

ATTACHMENT 1

Public Hearings

Third Party Appeal: Curtis Park Village Fuel Center (P14-036) [Noticed 11/06/2015]

Report # 2015-00623 Estimated Time: 90 minutes (Actual Time: 4.5 hours)

Location: District 5

Action: Moved/Seconded: Member Jay Schenirer / Member Steve Hansen

Yes: Members Angelique Ashby, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer and Mayor Kevin Johnson.

No: Members Larry Carr and Allen Warren

Conducted a public hearing with public comment heard from Mark Swanson, Sally Zeff, Wendy Saunders, Paul Knepprath, Maxine Boshes, Nathan Jacobsen, Kathryn McOmie, Kave Van Buren, Marian Moe, Ben Rivers, Donna Uran, Joany Titherington, Kirk Trost, Simeon Gant, Genevieve Shiroma, Katie Valenzuela, Nancy McKeever, Tamika L'ecluse, Rosanna Herber, Rosemary Covington, Bill Harrell, Andrea Rosen, Kevin Carter, Matt Z'berg, Race Forster, Joseph Gabriel, Lesley Simons, Larry Meeks, KD Weldon, Nicole Rice, Lori Thurn, Steven Clark, Nate White, Gary Sires, Ashiya Odeya, Sean Raycraft, Anthony Sadler, Karen Carmazzi, Dawn Holley, Chris Thompson, Meg Heede, Bruce Strickley, Jennifer Dare Sparks;

and upon conclusion passed Motion No. 2015-0293 to reject staff's recommendation to certify the addendum to a previously adopted EIR and Mitigation Monitoring Plan, and Conditional Use Permit and Site Plan and Design Review, and instead deny the application by denying the Conditional Use Permit under Planning and Development Code section 17.808.200.C.1, subsections a and d, with the following findings:

The proposed gas station and its operating characteristics are not consistent with the General Plan policy 5.1.5 discouraging low-intensity and auto-oriented uses around transit stations in that:

- a. The gas station is an auto-oriented use; and the gas station is within a 1/4 mile radius of an existing City College Light Rail Station. The staff report focused on land uses surrounding the existing light rail transit station as higher-

intensity, ridership generating mix of uses, location of the gas station within the larger shopping center does not inhibit the ability of the surrounding community to access the transit station, and that the gas station represents a very small fraction of space out of the larger shopping center. However, based on other evidence at the hearing and in the City Council's view, interference with access to transit is not the only point of this policy in this instance, and this larger size gas station required extra consideration. Regardless of the vehicle trips not increasing beyond the numbers studied for the PUD, vehicle miles travelled is still an issue to address under this policy. An auto-oriented use around the transit station, which would be draw for additional traffic and trips from outside the surrounding community, is counter to that policy and is not consistent with this policy to discourage auto oriented uses.

The City's application for grant funding to build the pedestrian bridge connecting the project to nearby light rail called the Curtis Park Village a high density, mixed-use urban infill development project which embraced the blueprint developed by SACOG. The gas station is inconsistent with City's overall goals and objectives for infill and sustainability, climate action, transit oriented development, the regional blueprint, and the objectives of General Plan Policy 5.1.5.

d. The proposed use and its operating characteristics are detrimental to the convenience and welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood as the large scale of the gas station is incompatible with the surrounding neighborhood, and it would increase traffic.

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Since denial of the fuel center the City Council has taken many strong actions to strengthen even further its commitment to reducing vehicle miles traveled and climate change impacts, promote transit and pedestrian development, strengthen transportation facilities for walking, bicycling and transit and promote infill development that strengthens existing communities. Highlights of a sample of those actions are briefly summarized below.

Quoting the first paragraph of staff report for adoption of the Transit Oriented Development (TOD) Ordinance:

On October 17, 2017, the City Council directed the City Manager to bring forward policy and code changes that would limit low-density auto-oriented uses near light rail stations.

Uses that are incompatible with light rail are those that are auto oriented and generate high levels of Vehicle Miles Traveled (VMT) while not encouraging the use of transit. Compatible uses are those that increase transit ridership, such as high-density housing and job-intensive office and retail uses.

Two (of several) relevant General Plan Policies:

LU 2.6.1: Sustainable Development Patterns. The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently; reduce pollution and automobile dependence and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use.

