REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
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Staff Report
January 8, 2008

Honorable Mayor and
Members of the City Council

Title: Greenbriar (M05-046 / P05-069) – Informational Workshop

Location/Council District: South of Elkhorn Boulevard, north of Interstate 5, west of Highway 99, and east of Metro Airpark (County) / Adjacent to Council District 1

Recommendation: Receive information and provide input to staff regarding the Greenbriar proposal for a future development of a 577± acre master planned community.

Contact: Scot Mende, New Growth Manager, 808-4756; Arwen Wacht, Associate Planner, 808-1964

Presenters: Scot Mende

Department: Planning

Division: New Growth

Organization No: 4913

Description/Analysis

Summary: The Greenbriar proposal is a request to allow the annexation and the future development of a 577± acre master planned community. The project site consists of farmland located within Sacramento County, located north of Interstate 5, west of Highway 70/99, south of Elkhorn Boulevard, and east of the Metro Air Park site (County). The proposal includes requests for a Reorganization (Annexation and Detachment), Tax Exchange Agreement, Finance Plan, Inclusionary Housing Plan, General Plan Map Amendment, Prezone, Planned Unit Development Establishment (including a PUD Schematic Plan and Guidelines), and Airport Land Use Commission (ALUC) Override. These requests are being made to expand the boundaries of the City of Sacramento's General Plan, and to establish City land use designations consistent with the applicant's proposal, which is primarily residential, parks/open space, general public facilities, and commercial development.

Issues: The purpose of this workshop is to provide the City Council with general information on the Greenbriar project, update the City Council on the current

status of the project, and receive initial feedback from the City Council on the project. Planning staff will provide additional details and information on the following topics in their presentation at the meeting and in Attachment 4 of this report:

- Growth Issues/Relationship to Blueprint
- Greenfield and Infill Development
- Draft General Plan Policies
- Relationship to Natomas Joint Vision
- Parks and Open Space
- Circulation Systems
- Transit/Light Rail – Timing & Funding
- Airport Issues – Noise, Overflight, Density
- Inclusionary Housing Plan
- Flood Protection
- Financing Plan
- Habitat Conservation Plan

Policy Considerations: The proposed project is generally consistent with the City's General Plan Update effort and the City Council's Strategic Plan focus areas such as advancing to policies that 1) provide a mix of land uses, 2) create a range of housing opportunities and choices with a diversity of affordable housing near employment centers, and 3) promote multi-modal transportation and land use patterns that support walking, cycling, and public transit.

Committee/Commission Action: On September 19, 2007, the Local Agency Formation Commission (LAFCo) voted (four ayes and three noes) to make written determinations on the Municipal Services Review (MSR), and approve the City of Sacramento Sphere of Influence Amendment, Sacramento Regional County Sanitation District Sphere of Influence Amendment, and County Sanitation District #1 Sphere of Influence Amendment for the Greenbriar project.

On September 27, 2007, the Planning Commission made a motion and voted (six ayes and one no) to continue the Greenbriar project (M05-046 / P05-069) to the October 11, 2007 Planning Commission meeting, to allow for additional noticing of the project.

On October 11, 2007, after 4 hours of discussion, the Planning Commission continued the project to the November 8, 2007 Planning Commission meeting and directed staff to report back on the following topics:

- Consistency with Draft General Plan Policies
- Fiscal Impacts
- Inclusionary Housing Plan
- PUD Guidelines
- Noise
- Toxic Air Contaminants

- Greenhouse Gas Reductions
- Loss of Agriculture Impacts
- Habitat Mitigation

On November 8, 2007, the Planning Commission voted (five ayes, three noes, and one recusal) to recommend denial of the Greenbriar project to the City Council. The Planning Commission also wanted to convey to the City Council that should the City Council decide to approve the Greenbriar project, the Council should:

- Reconsider the affordable housing ownership in the Inclusionary Housing Plan
- Reassess the proposed circulation system - based on the LOS D in the proposed General Plan rather than the LOS C in the current General Plan
- Disperse the inclusionary housing units, rather than clustering the affordable units around the light rail station, and
- Amend the PUD Guidelines to require Planning Commission review & approval of all commercial projects.

