

- applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;
- b. The site is physically suitable for the type of development proposed and suited for the proposed density;
 - c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;
 - d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
 - e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);
 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);
 5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

B. Subdivision Modification to allow non-standard street sections and elbows **is approved** based on the following Findings of Fact:

1. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;

2. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;
4. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the general plan and with all other applicable specific plans of the city.

C. PUD Plan Review for the development of two (2) two-story office buildings (43,509± square feet and 59,251± square feet) and two (2) two-story mixed use (office or residential and support retail) buildings (30,762± square feet and 35,263± square feet) in the proposed Employment Center Planned Unit Development (EC-50-PUD) zone **is approved** based on the following Findings of Fact:

1. The proposed development, including but not limited to the density of a proposed residential development, is consistent with the general plan and any applicable community or specific plan;
2. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with city standards, and the proposed improvements are properly related to existing and proposed streets and highways;
3. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this title; and
4. Approval of the plan review will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties.

Section 3 The City Council approves the Project entitlements for the subject to the following Conditions of Approval:

A. Tentative Master Parcel Map to subdivide ten (10) parcels totaling 180.5± acres into seventy-three (73) parcels for residential, park, open space, commercial, office, and mixed-use **is approved** based on the following Conditions of Approval:

NOTE: With the exception of approved Subdivision Modifications these conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P06-018). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.

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

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

DEVELOPMENT ENGINEERING:

- A1 In accordance with City Code Section 40.609(c)(1), approval of this map by the Planning Commission is contingent upon approval by the City Council of all required Plan Amendments (if any), Zoning changes, and the Development Agreement. The Final Map may not be recorded unless and until such time as the City Council approves such required Plan Amendments (if any), Zoning changes, and the Development Agreement.
- A2 The applicant shall participate in the North Natomas Financing Plan, adopted by Resolution No. 94-495 on August 9, 1994, and updated by Resolution No. 2002-373 on June 11, 2002, and shall execute any and all agreements, which may be required in order to implement this condition.
- A3 Comply with and meet all the requirements of the Development Agreement to the satisfaction of the City of Sacramento.
- A4 Comply with the North Natomas Development Guidelines and the PUD guidelines approved for this project (P06-018) to the satisfaction of the Planning Director and Development Engineering Division.
- A5 Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Development Engineering.
- A6 Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P06-018).
- A7 Dedicate and Construct East Commerce Way to a North Natomas 6-lane street standard (Half Street only). To the satisfaction of the Development Engineering

- A8 Dedicate and Construct all internal subdivision streets as shown on the Tentative Parcel Map.
- A9 Dedicate and Construct Del Paso Road to a North Natomas 6-lane street standard (Half Street only) to the satisfaction of the Development Engineering Division. Half-Street construction will include installation of a raised center median as well as any restriping necessary for the median installation. The sidewalk on Del Paso shall be widened to 10' extending from the termination of the freeway buffer to the corner of East Commerce and Del Paso and will function as a shared ped/bike facility.
- A10 The six internal traffic circles shall be constructed to the satisfaction of the Department of Transportation.
- A11 The design of walls and fences near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 38.02.022 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division.
- A12 Provide additional right-of-way for expanded intersections at intersections to be signaled and other locations specified by the Development Engineering Division:
 - a. East Commerce Way/Club Center Drive
 - b. East Commerce Way/Street 2
 - c. East Commerce Way/El Centro Road/North Park Drive
 - d. East Commerce Way/Ottumwa Drive
 - e. East Commerce Way/New Market Drive
 - f. East Commerce Way/Del Paso Road
- A13 Construct (new) or modify (existing) traffic signals at the following intersections when required by the Development Engineering Division:
 - a. East Commerce Way/Club Center Drive
 - b. East Commerce Way/Street 2

- c. East Commerce Way/EI Centro Road/North Park Drive
- d. East Commerce Way/Ottumwa Drive
- e. East Commerce Way/New Market Drive
- f. East Commerce Way/Del Paso Road

NOTE: The Development Engineering Division shall determine the need for signals, based on Caltrans signal warrants and known pending development projects prior to the issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Special Permit. Signal design and construction shall be to the satisfaction of the Development Engineering Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of the Department of Transportation.

A14 The applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Development Engineering Division for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design which may lead to additional right-of-way dedication and should be started as early as possible to avoid delays during the plan check process.

A15 The applicant shall enter into an agreement with the City stating that the City shall use its best efforts to obtain a fair share contribution from future development projects within the area around the abovementioned signals. Said contributions, if obtained, shall be used to reimburse the applicant.

A16 The applicant shall pay a fare share fee towards the future construction of the Del Paso Interchange Off-Ramp signals to the satisfaction of the Development Engineering Division. Fare share will be based on trip generation of the entire project.

A17 Multiple access points will be required for all phases of the Final Parcel Map to the satisfaction of the Development Engineering. Dead end streets must be less than 500' in length and must include a turn-around approved by the Fire Department and Development Engineering. Certain exceptions may be considered by Development Engineering division and the Fire Department on a case-by-case basis.

A18 City standard ornamental street lights (acorn style or alternate decorative style

approved by the Planning and Electrical Divisions) shall be designed and constructed by the applicant in accordance with Electrical Division requirements.

A19 Developer is required to install permanent street signs to the satisfaction of the Development Engineering Division, including advanced street name signs on major streets.

A20 Dedicate slope easements and right-of-way necessary, for the El Centro Road overcrossing, to the satisfaction of the Development Engineering Division. The appropriate slope easements will be determined during the plan check phase of the improvement plans for this map.

A21 Conveyance of title for the open space parcels east of Interstate 5/99(Freeway Buffer) shall occur upon recordation of any map adjacent to those parcels. City and developer may agree to conveyance at an earlier time.

A22 The applicant shall make provisions for bus stops, shelters, etc. in accordance with Regional Transit standards.

A23 The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering Division

SPECIAL DISTRICTS:

A24 Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments, in accordance with the Development Agreement.

SMUD

A25 **Dedicate a 12.5' Public Utility Easement (PUE) for underground facilities and appurtenances adjacent to all public street rights of ways.**

CSD-1

A26 Connection to the district's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

A27 Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

A28 In order to obtain sewer service, construction of CSD-1 sewer infrastructure is expected to be required. Interim connection facilities may be required. These

facets of this development will require further study and evaluation.

A29 CSD-1 shall require an approved sewer study prior to the approval of Final Map or submittal of improvement plans for plan check to CSD-1, which ever comes first. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes and related appurtenances from this subject and other upstream areas and shall be done in accordance with the District's "Minimum Sewer Study Requirements" of June 15, 2005. The study shall be done on a no "Shed-Shift" basis unless approved by the district in advance and in compliance with Sacramento County Improvement Standards. The sewer study shall demonstrate how interim services, where required, will be provided to the project prior to the completion of District trunk line installations to these new areas.

A30 On-site sewer collector systems will be required on the various parcels ultimately established. All lines serving more than one building or separate sewer source shall be minimum 8-inch collectors in public easements.

A31 Sewer easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.

A32 CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance.

A33 Subject project owner(s) shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. It shall also be shown on the Final Map in like language and in all residential tract Real Estate Commissioners Public reports. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-drivable street appurtenances.

A34 The District requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis. Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this

condition is met.

A35 All structures along private drives shall have a minimum 10-foot setback so CSD-1 can properly maintain sewer services.

A36 Private drives and parking areas over easements shall have structural street sections that meet City of Sacramento Improvement Standards. This will prevent pavement damage by CSD-1 maintenance and repair operations.

CITY UTILITIES

A37 The applicant shall annex to the existing district for Basin 1 and pay the fair share contribution of common drainage facilities (pump station, detention basin, trunk lines, etc.) for Basin 1.

A38 The applicant shall construct drainage facilities for this project to include storm drain pipes serving all parcels. The applicant shall comply with the requirements of drainage agreement 2003-0850 recorded on September 24, 2003 to the satisfaction of DOU.

A39 The applicant shall construct drainage facilities for the freeway buffer area adjacent to the project. The construction shall include grading of the buffer area and the installation of drain inlets, drainage pipes and stub-outs for irrigation facilities and shall be approved by the DOU.

A40 Provide financial assurances for the construction and maintenance of landscaping within the freeway buffer per the North Natomas Landscape Corridor Guidelines. Financial assurance may be in the form of Public Facilities Financing (PFF) fees or CFD.

A41 An assessment district, community facilities district or other financing mechanism approved in writing by the City must be formed for the purpose of constructing all common drainage facilities within the project area and any additional drainage capacity or facilities required to accommodate development of the subject area in accordance with the drainage master plan for the project area and other applicable drainage plans and criteria for North Natomas. For this purpose "other financing mechanism" includes but is not limited to a fully executed agreement approved as to form by the City Attorney, which provides for funding and construction of the said facilities, and which provides for posting or depositing with the City of unconditional security for performance of the landowner's obligations, which security is adequate in the sole and exclusive discretion of the City, and which is in a form acceptable to the City Attorney.

A42 Construct water pipes and appurtenances and, construct storm drain pipes and appurtenances in all internal streets shown on the Tentative Parcel Map. The

- construction shall be to the satisfaction of the DOU.
- A43 Decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, and drainage facilities will be repaved with asphalt concrete (AC). A business association and/or homeowners association shall be responsible for replacing the decorative paving at no cost to the City. The business and/or homeowners associations shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, regarding the removal and replacement of decorative paving by the City.
- A44 Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All water lines shall be placed within the asphalt section of public right-of-ways as per the City's Design and Procedures Manual.
- A45 The proposed development is located within Reclamation District 1000 (RD 1000). The applicant shall comply with all RD 1000 requirements and pay all required fees.
- A46 Per Sacramento City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks or the back of curb where no sidewalk is constructed.
- A47 Public and private streets with City maintained water, City maintained drainage facilities or CSD1 maintained sewer facilities shall have a minimum paved width of 25-feet from lip of gutter to lip of gutter and the street section, curb, gutter and drain inlets shall be constructed to City standards.
- A48 Surface and subsurface drainage facilities located within alleys shall be private facilities maintained by a homeowners association, business association or a privately funded maintenance district. Private easements shall be dedicated for these facilities.
- A49 Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities. Off-site main extensions may be required.
- A50 Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.
- A51 A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
- A52 Post construction, stormwater quality control measures shall be incorporated into

the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area that is served by a regional water quality control facility (Basin 1), only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.

A53 This project is greater than 1 acre. Therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items, but not limited to, shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

A54 The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

A55 Dedicate to the City as an Irrevocable Offer of Dedication (IOD) in fee title the 100-foot wide freeway buffer lot adjacent to the project to the satisfaction of the DOU.

A56 Dedicate all necessary easements, IOD easements right-of-way, fee title property, and IOD in fee title property on the final map as required, per each approving agency requirements. Easements shall be dedicated for the off-site water and storm drain main extensions. Street right-of-way shall be dedicated for common drainage pipes identified in the master drainage plan. All dedications shall be at no cost to the City, shall be free and clear of all encumbrances and liens, and shall be to the satisfaction of the DOU.

A57 The applicant is responsible for obtaining all necessary permits, easements and

approvals from federal, state and local agencies for the construction of this project.