LU 2.6.2: Transit-Oriented Development. The City shall actively support and facilitate mixed-use retail, employment, and residential development around existing and future transit stations.

General Plan Vision and Guiding Principles

In 2019, City Council adopted the General Plan Vision and Guiding Principles (Resolution No. 2019-0433). The Vision and Guiding Principles reaffirm the City's commitment to "take bold action to achieve carbon neutrality by 2045 and become a leading voice in the effort to reduce greenhouse gas emissions and adapt to climate change. The Vision states "pedestrian, bicycle and transit options will be prioritized over automobiles."

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The Mayors' Climate Change Commission -

The Mayors' Climate Change Commission (MCCC) recommendations were unanimously adopted by the Council provide a hierarchy that first prioritizes active transportation (walking and bicycling), followed by transit and shared mobility, and finally zero emission vehicles.

Gateway West Conditional Use Permit Denial

On November 17, 2020, the City Council denied a conditional use permit for a gas station in North Natomas. The propose location was much closer to a major freeway than Crocker Village. The Council fond that the Gateway West proposed land use was highway-serving commercial to meet commuter needs to the detriment of the neighborhood residents. (See findings in P17-057 Gateway West November 17, 2020).

ATTACHMENT 3

Existing Gas Stations within 2 Mile Radius of Proposed Safeway Fuel Center = **22**

Total existing Gas Pumps within radius of 2 Miles = **94**

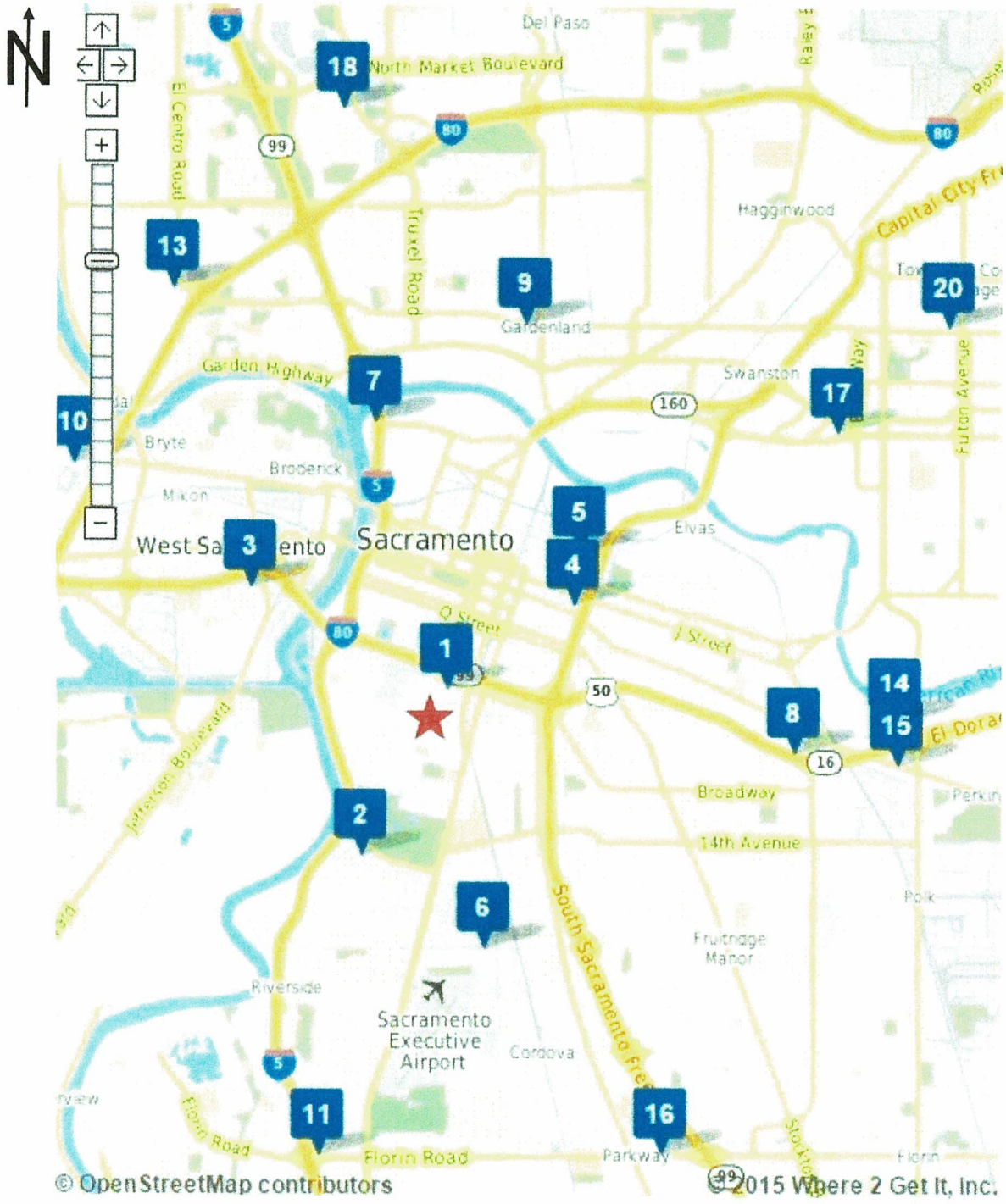
Total existing Gas Dispensers (Nozzles-one on each side) within 2 Miles = **188**