Environmental Considerations: The Greenbriar project is before the City Council for discussion only, and no formal action will be taken on the environmental document at this time.

An environmental impact report (EIR) has been prepared for the Greenbriar project. The EIR has previously been provided to members of the City Council. The full document is available on line at the City's web site, at the following location in the web site for the Development Services Department: http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/.

The EIR includes the Draft EIR (July 2006), Recirculated Draft EIR (Air Quality and Hydrology, Drainage and Water Quality sections, November 2006), Second Recirculated Draft EIR (Transportation and Circulation section, April 2007) and Final EIR (August 2007).

The City of Sacramento and the Sacramento Local Agency Formation Commission (LAFCo) served as co-lead agencies in the preparation of the document. The agencies have cooperated in the preparation of the document and circulation of the document for public review. The LAFCo Board certified the EIR at its meeting on September 19, 2007 at the time LAFCo approved the City's request for an amendment to its sphere of influence to include the Greenbriar project site.

A lawsuit challenging LAFCo's action on statutory and CEQA grounds has been filed by the Environmental Council of Sacramento, Friends of the Swainson's Hawk and individual plaintiffs in the Sacramento Superior Court. The City of Sacramento, Sacramento Regional County Sanitation District, Sacramento County Service District 1 and the applicant are named Real Parties in Interest in

the litigation. Staff has been advised by the City Attorney's office that the filing of the suit does not preclude the City from consideration of the project.

The Final EIR includes responses to all written comments that were received regarding the EIR, as well as comments made during the LAFCo proceeding held to hear comments on the EIR.

Rationale for Recommendation: The purpose of this workshop is to provide an overview of the project and prepare for the public hearing tentatively scheduled for January 22, 2008.

Financial Considerations: A finance plan and tax revenue sharing agreement are being prepared concurrent with the application and will be summarized at the workshop.