A58 Surface drainage facilities (pavement, curbs, gutters, v-gutters, drop inlets and the like) located within private streets, drive aisles and alleys shall be private facilities maintained by a homeowners association (HOA) or a privately funded maintenance district. Private easements shall be dedicated for these facilities. If required by the DOU, the responsible maintenance agency shall enter into and record an agreement with the City regarding the maintenance of these facilities. The agreement shall be to the satisfaction of the DOU and the City Attorney.

PARKS

A59 **Park Dedication – IOD:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall provide on City's form an irrevocable offer of dedication (IOD) for the urban plaza park site identified on the tentative map as Lot 82 comprising 3.1+/- gross acres. Prior to provision of the IOD, the applicant shall provide an exhibit showing the net acreage of the Lot; the net acreage shall also be shown on the final map. At the time of delivery of the IOD, the applicant shall (1) provide to City a title report demonstrating that it holds full and clear title to Lot 82, including all interests necessary for maintenance and access; (2) provide a Phase 1 environmental site assessment of Lot 82; (3) if the environmental site assessment identifies any physical conditions or defects in Lot 82 which would interfere with its intended use as a park, as determined by PPDS in its sole discretion, applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDS; and (4) take all actions necessary to ensure that Lot 82 are free and clear of any wetland mitigation, endangered or threatened animal or plant species, sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lot 82.

A60 **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)

A61 **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Development Services Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which

specifies the tax rate and method of apportionment.)

A62 **Improvements:** The applicant shall construct the following public improvements prior to and as a condition of City's acceptance of the park site:

- a. Full street improvements for Parcel 82 including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
- b. A concrete sidewalk and vertical curb along all street frontages that open onto Parcel 82. The sidewalk shall be contiguous to the back of curb unless otherwise approved by PPDS.
- c. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of the sidewalk at Parcel 82 at a location approved by PPDS for future service. Number of stubs and locations to be approved by PPDS. Storm Drain and Sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.
- d. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to Parcel 82, quantity and location as approved by PPDS. The irrigation water tap shall be 4 inches for parkland 4 acres and over, and 2-1/2 inches for parkland less than 4 acres; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.
- e. A ten-foot (10') wide driveway into Parcel 82 at a location approved by PPDS. The driveway is to provide future maintenance access to the park.
- f. The Applicant shall rough grade Parcel 82 as required by City Code to provide positive drainage as approved by PPDS.

A63 **Turn Key Park Development:** The applicant has indicated their intention to develop the park as a turn key park. Prior to recording the final map, the Applicant shall formalize the notification to PPDS in writing no later than approval of the final subdivision map for the first phase of the project and shall enter into a City standard turn key park construction agreement to construct the park improvements to the satisfaction of the City's PPDS. The park construction agreement shall address (1) the preparation and approval of the park design and improvement plans, (2) time for completion of the park (or of each phase of the park if the park is not to be completed in one phase) as a function of build-out of the subdivision or issuance of occupancy permits, (3) any credits to be awarded to the applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be

accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements.

A64 **Park Construction Funding:** The applicant shall be responsible to fund all excess construction costs associated with the development of the urban plaza park on Parcel 82 that are over and above the standard cost per acre for neighborhood park development in effect at the time the Turn Key Park Construction Agreement is signed. The park design and amenities shall be approved by PPDS and adopted by Council, following the PPDS park master planning process.

A65 **Park Maintenance Funding:** **The applicant shall be responsible for funding the park maintenance cost for the urban plaza park (Parcel 82), over and above the City's standard per acre cost of maintenance for a neighborhood park.**

A66 **Site Plan:** The applicant shall submit a site plan and electronic file showing the location of all utilities on the park/parkway sites to the PPDS for review and approval.

A67 **Design Coordination for PUE's and Facilities:** If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous to Parcel(s) 82 or an existing park site, the applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the park(s) and to best accommodate future park improvements. The applicant shall facilitate a meeting(s) with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project.

A68 **Pedestrian Light:** The Applicant shall provide a lighted pedestrian crossing at the intersection of Ottumwa Drive and East Commerce Way to facilitate pedestrian access from the project site to the City's Kokomo Park site.

A69 **Multi-Use Trail:** A multi-use trail and adjacent landscaping shall be included within the open space buffer or dedicated as an easement as approved by PPDS. It shall be constructed as specified below and in compliance with the PPDS "Multi-Use Trail Design Guidelines" available by contacting PPDS:

- a. Location of trail: The trail shall be located within the freeway buffer area or the project site, running north/west from the intersection of East Commerce Way and Del Paso Road to the northernmost tip of the project within the freeway buffer area. When it is within the freeway buffer area, it shall be located along the eastern portion of the buffer area to maximize

the distance from the freeway travel lanes, unless otherwise approved by PPDS and DOT's Alternate Modes Coordinator.

- b. The proposed multi-use trail shall comply with Class I bike trail standards, including regulatory signage, as defined in Chapter 1000 of State Department of Transportation Highway Design Manual. The trail shall be 12' of asphalt concrete paving, with clear, graded shoulders that are a minimum of 2' in width. Shoulders should be decomposed granite or an alternate material approved by PPDS. Pavement sections shall be 3" minimum asphaltic concrete over 6" min of aggregate base, with a centerline stripe (refer to PPDS Trail detail and specification).
- c. Vehicular access controls shall be placed at the entrance to all access points to the trail (refer to PPDS details and specifications for approved designs).
- d. Wherever possible and as approved by PPDS and the Department of Utilities, multi-use trails shall be designed as joint-use with utility service roads utilizing the service roads aggregate base as the trail's aggregate base course. Applicant shall design the pavement to meet all required design loads.
- e. Where a multi-use trail is located adjacent to any embankment with a greater than 4:1 slope, the Applicant shall, at his expense, install a post-and-cable fence along the top of the embankment, between the embankment and the multi-use trail.
- f. The Applicant shall disclose the location of the planned multi-use trail to all future/potential owners of parcels within the project boundaries.

FIRE

- A70 All turning radii for fire access shall be designed as 35' inside and 55' outside.
- A71 Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more.
- A72 Where subdivision modifications are requested, curbs shall be marked no parking fire lane to accommodate the turning radius and minimum access road width (20').
- A73 Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
- A74 Fire service mains shall not cross property lines.

ADVISORY NOTES

1. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water systems. Prior to design of the subject project, the DOU suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression systems.
2. As per City Code, acreage within an existing or proposed drainage area, easement, public right-of-way, or areas with 10% and greater slopes shall not receive parkland dedication credit. Quimby parkland credit can be granted only to “buildable acres”.
3. Special consideration should be given during the design phase of a development project to address the benefits derived from the urban forest by installing, whenever possible, large shade trees and thereby increasing the shade canopy cover on residential lots and streets. Trees in the urban environment reduce air and noise pollution, furnish habitat for wildlife, provide energy saving shade and cooling, enhance aesthetics and property values, and contribute to community image and quality of life.
4. The applicant should limit the use of palm trees in areas requiring a shade canopy such as walkways, trails, parks, parking lots, residential neighborhoods and locations where buildings require energy saving shade and cooling.
5. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
 - a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project shall be considered to be met by the dedication of Parcel. This is based on 124 multifamily residential units with a Quimby land dedication requirement of 1.092 acres less 2.73 (estimated net from 3.1 gross) acres in land dedication shown on the Tentative Master Parcel Map. Any change in these factors will change the amount of the Quimby/dedication due. The final fee/land dedication is calculated using factors at the time of payment or dedication.
 - b. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$984,154 for Phase I and \$759,080 for Phase II. This is based on (Phase I) 124 multifamily residential units at \$2,853 each (\$353,772); 682,260 square feet of office space at \$0.46 per square foot (\$313,840); and 931,008 square feet of retail / mixed use at \$0.34 per square foot (\$316,543). Phase II fees are based upon 1,639,900 square

- feet of office at \$0.46 per square foot (\$754,354) and 13,900 square feet of support retail at \$0.34 per square foot (\$4,726). Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
- c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.
 6. The Developer shall be responsible for maintenance (weed abatement) of IOD Parcel 82 until the time that the City records acceptance of the IOD.
 7. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, which ever is first. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.
 8. If interim lifting and/or pumping station is required to serve this project, the applicant shall submit a Hazardous Materials Plan (HMP) to CSD-1. The HMP shall satisfy state and CSD-1 requirements, and shall be approved by CSD-1 prior to acceptance of the facility.
 9. If a lifting and/or pumping stations are required to serve this project, the applicant shall install all necessary infrastructure (electrical power and wiring, telemetry, piping, manholes, wells, gates etc.) for the complete operation of the facility at full development and final maximum service capacity as identified in applicable approved sewer studies. The only exception to this requirement is the pump size, which shall be installed in accordance with the initial designed service capacity.
 10. If interim sewer infrastructure (such as sewer pipes, manholes, and lifting and/or pumping stations) is required to serve this project, the applicant shall be responsible for the cost to CSD-1, to decommission, and abandon such interim sewer infrastructure. The mechanism to capture these costs shall be approved and accepted by CSD-1 prior to recordation of the Final Map or approval of Improvement Plans for plan check to CSD-1, which ever comes first.
 11. Trunk sewer design and construction may be reimbursed by CSD-1 under the terms of a Reimbursement Agreement. Collector sewer design and construction may qualify for reimbursement under the terms of a Collector Sewer Reimbursement Agreement. Prior to initiating design of any sewer facility, contact CSD-1 for details. It will be necessary to schedule a meeting to discuss reimbursement requirements with appropriate CSD-1 staff prior to any design. Failure to strictly comply with the provisions of the CSD-1 Ordinances may jeopardize all sewer reimbursement.
 12. Existing Sacramento Regional County Sanitation District (SRCSD) facilities

servicing this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is “first come, first served”. There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees

B. Subdivision Modification to allow non-standard street sections and elbows **is approved** based on the following Conditions of Approval:

B1 The applicant shall comply with the conditions of approval on the Tentative Map (P06-018).

C. PUD Plan Review for the development of two (2) two-story office buildings (43,509± square feet and 59,251± square feet) and two (2) two-story mixed use (office or residential and support retail) buildings (30,762± square feet and 35,263± square feet) in the proposed Employment Center Planned Unit Development (EC-50-PUD) zone **is approved** based on the following Conditions of Approval:

PLANNING

C1 Development of the sites shall be in compliance with the attached exhibits except as conditioned. Any modification to the project shall be subject to review by Current Planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.

C2 The applicant shall comply with all requirements included in the Mitigation Monitoring Plan (Attachment 2) for P06-018.

C3 The applicant shall obtain all necessary building permits prior to construction.

C4 Minimum of 471 parking spaces shall be provided for all four buildings and an access agreement for reciprocal parking shall be recorded.

C5 The applicant shall comply with all applicable conditions of the Commerce Station Planned Unit Development.