1. 76
2330 Broadway
5 Gas Pumps, 10 Gas Dispensers
2. Shell
3701 Franklin Blvd
4 Gas Pumps, 8 Gas Dispensers
3. Valero
3100 Broadway
4 Gas Pumps, 8 Gas Dispensers
4. ARCO
2100 Broadway
4 Gas Pumps, 8 Gas Dispensers
5. Chevron
1828 Broadway
4 Gas Pumps, 8 Gas Dispensers
6. 76
2400 15th St
8 Gas Pumps, 16 Gas Dispensers
7. Mak's Quick Corner Valero
4011 Freeport Blvd
3 Gas Pumps, 6 Gas Dispensers
8. One Stop Gas
2401 16th St
4 Gas Pumps, 8 Gas Dispensers
9. ARCO
2225 16th St
5 Gas Pumps, 10 Gas Dispensers
10. 76
3031 P St
4 Gas Pumps, 8 Gas Dispensers
11. Sinclair
4516 Freeport Blvd
2 Gas Pumps, 4 Gas Dispensers
12. Valero
1101 Broadway
6 Gas Pumps, 12 Gas Dispensers
13. Valero
3211 Riverside Blvd
4 Gas Pumps, 8 Gas Dispensers
14. 76
1400 Sutterville Rd
4 Gas Pumps, 6 Gas Dispensers
15. Chevron
4000 South Land Park Dr
3 Gas Pumps, 6 Gas Dispensers
16. Franklin Gas & Shop
4991 Franklin Blvd
4 Gas Pumps, 8 Gas Dispensers
17. 76
3907 Stockton Blvd
4 Gas Pumps, 8 Gas Dispensers
18. Kwik Service
5942 24th Street
4 Gas Pumps, 8 Gas Dispensers
19. Chevron Extra Mile
2400 Fruitridge Rd
5 Gas Pumps, 10 Gas Dispensers
20. Franklin Valero
5601 Franklin Blvd
4 Gas Pumps, 8 Gas Dispensers
21. 76
5600 Freeport Blvd
4 Gas Pumps, 8 Gas Dispensers
22. Shell
5551 Martin Luther King Jr Blvd
4 Gas Pumps, 8 Gas Dispensers



ATTACHMENT 3

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Source: Safeway.com, accessed 9 April 2015.

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Detailed assessment of the rules governing the use of Safeway rewards to purchase gasoline make clear the following benefits and limitations:

Safeway, like most grocery chains, offers a rewards program to build customer loyalty. Rewards points can be redeemed for discounts on food and other grocery items or for gasoline. For each \$100.00 a customer spends at Safeway, they receive 1 Reward. Rewards expire in the month following the one in which they were accrued.

When redeemed for groceries, one reward is worth about \$2.50. If redeemed for gasoline, each reward is worth a ten cent (\$0.10) discount per gallon of gas purchased in one transaction, up to the volume of gas pumped in one transaction limited to the size of the customer's fuel tank, with a 25-gallon maximum. So, \$2.50 per reward at most. Gasoline discounts are offered by both Chevron and Safeway Fuel Centers.