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

Respectfully Submitted by: _____
for Scot Mende
New Growth Manager

Approved by: _____
Carol Shearly
Director of Planning

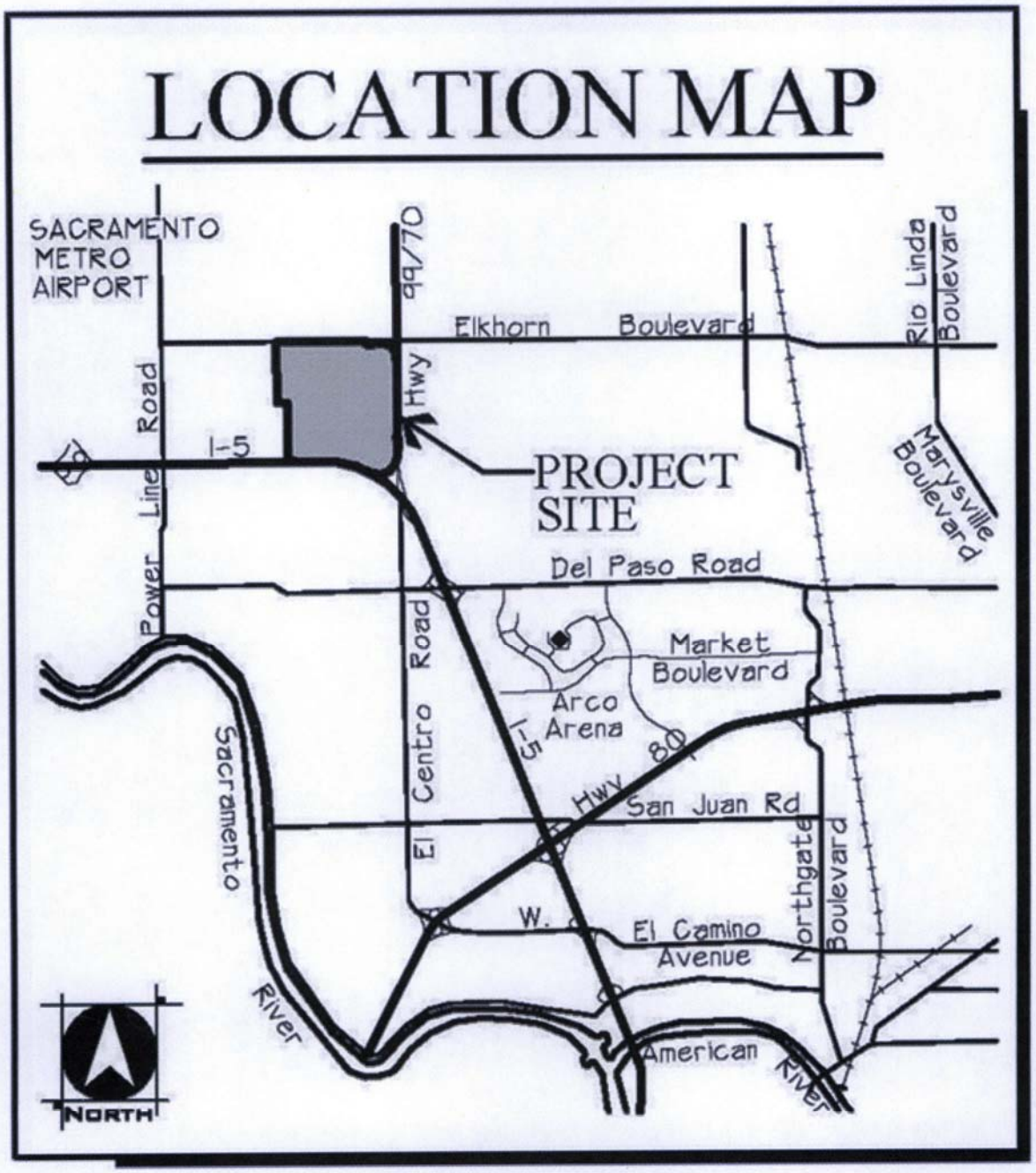
Recommendation Approved:

_____
Ray Kerridge
For City Manager

Table of Contents:

	Report	Pg	1
Attachments			
1	Location Map	Pg	5
2	Greenbriar PUD Schematic Plan	Pg	6
3	Greenbriar Illustrative Plan	Pg	7
4	Issue Discussion	Pg	8

