plan provide? (the August 16 notification indicates 81 seats.) The pavers should be extended into the four parking lot spaces to maximize outdoor café.
  - **Palm Trees:** The placement of palms tries to capture the feel of existing palm trees at the Tower Theater; however, their placement should be more natural. This would include adding an odd number, rather than even number, to the number of palm trees and placing them in a close, but random way.
3. **Signage:** As stated above, we would like to know where the signage would be placed on the building. Signage should be limited on Broadway and 15<sup>th</sup> Streets. Monument signs should not be allowed.
4. **East Elevation:** The design is not fully developed. 15<sup>th</sup> Street is a major entrance to the Tower district and should have more interest for those entering the District in auto or by other means.
5. **North Elevation:** This elevation needs to be more developed and active. It doesn't match the site plan. Is there an entrance to the restaurant on this

elevation or is it a bike rack or something else? The north elevation needs to be both active and more interesting since it is the main entrance to the Tower District.

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- Add irrigated landscaping next to the building's north elevation to soften the building.
- Where is trash enclosure for restaurant? It needs to be same material as the building and have irrigated landscaping to soften the walls and discourage graffiti.
- Where will loading and unloading occur?

**WALGREEN'S**  
**Specific Comments:**

1. **Pedestrian Interaction on Broadway:** The staff report states that "fenestration and interaction with the corner is essential". We agree and believe that the proposal doesn't encourage pedestrian interaction at the corner of 14<sup>th</sup> and Broadway OR along Broadway. The proposed circular element at 14<sup>th</sup> and Broadway merely fills the corner and doesn't provide an interactive corner. The building should have a clearly defined entry at 14<sup>th</sup> street. In addition the Broadway building wall is bare and should have more windows at 5 feet height.
2. **Entrance at 14<sup>th</sup> and Broadway,** to stimulate more pedestrian movement along and across Broadway. This would support the photo 8 1/2 by 11 photomontage provided by Ekistics that shows that the dome on the left interacts with the corner whereas the large circular element proposed at 14<sup>th</sup> and Broadway does not. Also, moving the building forward and adding an entrance at 14<sup>th</sup> Street, allows for another tenant or additional space for the drug store. An entrance would add a strong active element and increase pedestrian activity at this corner.
3. **Eliminate the driveway on Broadway** and allow ingress and egress from 14<sup>th</sup> and 15<sup>th</sup> Streets. This will eliminate dangerous situation between pedestrians and automobile traffic. Autos will back up while waiting for a parking space and spill out onto Broadway. In addition, this part of Broadway often has gridlock during rush hour and traffic exiting from this driveway would create traffic hazards when trying to merge onto Broadway.
4. **Columns:** Extend all columns on the building (north, south, east and west) above the parapet height.
5. **South Elevation:**
  - The building is approximately 20 feet from the curb and should be moved ten (10) feet closer to Broadway to create an urban streetwall.
  - **Building Wall:** Add glazing between the columns on Broadway to create more design interest and pedestrian interest.
  - **Circular element on 14<sup>th</sup> and Broadway:** The attempt to anchor that corner should be done either with an entry or another business storefront. The architecture style should relate more to the "wedge" on Broadway. The circular element becomes a mass with no openings, windows, etc. and detracts from other positive elements of the building.
  - **Windows:** The windows are too high and should be lowered to 5 feet, rather than the proposed 8 feet, to maintain a pedestrian feel on Broadway.

6. North Elevation:
  - Landscaping: add landscaping next to the building and between the parking lot to soften the building and eliminate graffiti.
7. East Elevation:
  - The main entrance window treatment is good, accentuating the entrance. However, the doors should be wider and more inviting.
8. West Elevation:
  - London Plan street tress should be added to replace any sick or empty tree wells. Colonnades should be extended past the parapet.

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