Gasoline discounts at Chevron stations are limited to \$0.20/gallon which requires 2 Rewards, (\$200.00 of Safeway purchases). There are 20 Chevron stations within five miles in all directions from Crocker Village. Four Chevron stations are within two miles.

Safeway promotes a full dollar per gallon discount on gasoline bought at one of their Fuel Centers, on up to 25 gallons. To receive this maximum benefit the customer must have 10 Rewards, or \$1000.00 of qualifying grocery purchases within the valid period before points expire (two calendar months or less). All ten points are required at one fill up to get the full discount. Convenience store research shows most people fill-up their car about once per week and the average car has a 15–18-gallon tank. USDA reports that a family of four spends on average, between \$170 to \$325 per week on food, depending on lifestyle and affluence. For the majority of customers, then, direct grocery savings would meet and most likely exceed possible savings from gasoline. Customers who drive less, drive electric, or use transit will certainly benefit from direct grocery rewards over gas rewards. And for those who would choose to redeem rewards for gasoline, the Chevron discount is readily available.

Surveys completed by the National Association of Convenience Stores found that customers prefer direct discounts for groceries, which Safeway offers, to gasoline discount programs. Dollar for dollar the benefits are more fully received, fewer rewards points expire, and the programs reward all customers, not just those with gasoline-fueled vehicles and the ability to manage complex point/Reward systems.

ATTACHMENT 4

- + 90%

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
2. Commercial and Institutional Uses		
Alcoholic beverage sales, off-premises consumption	Subject to special use regulations in section 17.228.108	PDC
Amusement center, outdoor		PDC
Assembly—cultural, religious, social		PDC
Bar, nightclub	Subject to special use regulations in section 17.228.108	PDC
Check-cashing center	Subject to special use regulations in section 17.228.121	PDC
Cinema		PDC
College campus		PDC
Correctional facility		PDC
Drive-in theater		PDC
Drive through restaurant	Subject to special use regulations in section 17.228.109	PDC
Firearms business		PDC
Gas station		PDC
Golf course; driving range		PDC
Hotel; motel		PDC
Kennel		PDC
Non-profit organization, food preparation for off-site consumption		PDC
Non-profit organization, food storage and distribution	This use is limited to 6,400 gross square feet	PDC
Non-profit organization, meal service facility		PDC
Nonresidential care facility		PDC
Outdoor market	In granting a conditional use permit the zoning administrator may consider the traffic, parking, noise, hours of operation, and any applicable development standards related to the proposed outdoor market	ZA
Retail store	Permitted with a conditional use permit if use exceeds 60,000 gross square feet; permitted by right if use does not exceed 60,000 gross square feet	PDC
School, K-12		PDC
Stand-alone parking facility	The zoning administrator may waive the development standards stated in sections 17.608.040 and 17.612.020	ZA
Superstore	Subject to special use regulations in section 17.228.119	PDC
Tobacco retailer	A zoning administrator conditional use permit is required for a tobacco retailer that has 15,000 square feet or less of gross floor area and is located within 1,000 feet,	ZA

Meeting Date: 3/26/2013

Report Type: Consent

Report ID: 2013-00262



Title: Agreements: Curtis Park Village Proposition 1C Grant

Location: District 5

Issue: State Proposition 1C Grant funds require the City, as recipient of the funds on behalf of the Curtis Park Village developer, to review and approve grant draw requests before funds are released. The State Department of Housing and Community Development (HCD) Grant agreements allow the City to provide the funds to the developer as the grant sub-recipient completes infrastructure work.

Recommendation: Pass a Resolution 1) approving the Standard Agreement and the Disbursement Agreement for the \$9,085,000 Transit-Oriented Development (TOD) Housing Program Infrastructure Grant under Proposition 1C with the State Department of Housing and Community Development for the Curtis Park Village Project and authorizing the City Manager to execute the TOD Grant Agreements, 2) approving an Assignment and Assumption Agreement for the TOD Grant for the Curtis Park Village Project with Calvine & Elk Grove Florin, LLC, and authorizing the City Manager or his designee to execute the Assignment Agreement, and 3) establishing the Curtis Park Village TOD Capital Improvement Project (B02000100); and 4) establishing a \$9 million capital grant (Fund 3704) revenue and expenditure budget in B02000100 to be funded with the Proposition 1C TOD Infrastructure grant funds.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