ATTACHMENT 1 – LOCATION MAP

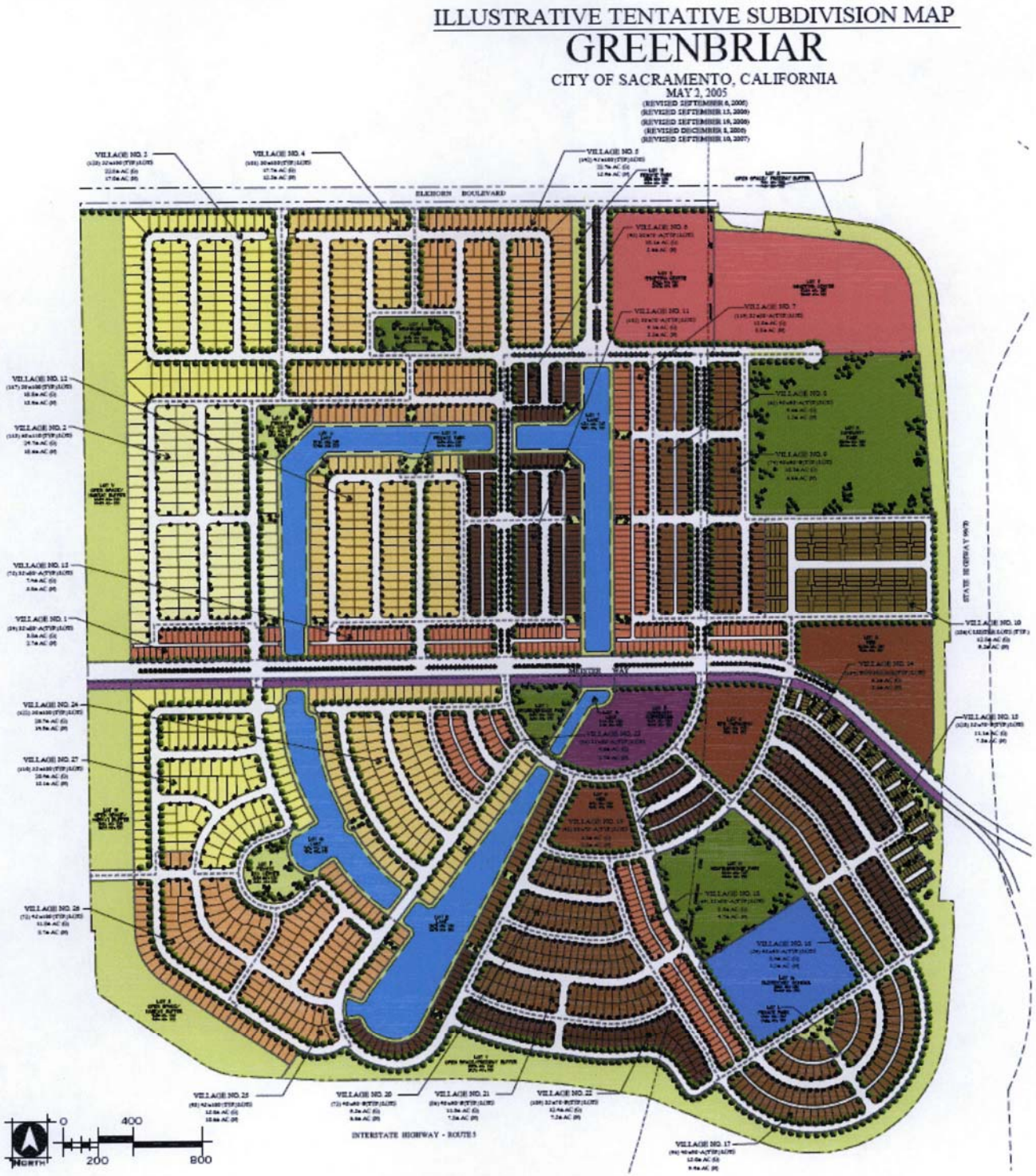


ATTACHMENT 2 – GREENBRIAR LAND USE SUMMARY

LAND USE SUMMARY

LAND USE	GROSS ACRES	NET ACRES	UNITS
LOW DENSITY RESIDENTIAL (4-15 du/ac)	275.2	192.2	1,780
MEDIUM DENSITY RESIDENTIAL (16-29 du/ac)	66.6	43.0	717
MULTI-FAMLY RESIDENTIAL (MDR) (16-29 du/ac)	10.3	9.7	213
MULTI-FAMLY RESIDENTIAL (HDR) (30+ du/ac)	11.0	9.0	270
SHOPPING CENTER	30.4	27.3	-
COMMUNITY COMMERCIAL	6.7	6.0	11
ELEMENTARY SCHOOL	11.1	10.0	-
NEIGHBORHOOD PARK	15.5	1[illegible].3	-
COMMUNITY PARK	22.6	21.0	-
PRIVATE PARK	3.8	2.2	-
PRIVATE RECREATION CENTER	4.9	3.9	-
LAKE	40.0	40.0	-
OPEN SPACE/HABITAT BUFFER	30.7	30.3	-
OPEN SPACE/FREEWAY BUFFER	27.5	27.5	-
LIGHT RAIL CORRIDOR	6.05	5.72	-
LANDSCAPE CORRIDOR	-	1.96	-
OPEN SPACE/PEDESTRIAN PASEO	-	2.39	-
ELKHORN BOULEVARD + MEISTER WAY	14.6	14.6	-
LOCAL RESIDENTIAL STREETS	-	115.9	-
TOTAL	577.0	577.0	2,991