C6 Trash enclosure shall meet all requirements of the Sacramento City Code, Chapter 17.72 (Recycling and Solid Waste Disposal Regulations), including, but not limited to, perimeter landscaping, masonry walls, solid metal gate, concrete

- apron, overhead clearance, signs and setbacks. Planning Staff approval will be required prior to issuance of building permits.
- C7 Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- C8 Lighting:
- a. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists, adjacent properties, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
 - b. All open parking lots shall be provided with a minimum intensity of 1.5 foot-candles per square foot of lighting from one half-hour before sunset until one half-hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers. Lighting shall be engineered so as not to produce direct glare or "stray light" on adjacent properties.
 - c. Aisles, passageways and recesses related to and within the building complex shall be illuminated with an intensity of at least seventy-five one-hundredths minimum maintained footcandle of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.
 - d. Applicant shall submit a lighting plan to Current Planning for review prior to the issuance of building permits.
- C9 All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.
- C10 The proposal is required to meet the Sacramento City Code regulations, regarding bicycle parking (Section 17.64.050) as well as the requirement stated in the Commerce Station Guidelines. Bicycle parking shall be located in a secure area in close proximity to public view.
- C11 All signage shall meet the Sacramento City Code regulations, (Section 15.148) as well as the requirement stated in the Commerce Station Guidelines. Sign permits shall be required for all new signage.
- C12 All building numbers and street addresses shall be clearly visible from all public or private access streets. The street and building numbers shall be no less than four inches in height and of a contrasting color to their background. All building numbers shall be illuminated during the hours of darkness.

C13 Prior to issuance of a Building Permit the applicant shall submit the Air Quality Transportation Management Plan for review and approval by the City's Alternate Modes Coordinator and Planning Director.

C14 The applicant shall submit a color/materials board of the proposed buildings for Planning Director's review prior to issue of the building permits.

DEVELOPMENT ENGINEERING

C15 Construct standard subdivision improvements as noted in the Tentative Map conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include any required street lights and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.

C16 Provide additional right-of-way for expanded intersections at intersections to be signalized and other locations specified by the Development Engineering Division:

- a. East Commerce Way/Club Center Drive
- b. East Commerce Way/Street 2
- c. East Commerce Way/EI Centro Road/North Park Drive
- d. East Commerce Way/Ottumwa Drive
- e. East Commerce Way/New Market Drive
- f. East Commerce Way/Del Paso Road

C17 Construct traffic signals at the following intersections when warranted, or when required by the Development Engineering Division (if not already in place):

- a. East Commerce Way/Club Center Drive
- b. East Commerce Way/Street 2
- c. East Commerce Way/EI Centro Road/North Park Drive

- d. East Commerce Way/Ottumwa Drive
- e. East Commerce Way/New Market Drive
- f. East Commerce Way/Del Paso Road

NOTE: The Development Engineering Division shall determine the need for signals, based on CalTrans signal warrants and known pending development projects prior to the issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Special Permit. Signal design and construction shall be to the satisfaction of the Development Engineering Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances.

C18 The applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Development Engineering Division for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design which may lead to additional right-of-way dedication and should be started as early as possible to avoid delays during the plan check process.

C19 The applicant shall enter into an agreement with the City stating that the City shall use its best efforts to obtain a fair share contribution from future development projects within the area around the above mentioned signals. Said contributions, if obtained, shall be used to reimburse the applicant.

C20 All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering Division. Round corners are not standard on driveways within the City unless they are to be signalized at some point.

C21 The minimum throat distance for all site driveways shall be determined during the driveway permit review phase. However, the minimum throat depth allowable is 25' (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc). Minimum throat depth on East Commerce shall be 150'

C22 The site plan shall conform to A.D.A. requirements in all respects.

C23 If appropriate the applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits.

C24 The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).

C25 The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering Division.

DOU

C26 Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the Department of Utilities (DOU).

C27 Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.

C28 Where second floor high-density residential units are developed as condominiums:

- a. Any new domestic water services shall be metered. A separate single domestic water service is required for each condominium parcel.
- b. Each condominium parcel shall have a separate street tap or public easement tap for a metered domestic water service.
- c. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, an ownership association shall be formed and C.C. & R.s shall be approved by the City and recorded assuring maintenance of sanitary sewer, water and storm drainage facilities within the condominium project. The onsite water, sewer and storm drain systems shall be private systems maintained by the association. The C.C.&R.s shall authorize the association to contract on behalf of all owners within the condominium project for sanitary sewer, water and storm drainage services for the condominium units, common area(s) and all other areas within the condominium project.
- d. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, the owner(s) and ownership association shall enter into a utility service agreement with the City to receive such utility services at points of service designated by the

Department of Utilities, provided that such agreement shall not apply to sanitary sewer service provided by County Sanitation District No. 1 instead of the City. Such agreement shall provide, among other requirements, for payment of all charges for the condominium project's water, sanitary sewer (if provided by City) and storm drainage services, shall authorize discontinuance of utility services at the City's point(s) of service in the event that all or any portion of such charges are not paid when and as required, shall require compliance with all relevant utility billing and maintenance requirements of the City, shall require sub-metering of water service to the condominium units if requested by the Department of Utilities or required by any other government agency, and shall be in a form approved by the City Attorney.

e. The owner(s) and ownership association shall comply with all applicable requirements of Title 13 of the Sacramento City Code governing the provision of City utility service.

C29 Multiple fire services are allowed per parcel and may be required.

C30 All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

C31 All onsite water, storm drain and sanitary sewer facilities shall be private facilities maintained by the property owners.

C32 Per City Code, water meters shall be located at the point of service. For public streets, the point of service is the edge of the curb adjoining the property served when the sidewalk is separated from curb and gutter by a planter strip or the back of sidewalk when the sidewalk is attached to the curb.

C33 A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.

C34 This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map,

(3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

C35 The lots shall be graded so that drainage does not cross property lines or the applicant shall provide private drainage easements.

C36 Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.

C37 An on-site surface drainage system is required and shall be connected to the common drainage facilities for this project. An on-site drainage study and shed map is required. This study and shed map shall be approved by the DOU. The onsite system shall be designed so the 10-year HGL is a minimum of 0.5 feet below the onsite drain inlets. The 10-year HGL shall be determined using the Sacramento Charts for Zone 2. Finished floor elevations shall be a minimum of 1.50 feet above the 100-year HGL and 1.70 feet above the controlling overland release elevation. 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).

C38 The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require 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.

C39 Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.

C40 The proposed development is located within County Sanitation District No.1 (CSD1). The applicant shall comply with all CSD1 requirements.

C41 Prior to design, the applicant is responsible for contacting Reclamation District 1000 (RD 1000) regarding the design, review and approval of this project.

C42 The applicant is responsible for obtaining all local, state and federal permits and/or approvals required for the construction of this project.

FIRE

C43 Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

C44 Provide a water flow test. (Make arrangements at the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834)

C45 Provide appropriate Knox access for site.

C46 Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.

C47 Locate and identify Fire Department Connections (FDCs) on address side of building no further than 40 feet and no closer than 5 feet from a fire hydrant.

POLICE

C48 In order to limit the potential for this site to become an attractive location for loitering and other inappropriate or illegal behavior, the Police Department:

a. Requires adequate signage be installed prohibiting trespassing, loitering, and noise in accordance with Section 602(k) of the California Penal Code and Section 9.16.140 of the Sacramento City Code.

b. Requires that no public pay telephones shall be installed on the exterior of the premises.

c. Requires that all public pay telephones be restricted from receiving incoming calls.

C49 Businesses containing outdoor/sidewalk cafés who wish to serve alcohol in the outdoor/sidewalk area shall:

a. Have a fenced in area adjacent to the building.

1) Access into the fenced area shall be controlled

2) A clear pathway (minimum 48 inches) shall be maintained at all

- times between the fence and all other structures or obstacles in the public right-of-way such as tree wells, parking meters, signs, etc.
- 3) No lights or signs shall be attached or hung from the fencing, umbrellas or trees located in the sidewalk area.
- b. Leave windows unobstructed by signs, shelving, etc.
- 1) To allow viewing of the interior by patrolling police and pedestrians.
 - 2) To allow monitoring of the outdoor seating area from inside the restaurant
 - a) Closed circuit television should be considered where windows are not appropriate for this purpose.
- c. Limit consumption of alcohol to the enclosed area.
- 1) Signs shall be posted and maintained on the premises prohibiting consumption of alcoholic beverages in the non-permitted sidewalk area, adjacent public area, and parking areas.
 - 2) Signs shall read: "It is unlawful to enter or remain on these premises, adjacent parking lot, or adjacent public sidewalk with an open alcoholic beverage container. P.C. 647e(a)". Lettering to be block style and a minimum of 2 ½ inches in height. Signs will be clearly visible to the patrons of the business parking lot and to persons on the public sidewalk.
- d. Be prohibited from selling alcoholic beverages for consumption off of the premises.
- e. Store all removable fixtures (i.e. chairs, planters, etc.) on the restaurant property when the sidewalk area is not in use for seating and service.
- 1) None of the furniture shall block any exit.
- f. Be responsible for keeping the sidewalk area (within 100 feet of the restaurant and café) clean of trash generated by the restaurant/sidewalk café.
- 1) Employees and owners of the establishment shall be responsible for keeping this area clean.
- C50 All illegal activities observed on or around the businesses shall be promptly reported to the Police Department.
- C51 The applicant shall agree to a "good neighbor policy". The "good neighbor policy" shall require that if any significant problems arise and the City receives complaints about the use, the City will commence with Special Permit revocation hearings at the cost of the property owner. The revocation hearing shall be at the discretion and direction of the Planning Commission.

SOLID WASTE

C52 Recycling capacity be met or exceeded.

C53 A recycling program be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.

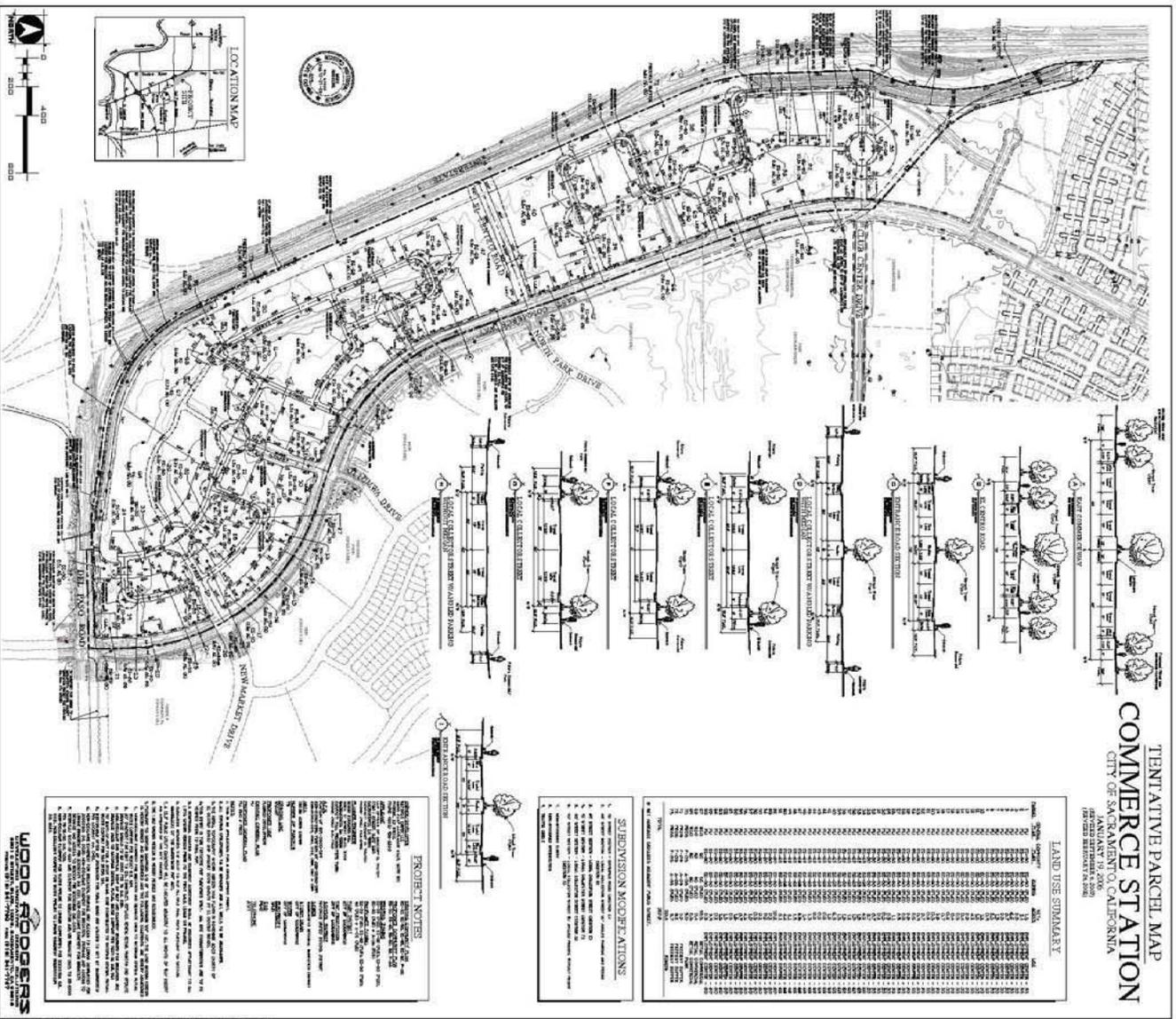
C54 This project be conditioned to divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division:

- Method of recovery
- Hauler information
- Disposal facility
- Diversion percentage
- Weigh tickets documenting disposal and diversion

Advisory Notes

1. No condominium units (either office or residential) are approved per this application (P06-018). A condominium map will be required to create any condominium units.
2. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water systems. Prior to design of the subject project, the DOU suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression systems.
3. Underground utilities shall not cross property lines.
4. Exterior wall & opening protection requirements shall comply with CBC Tables 601 & 602.
5. Allowable building height & building areas shall comply with 2007 CBC Table 503, & Section 506.
6. Provide site accessibility from public ways to each building per 2007 CBC section 1127B.
7. Additional plan review comments could be generated during plan check.

Exhibit A Tentative Master Parcel Map





AERIAL SITE PLAN



COMMERCE STATION
02/29/08



LAND USE LEGEND

- 1 STORY BUILDING
- 2 STORY BUILDING
- 3 STORY BUILDING
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- 100 STORY BUILDING

SITE DEVELOPMENT SUMMARY

PHASE 1		PHASE 2	
USE TYPE	AREA (S.F.)	USE TYPE	AREA (S.F.)
OFFICE	1,200,000	OFFICE	1,200,000
RETAIL	500,000	RETAIL	500,000
RESIDENTIAL	1,000,000	RESIDENTIAL	1,000,000
PARKING GARAGES	100,000	PARKING GARAGES	100,000
GRAND TOTAL = 3,262,868 S.F. (EXCLUDE PARKING GARAGES)			
GROSS SITE AREA = 180.50 ACRES			
SHOPPING RESIDENTIAL = 21.71 ACRES			
FUTURE TRANSIT = 13.13 ACRES			
GRAND TOTAL = 215.34 ACRES (ORIGINAL COMMERCE STATION PLD OF 1999)			