Presenter: None

Department: City Manager

Division: Executive Office

Dept ID:

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Resolution
- 4-Exhibit A-Standard Agreement
- 5-Exhibit B-Assignment and Assumption Agreement
- 6-Exhibit C-Disbursement Agreement

City Attorney Review

Approved as to Form
Sheryl Patterson
3/20/2013 2:37:06 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Janelle Gray
3/13/2013 9:17:35 AM

Approvals/Acknowledgements

Department Director or Designee: Max Fernandez - 3/19/2013 12:42:59 PM

James Sanchez, City Attorney

Shirley Concolino, City Clerk
John F. Shirey, City Manager

Russell Fehr, City Treasurer **1 of 76**



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Description/Analysis

Issue: On June 30, 2009, the City was awarded a TOD grant by HCD in the amount of \$9,085,000 for the Curtis Park Village project. The amount of the grant award was based on the number of affordable housing units and the grant eligibility ranking was based on a number of factors, including the planned bridge to the City College light rail station, and the total housing units.

HCD is now ready to execute the grant agreement, which includes a Standard Agreement and a Disbursement Agreement. The HCD grant agreements allow the City to provide the Proposition 1C grant funds to the Developer as the grant sub-recipient for the infrastructure work, which includes grading, streets and utilities, and the planned neighborhood park. Under the Assignment and Assumption Agreement for the TOD Grant for the Curtis Park Village Project, the Developer would assume all of the City's obligations under the TOD grant in consideration of the City's assignment of the TOD grant proceeds to the Developer.

Policy Considerations: The recommendation is consistent with the City Council direction and actions regarding the Proposition 1C grant applications for the Curtis Park Village project on March 31, 2009 (Resolution No. 2009-198). The recommendation is also consistent with the City's Smart Growth Principles, the 2002 Infill Strategy, and the transit-supportive housing policies in the 2030 General Plan.

Economic Impacts: Not applicable

Environmental Considerations: The environmental impacts of construction of the infrastructure improvements, the affordable housing project, and the market-rate housing, which are the subject matters of the agreements referenced in this report, were included in the Curtis Park Village Project EIR, which was certified on September 28, 2010 (Resolution No. 2007-641). There have been no project changes or new information of substantial importance which would require reevaluation of the EIR for compliance with CEQA to support the proposed actions.

Sustainability: The improvements to be funded with the Proposition 1C grant funds have been reviewed for consistency with the goals, policies and targets of the City's Sustainability Master Plan and the 2030 General Plan. The improvements comply with many of the goals, in particular Goal Number Six - Urban Design, Land Use, Green Building and Transportation, specifically by reducing dependence on the private automobile by providing efficient and accessible public transit and transit-supportive land uses, and reducing long commutes by providing a wide array of transportation and housing choices near jobs for a balanced, healthy City.

Commission/Committee Action: Not applicable

Rationale for Recommendation: The Curtis Park Village project is a major infill and transit-oriented development project, with 15% of the housing to be built for very low income households (90 units) per the requirements under the TOD grants and is expected to promote increased transit ridership in Sacramento. The Proposition 1C grant funds will pay for a portion of the infrastructure needed for the housing development.

ATTACHMENT 6

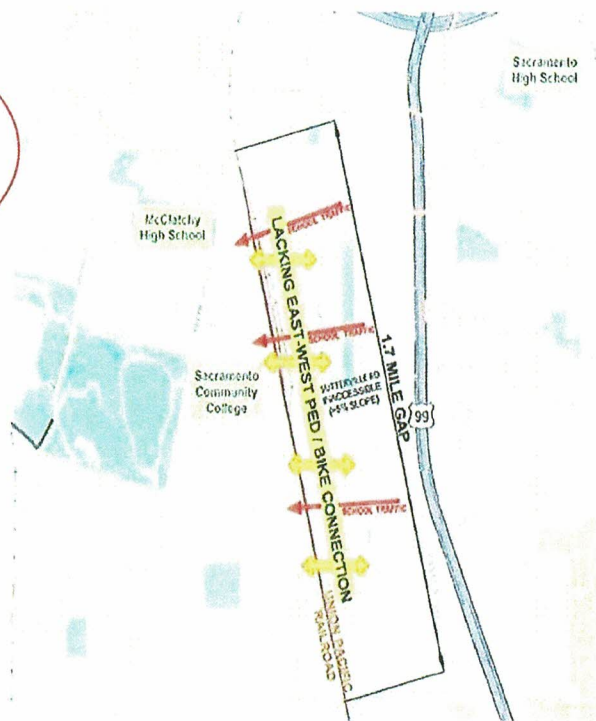
on-street bicycle facilities. The 1.7 mile section between the at-grade crossings at Freeport Boulevard and 26th Avenue is the heart of the area with respect to alternate modes travel. The only crossing for any mode in this section is the Sutterville Road overcrossing, which is a high speed arterial lacking bike lanes and accessible pedestrian facilities. The City of Sacramento seeks to fill this deficiency with the construction of the City College POC.