ATTACHMENT 3 – GREENBRIAR ILLUSTRATIVE PLAN



ATTACHMENT 4 - ISSUE DISCUSSION

Growth Issues/Relationship to Blueprint The Greenbriar project has been contemplated by the SACOG Blueprint; development intensities proposed for Greenbriar are slightly below that assumed by the Blueprint. The proposal is consistent with the following Blueprint principles:

- Provide a variety of transportation choices
- Offer housing choices and opportunities
- Take advantage of compact development
- Use existing assets
- Mixed land uses
- Preserve open space, farmland, natural beauty, through natural resources conservation
- Encourage distinctive, attractive communities with quality design

Draft General Plan Policies / Greenfield and Infill Development: Subsequent to the Planning Commission review of Greenbriar, the draft General Plan policies were updated and the project is now consistent with the draft General Plan policies accepted by the Council on December 4, 2007.

The overriding goal of the Land Use Growth and Change section is:

> **LU 1.1 Growth and Change.** Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

The policies on greenfield development (LU1.7) are specifically oriented to the special study areas (e.g., Natomas Joint Vision – other than Greenbriar and Camino Norte), while the Greenbriar project is identified as "Planned Development" – to which the previous draft policies of LU1.7 do not apply.

Planning Commission Review of Draft General Plan Policies: The Planning Commission reviewed the Greenbriar project utilizing the draft policies from the 09/28/07 draft version of the Land Use & Urban Design Element. Relevant policies include Compact Development, Infill Development, Annexation Prior to City Services, Greenfield Development and Greenfield Development Triggers. {*Note that these policies have since been modified from what is shown below, and Greenbriar is consistent with the current draft policies discussed in a later section of this report.*}

LU.1-1.1 *Compact Development. The City shall encourage compact, higher-density development to conserve land resources, protect habitat, support transit, reduce vehicle trips, improve air quality, conserve energy and water, and diversify Sacramento's housing stock.*

The Greenbriar project provides an overall residential density that exceeds typical densities in North Natomas.

- Within 1/8 mile radius from the LRT station, 226 dwelling units are proposed at an average density of 19.4 DU/NA. {Regional Transit's desired density for transit stations is 40 DU/NA within 1/8 mile}
- Within the ¼ mile radius from the LRT station, 1,067 dwelling units are proposed at an average density of 17.2 DU/NA. {desired density for transit stations is 20 DU/NA within 1/4 mile}
- Within the ½ mile radius of the LRT station, 2,367 dwelling units are proposed at an average density of 12.7 DU/NA. {desired density for transit stations is 12 DU/NA within 1/2 mile}

LU.1-1.4 *Infill Development. The City shall promote infill development, redevelopment, and growth in existing urbanized areas over development in greenfield areas in order to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity and affordability, and enhance retail viability.*

The Greenbriar project has been labeled by some as "Infill" – given its location surrounded on 3 sides by proposed development (the Airport and Metro Air Park to the west, and North Natomas to the south and east).

If Greenbriar is considered greenfield, then it could be argued that infill should be promoted over projects like Greenbriar. The counter-argument is that Greenbriar is planned to contribute to North Natomas facilities and to promote the DNA transit extension that benefits the existing Natomas area.

LU.1-1.5 *Annexation Prior to City Services. The City shall require that unincorporated properties be annexed into the city prior to the provision of any City services, or that a conditional service agreement be executed agreeing to annex when deemed appropriate by the City.*

The Greenbriar project is proposed for annexation prior to development. The proposed project would be consistent with this draft policy.