SITE PLAN

COMMERCE STATION
03/13/08



Exhibit D Conceptual Urban Park Site Plan

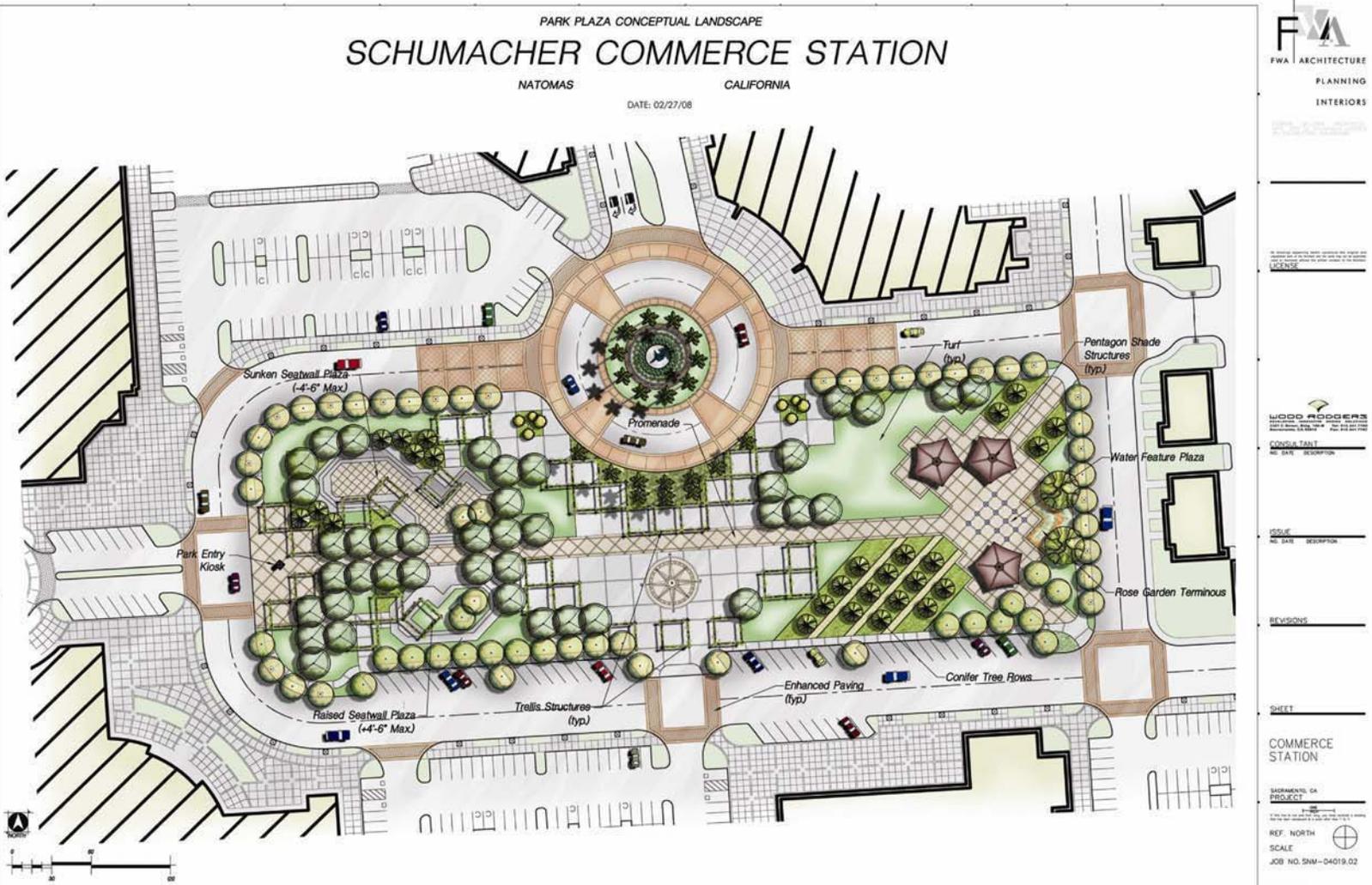


Exhibit E South Gateway View Perspective



SOUTH GATEWAY VIEW

Exhibit F Middle Gateway View Perspective



PHASE 1 - MIDDLE GATEWAY VIEW

Exhibit G Mixed-Use View Perspective



MIXED-USE VIEW

Exhibit H Round-About View Perspective



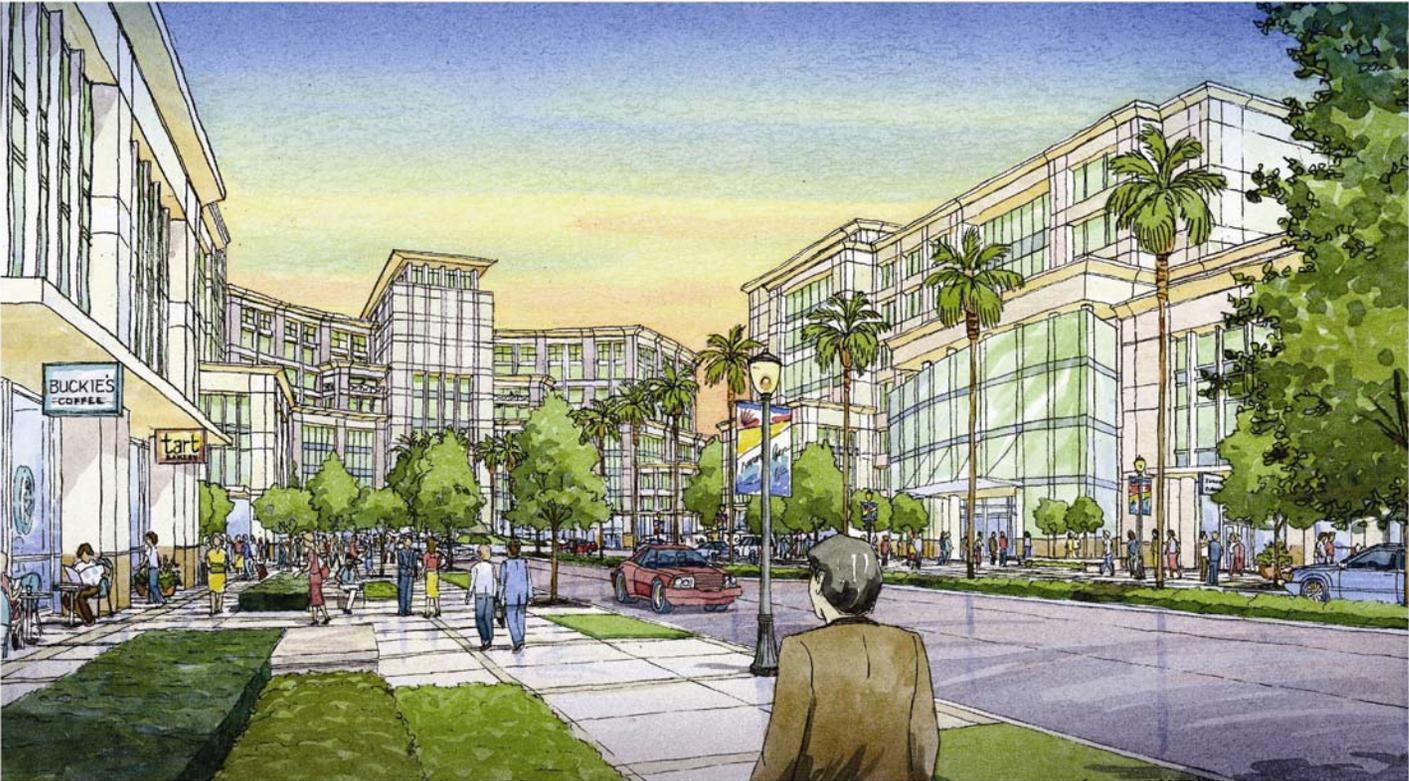
ROUND-ABOUT VIEW

Exhibit I Office/Residential View Perspective



OFFICE / RESIDENTIAL VIEW

Exhibit J North Gateway View Perspective



NORTH GATEWAY VIEW

Exhibit K Support Retail View Perspective



SUPPORT RETAIL VIEW

Exhibit L

Building P1-2D View Perspective



BUILDING P1 - 2D VIEW

Exhibit M

Building P1-2D Site Plan

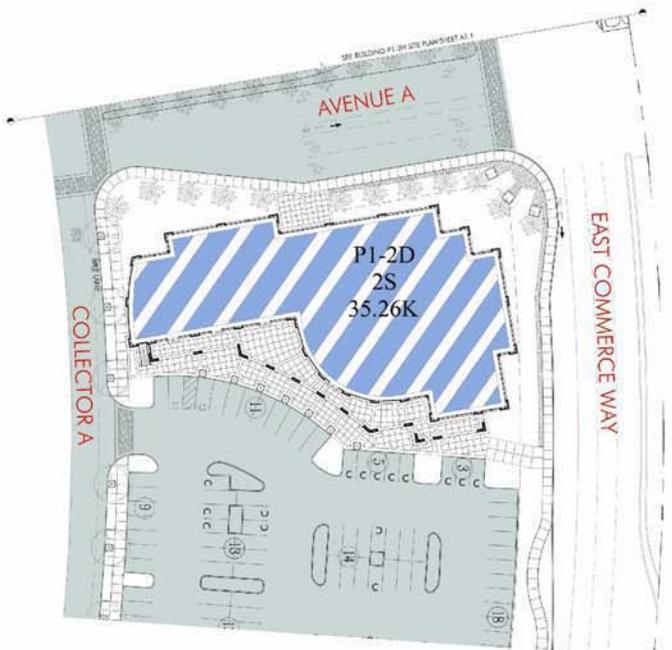
- LAND USE LEGEND**
- 1 STORY OFFICE: ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 2 STORY OFFICE: ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
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 - 9 STORY OFFICE: ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 10 STORY OFFICE: ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 1 STORY MIXED USE: 1. GROUND FLOOR RETAIL OFFICE; 2. SECOND FLOOR OFFICE / HIGH RISEY RESIDENCE
 - 2 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 3 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 4 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 5 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 6 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 7 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 8 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 9 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - 10 STORY MIXED USE: 1. ADMIN, RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA, / SPA / SPA / CLUB
 - SUPPLEMENTAL: RETAIL, CONSUMABLE GOODS, SERVICE, RESTAURANT, CAFE, SPA, FOOD, AND BAR
 - RETAIL: WAREHOUSE, WAREHOUSE
 - 3 STORY RESIDENTIAL: HOTEL, HOTEL, PALACE
 - RESIDENTIAL: HIGH DENSITY RESIDENTIAL
 - OPEN SPACE: LANDSCAPE, PARKS, PLAZAS, CONFERENCE, RESTAURANT, GARDENS
 - 2 STORY PARKING STRUCTURE
 - 3 STORY PARKING STRUCTURE

SITE DEVELOPMENT SUMMARY
COMMERCE STATION - BUILDING P1-2D

BUILDING	USE	FLOOR FT	FLOOR AREA	FLOOR AREA	FLOOR AREA	FLOOR AREA
P1-2D	MIXED USE	2 STORY	28,262 SF	17,831 SF	2,847 SF	1,000 SF
TOTAL			28,262 SF	17,831 SF	2,847 SF	1,000 SF



COMMERCE STATION
02/29/08

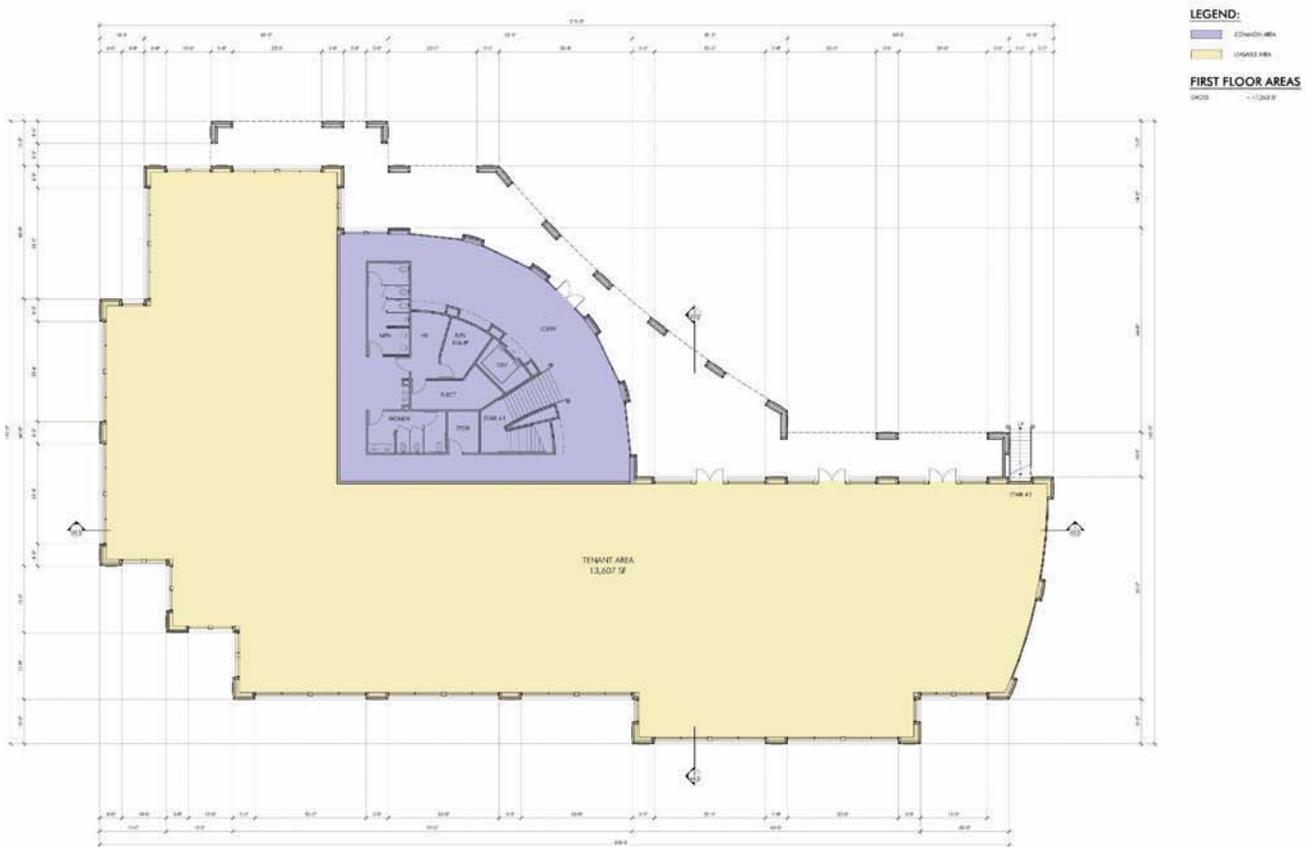


BUILDING P1-2D SITE PLAN



Exhibit N

Building P1-2D First Floor Plan



BUILDING P1-2D FIRST FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit O Building P1-2D Second Floor Plan