The new structure would provide a convenient and safe pedestrian and bicycle link between Curtis Park and Land Park. As envisioned, the bridge would land at Sacramento Regional Transit's (RT) City College Light Rail Station on Sacramento City College Campus on the west, and at the site of the Curtis Park Village development project on the east.

The Proposed Project

The City of Sacramento wishes to apply for Community Design funding to construct a new pedestrian and bicycle overcrossing of the UPRR right-of-way between the Sacramento City College Campus and the Curtis Park Village Development. The City College POC project represents exactly the kind of public investment which can foster the type of visionary private development concept that is envisioned for Curtis Park Village. The project will provide a viable and pleasant alternative to automotive travel for recreational users as well as commuters. Among the many benefits of this project, the new bridge will:

- ✓ Allow the approved 72 acre mixed use Curtis Park Village development to realize its potential as one of the region's preeminent Transit Oriented Developments
- ✓ Support the public investment of state bond funds for Transit Oriented Development and Brownfield clean up in Curtis Park Village.
- ✓ Provide safe and pleasant access for pedestrians and cyclists across the UPRR tracks
- ✓ Provide convenient access to light rail for current and future residents of Curtis Park
- ✓ Provide neighborhood connectivity
- ✓ Fill a gap in the regional bikeway network
- ✓ Provide safe and convenient access for the disabled community
- ✓ Provide a distinctive architectural enhancement for the area
- ✓ Compliment a planned \$10,000,000 retrofit of Hughes Stadium on the City College Campus
- ✓ Provide a more direct and safe route for pedestrian traffic to/from C.K. McClatchy High School and other schools in the area.



ATTACHMENT 6



July 29, 2011

Mr. Gregory Chew
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814
Subject: Sacramento City College Light Rail Station/Curtis Park Village Pedestrian Bridge

Dear Mr. Chew,

As the property owner and developer of Curtis Park Village, Petrovich Development Company is delighted to provide an endorsement for the City of Sacramento's planned project to construct an alternate modes overcrossing of the Union Pacific railroad tracks between Sacramento's Curtis Park and Land Park neighborhoods at the Sacramento City College Light Rail Station. We feel the bridge project will be an outstanding amenity benefitting Sacramento City College, local neighborhoods, and Light Rail users, as well as the future residents, patrons, and retailers in Curtis Park Village.

As you are aware, the Curtis Park Village project is a high density, mixed-use, infill development project which has embraced the doctrine of the "Blueprint" developed by SACOG. Our view is that the new bridge is in lockstep with the goals of the Blueprint and a key component to support the transit connectivity of the Curtis Park Village project to Sacramento Regional Transit and we look forward to its implementation.

In working with City staff through the conceptual development and final design of their project, we have been extremely pleased with their efforts to create a project which will meld both functionally and architecturally with our vision for Curtis Park Village. The bridge design is tasteful, elegant, and caters to pedestrians, cyclists as well as the disabled community providing them direct access to light rail transit and the many amenities we are planning at Curtis Park Village. The care taken by the design team to address aesthetic treatment, nighttime security, and to minimize opportunities for vandalism have also been excellent.

As the City goes through the SACOG application process for construction funding, we at Petrovich Development Company are hopeful that SACOG will see the obvious benefits of this important project. It is our considered opinion that the project is emblematic of the type of smart growth improvement that our region should be advocating as we look for opportunities to implement SACOG's Blueprint.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phillip J. Harvey", is written over a horizontal line.

Phillip J. Harvey, Senior Vice President of Development