LU.1-1.6 *Greenfield Development. The City shall phase greenfield development on the edge of the city based on the availability of adequate water supplies, market forces, infrastructure financing capacity, and the timing of the design, approval, and construction of infrastructure and transportation facilities and other applicable requirements including:*

- *An adopted revenue sharing agreement with the County;*
- *100-year flood protection;*
- *Fully-funded 200-year flood protection;*
- *Approved habitat conservation plans and/or other applicable permits from Wildlife Agencies; and*
- *Transit services (Light Rail or BRT) as follows:*

- *In Natomas, operational Light Rail to Sacramento International Airport, and*
- *In other new growth areas, an adopted transit plan.*

The Greenbriar project is proposed to be generally consistent with this draft policy.

- A revenue sharing agreement is being negotiated with the County and will be part of the package of entitlements for Council adoption;
- The project applicant has agreed to defer vertical construction until 100-year flood protection is provided;
- Construction of improvements will be underway to provide 200-year flood protection;
- Prior to approval of tentative maps and a development agreement, the project must obtain an approved habitat conservation plan and/or other applicable permits from Wildlife Agencies
- The Greenbriar project is proposed prior to construction and operation of the Downtown-Natomas-Airport light rail. The project is not consistent with this aspect of the policy. The counter-argument is that the project proposes to dedicate the light rail rights-of-way through the project and to construct the light rail station, and to boost Ridership to help achieve eligibility for Federal Transit Administration funding.

LU.1-1.7 Greenfield Development Triggers. The City shall control the phasing of development in greenfield areas annexed into the city as follows:

- *Initial 50 percent of building permits may be issued provided a Transit Service financing plan is approved with a funding mechanism in place and 200-year flood improvements are under construction; and*
- *Remaining 50 percent of building permits may be issued provided Transit Service is operational and 200-year flood protection is in place.*

The project is not consistent with this policy.

- Transit to the Greenbriar light rail station and the airport will not be fully funded prior to construction of the project.
- The project does not propose phasing of building permits to coincide with 200-year flood protection having been achieved.

Relationship to Natomas Joint Vision –The Greenbriar project area is included in the Natomas Joint Vision area. However, in November 2005, the City Council & LAFCo allowed the initiation of the SOI & Annexation process for Greenbriar as a stand-alone action; through CC Resolution 2005-801. The Resolution provides that any future development within the SOI Amendment area must be consistent with the principles of the City / County MOU. The Greenbriar project is required to meet the 1:1 open space requirements of the Natomas Joint Vision MOU.

Open Space – The County Board of Supervisors – as the agent of Open Space – reviewed the Greenbriar Open Space plan on November 27, 2007. The Board

determined that the project can meet the 1:1 open space requirement through a combination of on-site features and off-site habitat mitigation.

On site features include:

- Freeway Buffer with pedestrian / bicycle path
- Detention Basin (lake) with 8' wide pedestrian perimeter path
- Lone Tree Canal Buffer (no public access)

Off-site habitat mitigation includes:

- Tsakopoulos 65 (formerly Cummings and Natomas 130) – 65 acres
- Spangler – 235.4 acres
- 49 acres – location to be determined (must be within Sacramento County portion of the Natomas Basin)
- Other acreage as required by USFWS & CDFG

Greenbriar Methodology for Open Space
Reflecting Board of Supervisors Decision 11-27-07

Gross Acreage of the Greenbriar Farms property	**577.0**
Elements Removed from Development Footprint	
Lone Tree Canal Buffer	30.7
Freeway Buffer	27.5
Detention Basin	n/a
Metro Air Park off-site improvements	26.9
Subtotal: Elements Removed from Development Footprint	**85.1**
Development Footprint Subject to Open Space Requirement	
Gross Acreage of Greenbriar Farms property	577.0
Less Non-Urban Footprint Elements	-85.1
Development Footprint Subject to Open Space Requirement	**491.9**
On-Site Open Space	
Lone Tree Canal Buffer	30.7
Freeway Buffer	27.5
Detention Basin (less 2.1 ac.Quimby credit for trail)	37.9
Subtotal: On-Site Open Space	**96.1**
Greenbriar Unincorporated County Open Space Requirement	
Total Acreage Subject to Open Space Requirement	491.9
Less On-Site Open Space	-96.1
Total Unincorporated County Open Space Required	**395.8**

Circulation Systems: The Planning Commissioners raised concerns about the project's lack of connectivity to the surrounding area. The Commissioners listed the following concerns:

- The project is cut off from North Natomas by Interstate 5 (south) – with no planned bicycle / pedestrian overcrossings, and cut-off from Highway 99 (east) with the sole connection being Meister Way.
- There are minimal connections across Lone Tree Canal to Metro Air Park (west).
- Elkhorn Boulevard as a 6-lane road is a barrier (north).