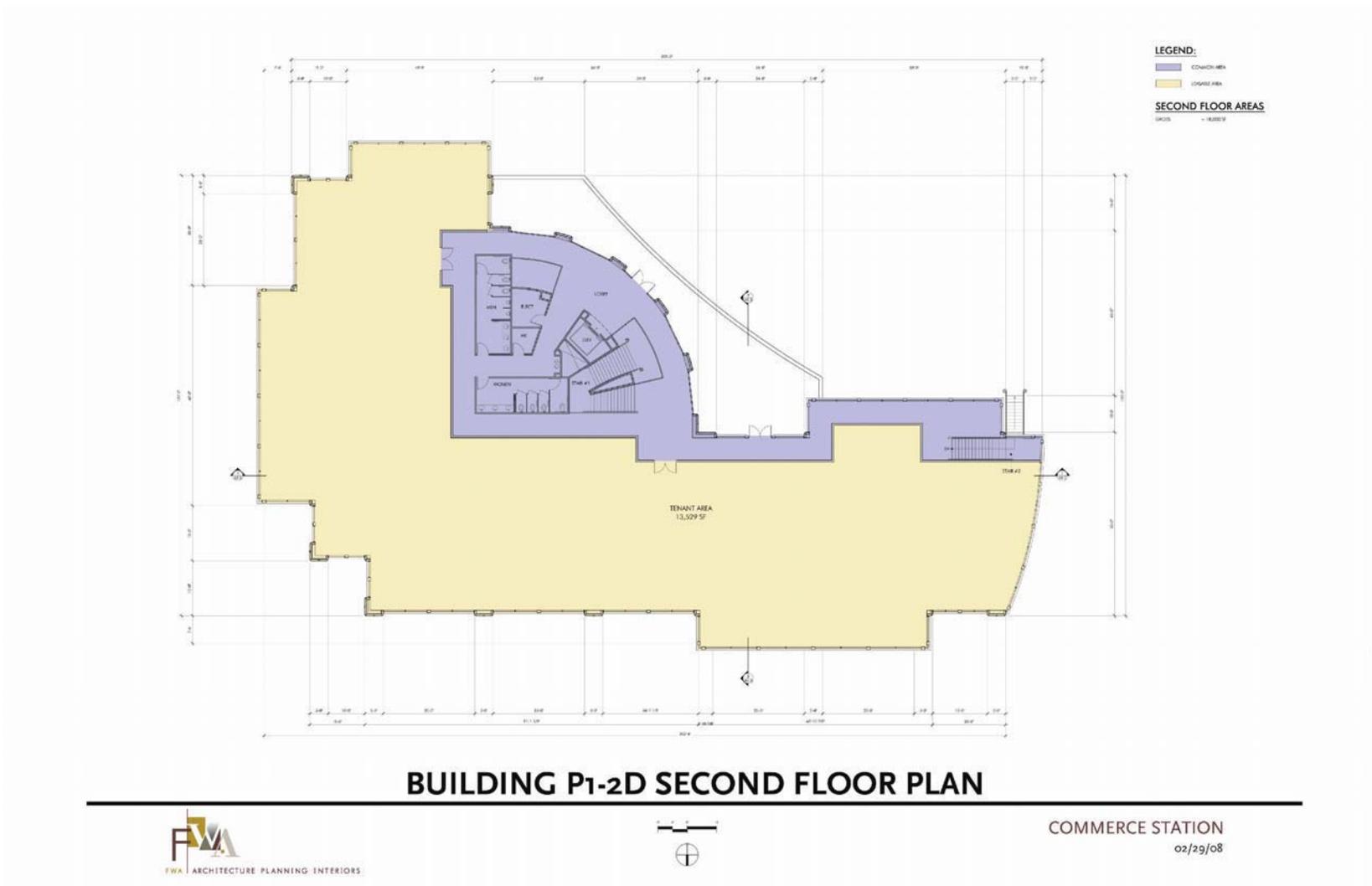
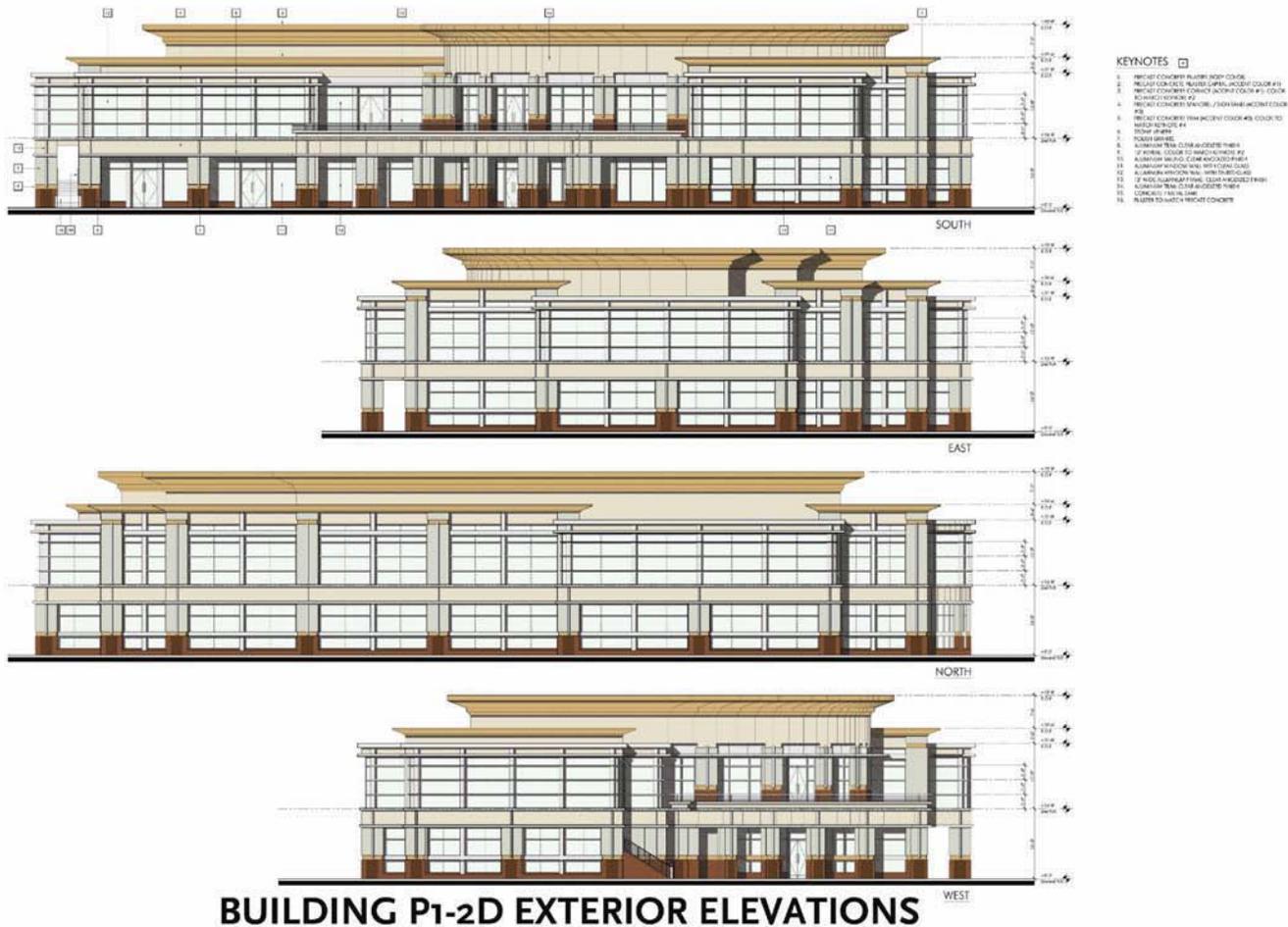


Exhibit P

Building P1-2D Elevations



BUILDING P1-2D EXTERIOR ELEVATIONS



COMMERCE STATION
02/29/08

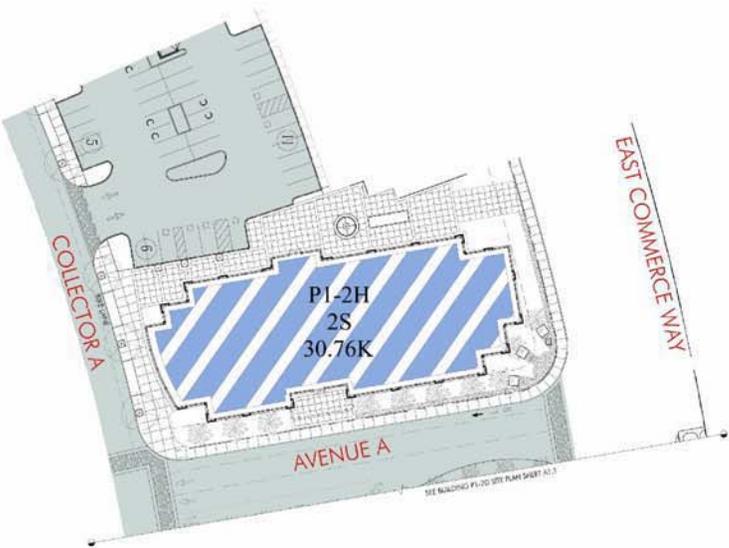
Exhibit Q

Building P1-2H Site Plan

- LAND USE LEGEND**
- 1 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 2 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 3 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 4 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 5 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 6 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 7 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 8 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 9 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 10 STORY OFFICE: ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING
 - 1 STORY MIXED USE: 1. GROUND FLOOR RETAIL OFFICE; 2. SECOND FLOOR OFFICE / HIGH RISEY RESIDENCE
 - 2 STORY MIXED USE: 1. ADMIN. RESEARCH / DEVELOPMENT, CALL CENTERS, FINANCIAL, REAL ESTATE, PROFESSIONAL, MEDICAL, EDUCATIONAL / TRAINING; 2. HEALTH CLUB, FITNESS CENTER, SPA / SPA / SPA / SPA
 - SUPPLEMENTAL RETAIL: RETAIL CONSUMABLE GOODS; SERVICE, RESTAURANTS, CAFES, SNEAK FOODS, AND SERVICE
 - RETAIL: WAREHOUSE WAREHOUSE
 - 3 STORY RESIDENTIAL: HOTEL, HOTEL, PALACE &
 - RESIDENTIAL: HIGH DENSITY RESIDENTIAL
 - OPEN SPACE: LANDSCAPE BUFFER, PLAZA, CONFERENCE, RESTAURANT, GARDENS
 - 2 STORY PARKING STRUCTURE
 - 3 STORY PARKING STRUCTURE

SITE DEVELOPMENT SUMMARY
COMMERCE STATION - BUILDING P1-2H

PLANNED	USE	STORY	MSA	PERMS REQUIRED	PERMS PROVIDED
P-2H	OFFICE	7 STORY	30,767 SF	1,000 SF	3,000 SF
OPEN	OPEN SPACE		10,000 SF	10,000 SF	10,000 SF



BUILDING P1-2H SITE PLAN

COMMERCE STATION
02/29/08



Exhibit R

Building P1-2H First Floor Plan



BUILDING P1-2H FIRST FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit S

Building P1-2H Second Floor Plan



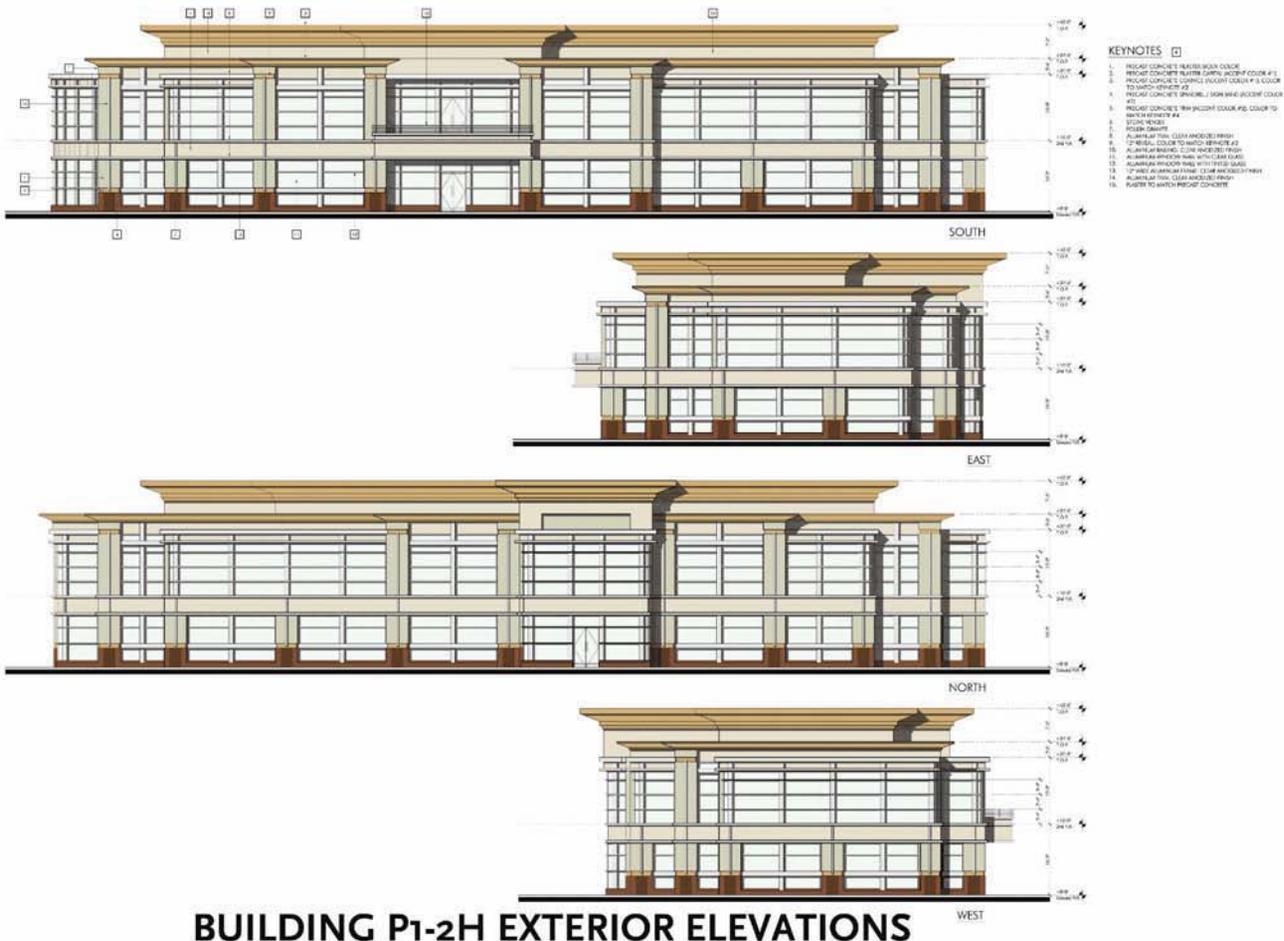
BUILDING P1-2H SECOND FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit T

Building P1-2H Elevations



COMMERCE STATION
02/29/08



Exhibit V

Building P1-3B View Perspective



BUILDING P1 - 3B VIEW

Exhibit W

Building P1-3B Site Plan

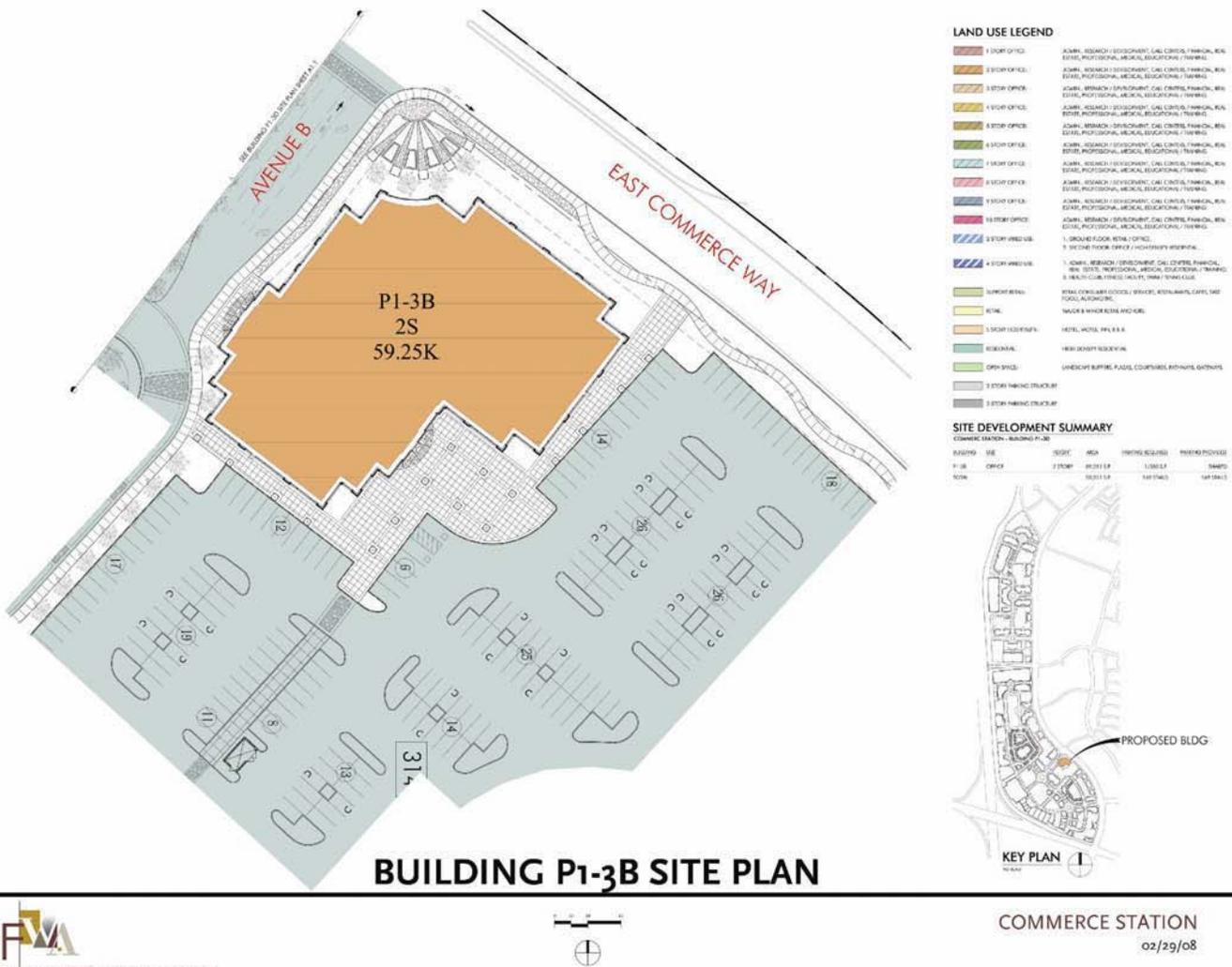
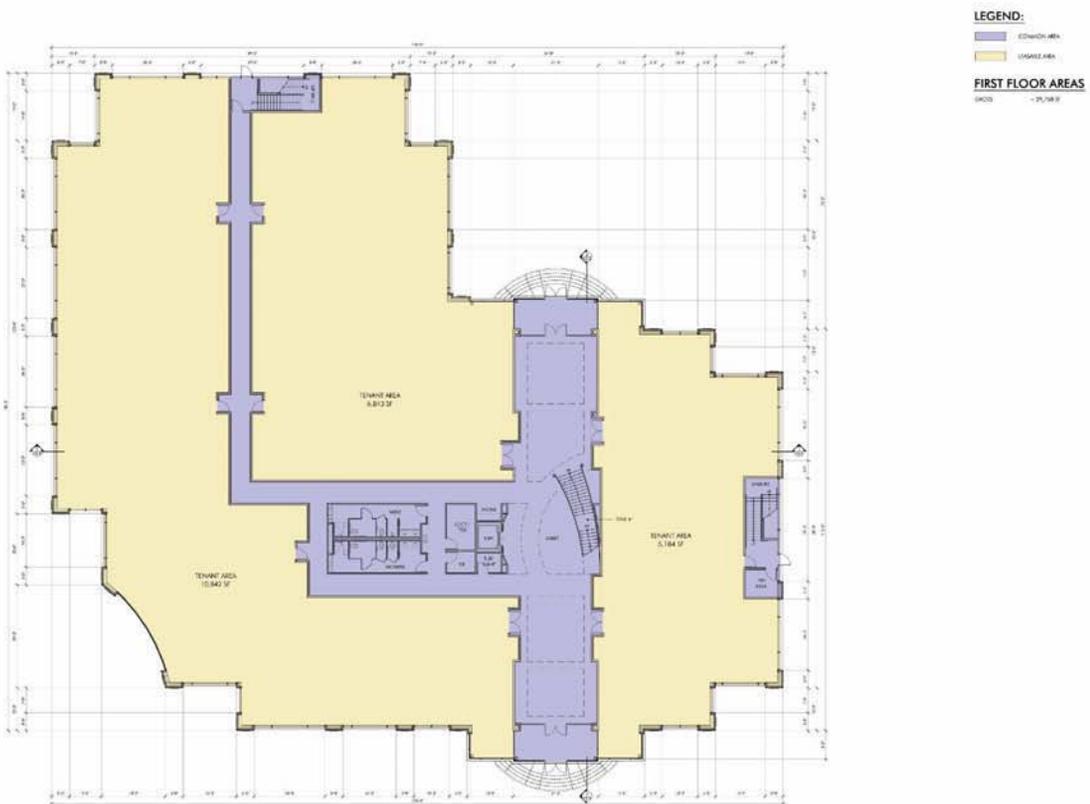


Exhibit X

Building P1-3B First Floor Plan



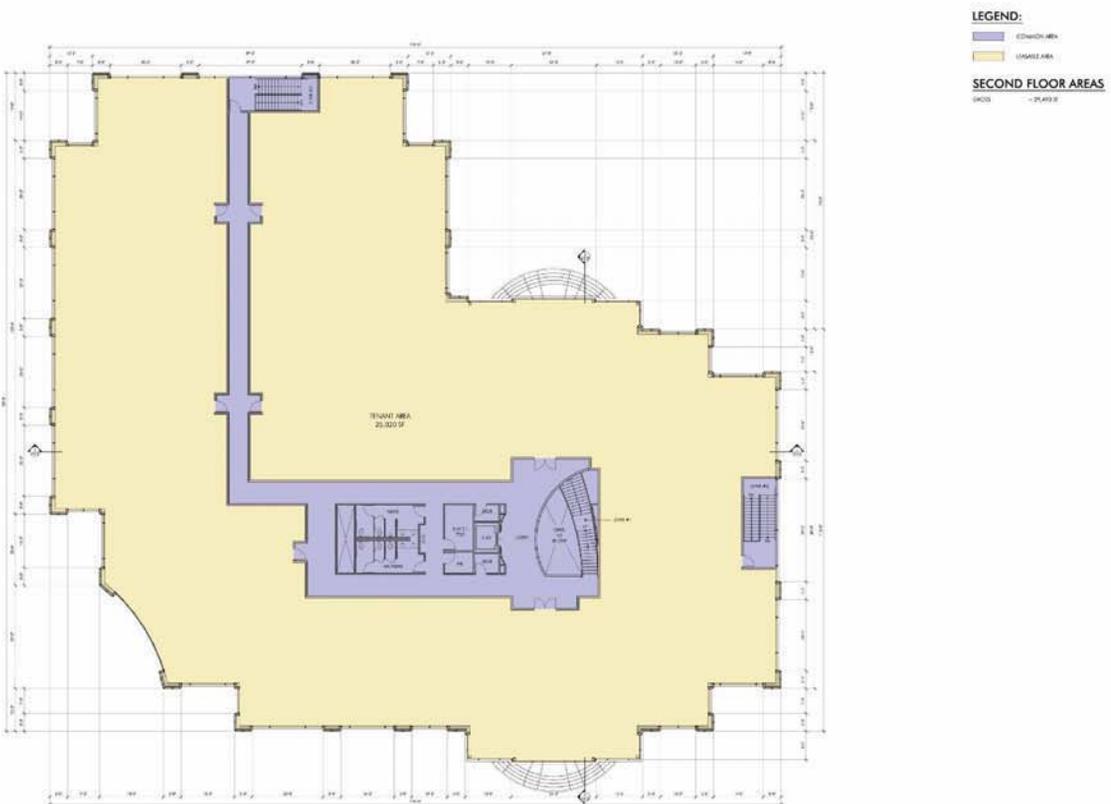
BUILDING P1-3B FIRST FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit Y

Building P1-3B Second Floor Plan



BUILDING P1-3B SECOND FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit Z

Building P1-3B Elevations



- KEYNOTES**
- 1. RECAST CONCRETE FLUTE/BECK COLOR
 - 2. RECAST CONCRETE FLUTE/CAPITAL, INCLUDE COLOUR #1
 - 3. RECAST CONCRETE CORNER/ACORN COLOR #1/1 COLOR TO MATCH KEYNOTE #2
 - 4. RECAST CONCRETE FINISH/ACORN COLOR #3/3 COLOR TO MATCH KEYNOTE #4
 - 5. RECAST CONCRETE CORNER/ACORN COLOR #3/3 COLOR TO MATCH KEYNOTE #4
 - 6. CONCRETE BRUSH
 - 7. ROUGH GRAPT
 - 8. BRUSH CONCRETE TO MATCH RECAST CONCRETE
 - 9. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 10. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 11. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 12. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 13. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 14. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 15. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 16. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 17. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 18. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 19. RECAST CONCRETE TO MATCH KEYNOTE #2
 - 20. RECAST CONCRETE TO MATCH KEYNOTE #2