Transit/Light Rail – Timing & Funding: There are currently no bus routes provided in the immediate area. There will be approximately 1,162 LRT boardings at this project site (an estimate from PLACE3S). The applicant is proposing the dedication of 40' wide ROW for the track area, a 60' x 400' station area, a 0.25 acre substation, and 2 acre park & ride area. The developer construction on the LRT station has an estimated cost of $2.2 million. The applicant will join the North Natomas TMA, annex into the North Natomas TMA CFD, and will provide shuttle services from Greenbriar to CBD, which will be funded and operated by applicant as an interim mitigation measure (until LRT is operational).

The Downtown / Natomas / Airport line is proposed to continue from the Amtrak station ultimately to the Airport. Phase 1 of this extension will be to the Richards Boulevard Area. Later phases will include the construction of a bridge across the American River, through South Natomas, through the North Natomas Town Center, across the US99/70 freeway (on the Meister Way overcrossing), through Greenbriar, Metro Air Park, and to the airport. The Greenbriar project provides one of the missing rights-of-way components and would boost the potential ridership – thereby enhancing the feasibility of the transit project.

Airport Issues – Noise, Overflight, Density: At the Planning Commission hearings, questions were raised about the impacts from Single Event Noise Levels (SENL) and whether the noise levels caused by the Airport would be disclosed to potential homebuyers. Neither the City nor County have established SENL standards. Also, the FAA and the Federal interagency Committee on Aviation Noise do not have a recommended threshold for SENL.

The City's General Plan exterior noise standard for residential land uses is 60 dBA CNEL. No portion of the project is within the 60 dBA CNEL aircraft noise level. Therefore the project site would be considered within the normally acceptable range for noise.

Inconsistency with the CLUP: On December 7, 2005, the Airport Land Use Commission (ALUC) has determined that the project is not consistent with the Comprehensive Land Use Plan (CLUP) for the Sacramento International Airport. The CLUP has three policy areas that each development application must pass: (1) height; (2) noise; and (3) safety. For the height policy, proposed uses are evaluated based on

the relationship of the height of proposed structures relative to their location to the airport. For noise, a determination is made whether the proposed land use is compatible with the noise impacts of the flight operations. For safety, the proposed land uses must restrict high concentrations of people in potential flight safety hazard areas.

Height is not applicable because there are no proposed tall structures. Nor is this application subject to the CLUP's noise policies because the project site lies outside of the 60 Community Noise Equivalent Level (CNEL), which serves as the demarcation line for restricted development. However, about 70% of the property (the western 405 acres of the 577 total acres), lies inside of the Overflight Zone of the CLUP, and therefore that portion of the property is subject to the CLUP's safety policies. *The sole inconsistent policy concerns that the CLUP prohibits passenger terminals and stations within the Overflight Zone*. The proposal calls for the light rail station within the Overflight Zone.

The planned DNA line connects the Downtown and Natomas areas to the Sacramento International Airport. For a light rail line to effectively serve the airport, the rail line and at least one transit station will need to be located near the airport, meaning that at least some of the transit station facilities will likely need to be constructed within the Overflight Zone. In addition to the Greenbriar station, the Metro Air Park and Airport light rail stations are proposed to be located within the Overflight zone.

On December 11, 2007, the City Council adopted a resolution directing staff to file with Sacramento Area Council of Government (SACOG) and Caltrans (Division of Aeronautics) a proposed set of findings to override the Sacramento International Airport Comprehensive Land Use Plan, pursuant to California Public Utilities Code Sec. 21676. At the conclusion of public hearings on the Greenbriar project, the City Council will consider a resolution overriding the ALUC determination.

Inclusionary Housing Plan: The current Mixed Income Housing Ordinance does not require ownership housing to meet the developer's affordable housing obligation, however, SHRA and City staff have consistently urged applicants to provide ownership opportunities. While staff can not mandate ownership housing, the Planning Commission can recommend and City Council can require it. Several development projects have met their affordable housing obligations using a mix of rental and ownership housing types.

Subsequent to the Mixed Income Ordinance assessment in May 2007, SHRA and the City are working on recommendations for Ordinance changes intended to improve homeownership outcomes under the Ordinance. The changes being contemplated seek to incentivize selection of this option by increasing the income targets for homeownership. Changes to the equity share provisions for the inclusionary buyers are also under consideration. Staff anticipates workshops with the Planning Commission and City Council in early 2008.

The Panhandle project was conditioned by the Planning Commission for the applicant to continue discussions with the City and SHRA to include possible ownership housing. The City Council adopted an Inclusionary Housing Plan that requires 20% of the low income housing to be ownership housing. Thus, a total of 1% of the housing units would be affordable ownership (20% of the 5% low income units required in the ordinance). A copy of the Inclusionary Housing Plan for the Panhandle project (Dunmore portion) is attached.

On June 28, 2007, the Planning Commission placed the following condition on the Inclusionary Housing Plan for the Panhandle project (P05-077) [by a vote of 4 ayes, 3 noes, and 2 abstentions]:

- The applicants, staff, and SHRA shall continue working on an appropriate mix of ownership and rental housing types for the inclusionary housing units.

On September 18, 2007, the City Council made an intent motion to approve the Panhandle's Inclusionary Housing Plan (P05-077), which included approximately 20% of the low income units as ownership (condominium and single-family detached).

The draft Inclusionary Housing Plan for Greenbriar shows a clustering of the affordable multi-family rental products – generally to the east and south of the proposed Light Rail Station. This clustering was intended to capture density around the station and to maintain acceptable densities within the Aircraft Overflight zone.

SHRA and Planning staff suggest – following the Panhandle model approved by the City Council – that 30 for sale units (20% of the required 5% low income units) be located within ¼ mile of the transit station. This could be accommodated in a variety of single family housing types including: 35'x 80', 35'x 70', single family cluster, and townhouses.

Flood Protection: The following provides a brief update:

- Sept 27, 2007 – FEMA states Natomas Basin not eligible for A99
- October, 25, 2007 – City applies for AR – though application not complete – missing items to be submitted by 03/08/08
- City application cover letter notes that City intends to apply for waiver 3 foot AR requirement
- November 15, 2007 - FEMA will issue draft preliminary FIRMs
- June 2, 2008 - FEMA issues letter of final determination (AR or AE)
- December 2, 2008 – New FIRMs become effective
- June-December 2008: City adopts ordinances and notifies citizens of upcoming FIRM revisions

Habitat Conservation Plan: The Greenbriar site is within the Natomas Basin Habitation Conservation Plan (NBHCP) area, but is not within the incidental take permit area. Therefore, the applicant and city staff having been working with USFWS staff on an incidental take permit. The USFWS has advised that the processing of the entitlements requested by the applicant, other than the tentative map and the

development agreement, is permissible under the existing Incidental Take Permit (ITP) for the NBHCP. The tentative master parcel map, tentative subdivision map, and subdivision modifications will not be able to move forward pending consultation with federal and state wildlife agencies (USFWS/CDF) regarding HCP/ITP.

Toxic Air Contaminants (TAC):

SMAQMD Letter details:

- Support for project
- Disagrees with technical aspects of the TAC risk evaluation methodology in the EIR
    - Prefer that City not use this methodology in the future
    - Does not undermine the adequacy of the CEQA document