BUILDING P1-3B EXTERIOR ELEVATIONS



COMMERCE STATION
02/29/08

Exhibit BB

Building P1-3D First Floor Plan

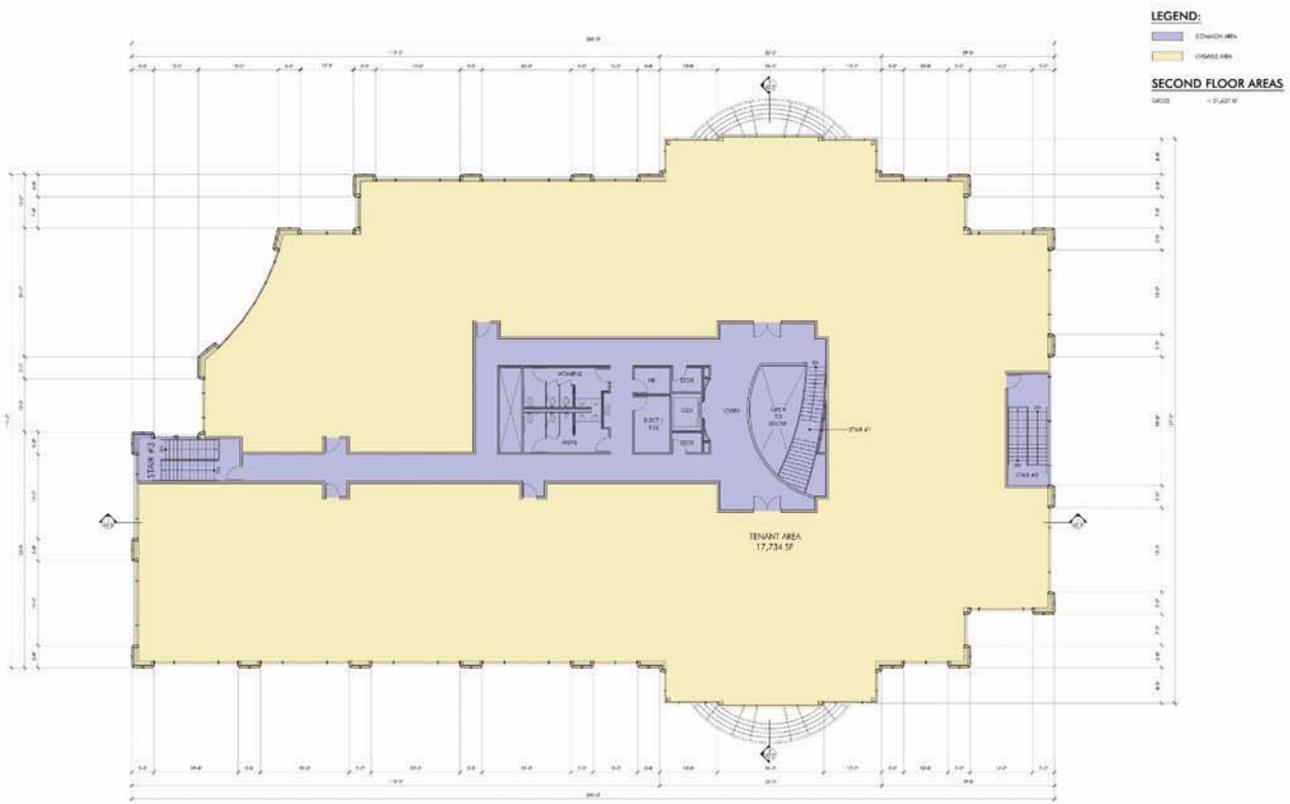


BUILDING P1-3D FIRST FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit CC Building P1-3D Second Floor Plan



BUILDING P1-3D SECOND FLOOR PLAN



COMMERCE STATION
02/29/08

Exhibit DD Building P1-3D Elevations



- KEYNOTES**
- 1. RECAST CONCRETE FLUTE/BECK COLOR
 - 2. RECAST CONCRETE FLUTE/CAPITAL, INCLUDE COLOR #1
 - 3. RECAST CONCRETE CORNER/ACORN COLOR #1, COLOR TO MATCH KEYNOTE #2
 - 4. RECAST CONCRETE FINISH/ACORN COLOR #3, COLOR TO MATCH KEYNOTE #4
 - 5. RECAST CONCRETE CORNER/ACORN COLOR #3, COLOR TO MATCH KEYNOTE #4
 - 6. CORN BRUSH
 - 7. ROUGH GRAPT
 - 8. BRUSH COLOR TO MATCH RECAST CONCRETE
 - 9. ROUGH COLOR TO MATCH KEYNOTE #2
 - 10. METAL FINISH/ROOF/CLAMP/CLIP/ANCHOR/FRAMING
 - 11. BRUSH/CLAD
 - 12. ALUMINUM ANODIZED/FRAME, CLAD ANODIZED/FRAME
 - 13. BRUSH ALUMINUM/FRAME, CLAD ANODIZED/FRAME
 - 14. ALUMINUM/FRAME, CLAD ANODIZED/FRAME
 - 15. RECAST CONCRETE CORNER/ACORN
 - 16. ROOF TO MATCH RECAST CONCRETE

BUILDING P1-3D EXTERIOR ELEVATIONS



COMMERCE STATION
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Exhibit EE Building P1-3B, 3D Landscaping Plan



FORBES WILLIAMS ARCHITECTS
1418 20th St, Sacramento, CA 95814
PH: 916.448.3724 FX: 916.448.4991

PERMIT



CONSULTANT

SCALE

REVISIONS

SPECIAL PERMIT
CONCEPTUAL
LANDSCAPE PLAN

COMMERCE
STATION

PROJECT

REF. NORTH

SCALE

JOB NO.

SHEET NO.



Attachment 10: SMAQMD Comment Letter



Larry Greene
AIR POLLUTION CONTROL OFFICER

March 19, 2008

Mr. Scott Johnson
Environmental Planning Services
City of Sacramento
300 Richards Blvd, 3rd floor
Sacramento, CA 95811

**RE: FEIR, COMMERCE STATION, P06-018
SAC200500780E**

Dear Mr. Johnson:

Thank you for providing the project listed above to the Sacramento Metropolitan Air Quality Management District (District). Staff comments follow.

1. Construction schedule and air quality construction-related mitigation

The DEIR states that this 180.5 acre project consists of 3,267,068 sq ft and will be phased over 13 years¹. Segment 1 and 2 of Phase 1 of the project will consist of the construction of four office/retail/residential buildings (168,785 sq ft) which will take over 3 years. In the following 10 years, the rest of Phase 1 and all of Phase 2 are to be constructed. The assumptions used in the air quality analysis of construction-related impacts include the 13 year construction schedule supplied by the proponent as opposed to an URBEMIS default schedule.

The District's Nov 2, 2007 comment letter on the Commerce Station DEIR pointed out that the 13 year project build-out schedule assumed by the DEIR was essential in leading the document to its determinations about the significance of air quality impacts of the project. Specifically, through the air quality analysis, the DEIR found:

*"the initial development of the SPA would not exceed the SMAQMD's significance threshold of 85 lbs/day. However, subsequent development of the proposed project could result in emissions of NOx that could exceed SMAQMD's significance threshold, particularly during the initial grading and site preparation phase. As a result, short-term construction-generated emissions of ozone-precursor pollutants would be considered potentially significant."*²

The District suggested a revision to the DEIR air quality mitigation measure for short-term emissions in its Nov 2, 2007 comment letter because of the dependence on a specific 13 year schedule. In response to District comments, part of the mitigation

¹ DEIR, Commerce Station, pg. 4.4-16

² DEIR, Commerce Station, pg 4.4-18

measure relating to short-term air quality construction impacts has been changed to read:

MM 4.4-1(d)

The applicant shall construct the Commerce Station project consistent with the development assumptions identified in the DEIR as follows:

- *Development of the Special Permit Area (SPA) shall not exceed 168,786 square feet of mixed-use office uses within a three-year consecutive construction period.*
- *Subsequent development phases shall not commence until completion of the SPA development. In the event that construction would exceed the above stated development restrictions, the SMAQMD shall be notified and construction-related emissions shall be recalculated in accordance with the most current SMAQMD-recommended methodologies. Additional mitigation measures and/or offset fees, (to be calculated based on the most current SMAQMD-recommended fee structure at the time of development) shall be implemented to ensure that construction-generated emissions of NOx would not exceed the SMAQMD's daily emissions threshold of 85 lbs/day.³ [District underlining]*

The District is concerned with this revision for two reasons. First, the measure uses passive voice ("SMAQMD shall be notified," "emissions shall be recalculated"). Because of the passive voice, it's impossible to know **who** will notify the District about deviations in the schedule. Is the proponent being directed to do that? Will the City do that? The language should be re-crafted to state who will be performing the action. If, indeed, it's the proponent who will be notifying the District, the wording could be changed to read:

"In the event that construction would exceed the above stated development restrictions, the proponent will notify SMAQMD and the proponent will recalculate construction-related emissions in accordance with the most current SMAQMD-recommended methodologies. The proponent will implement additional mitigation measures, including the payment of off-site air quality mitigation fees, (to be calculated based on the most current SMAQMD-recommended fee structure and paid prior to the issuance of grading permits) of development."

Notice the inclusion of a timing requirement for fee payment which is regrettably absent from the FEIR's version of the mitigation measure.

Secondly, the District believes that mitigation simply is not implemented because there is no one monitoring it. It would be relatively easy for the proponent or subsequent proponents to speed up their construction schedule and to not notify the District. Excessive air emissions could be generated and the District wouldn't know. Because of that, we encourage the City to develop a mitigation monitoring program so that mitigation measures like this one would be monitored. A city monitor should know through City

³ FEIR, Commerce Station, March 2008, Table 2-1 Summary of Impacts and Mitigation Measures, pg 2-30 and 2-31.

processes if construction activities were deviating from the DEIR's projected thirteen year schedule. The City's monitoring process could assure proponents comply with recalculations of emissions and payment of fees, if necessary.

Greenhouse Gas Emissions & Climate Change

The Greenhouse gas (GHG) section of the DEIR has been revised in the FEIR to contain a much more lengthy discussion of GHG and the results of an analysis of project-level greenhouse gas emissions. In addition, the FEIR contains a Table 3-10 which is titled "Commerce Station Greenhouse Gas Emissions Reduction Measures' Design Features." An example of a reduction measure in the Table is "the applicant shall be conditioned to install light emitting diode (LED) traffic lights in all traffic signals"⁴.....

The District suggests the measures in this table be actually called out in a mitigation measure or in several measures. We are concerned that if these measures are left as "conditions," that they may not actually appear in the staff report for the various decision making bodies. In a previous City project, we have seen this very phenomenon: a very aggressive list of GHG measures in the Railyards project FEIR simply did not make it into the approved project. If the City persists in referring to these measures as conditions, we request the City send us a copy of the staff report which contains those conditions with enough lead time for us to review the document.

If you have questions, please contact me at 874-4885 or jborkenhagen@airquality.org.

Sincerely,



Jeane Borkenhagen

Associate Air Quality Planner Analyst

CC: Larry Robinson
Greg Thatch

SMAQMD
Law Offices of Greg Thatch

⁴ FEIR, *Ibid.*, Table 3-10 Commerce Station Greenhouse Gas Emissions Reduction Measures/Design Strategies, pg 3-58