

Creamery Project (P07-123) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Transportation/Circulation:					
T-1. Prior to the approval of plans or building permits, the project proponent shall pay a fair share contribution for the City of Sacramento Traffic Operations Center to monitor and re-time the Street traffic signal to optimize flow through the intersection, when needed.	Project Applicant/ Developer	City of Sacramento Development Services Department	Verification of fair share contribution shall be provided to Development Services staff.	Prior to the approval of final building permits.	
Biological Resources:					
BR-1. Any phase of the project in an area containing a Heritage Tree shall be forwarded to the City Arborist for review and comment prior to commencement of construction activities. The plans shall be forwarded to the City Arborist early enough in the design process to assure that suggested changes can be incorporated into the final design. Suggested changes could include recommendations regarding permanent structures in relation to the driplines of heritage trees, pruning recommendations, treatment of soil within and around the dripline of heritage trees, etc.	Project Applicant/ Developer	City of Sacramento Development Services Department	Verification of fair share contribution shall be provided to Development Services staff.	Prior to the approval of grading or building permits, which ever permit comes first.	

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Cultural Resources:					
<p>CR-1. The project applicant shall hire a professional archeologist to perform archaeological monitoring during ground-disturbing construction activities for the duration of the project.</p> <p>If any subsurface archeological or historical features or deposits are discovered during construction, all work within 50 meters of the resources shall be halted. Archeological test excavations shall be conducted to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Incorporate the protocol and procedures into grading and construction contracts.</p> <p>If any archeological or historical resources are discovered:</p> <p>a) Cease all work within 50 meters b) Contact the City and implement any additional measures recommended by the City and the consulting archaeologist. c) Submit archaeologist's report to the City.</p>	During grading and construction activities	

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>CR-2. If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Incorporate the protocol and procedures into grading and construction contracts.</p> <p>If a Native American site is discovered:</p> <p>a) Follow protocols listed in CR-1.</p> <p>b) Contact the appropriate Native American representatives.</p> <p>c) Ensure that consulting archeologist is certified by SOPA or meets 36 CFR 61 regulations, or consult with an additional archeologist with those qualifications.</p> <p>d) Implement any additional measures recommended by the consulting archeologist.</p>	As needed during grading and construction activities	

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<p>CR-3. If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>	<p>Project Applicant/ Developer</p>	<p>City of Sacramento Development Services Department</p>	<p>Incorporate the protocol and procedures into grading and construction contracts. If any human bone or bone of unknown origin is discovered: a) Cease all work in the immediate area b) Contact the Sacramento County Coroner's office c) Notify the Native American Heritage Commission as needed.</p>	<p>As needed during grading and construction activities</p>	
<p>N-1. Bedrooms along the north façade of the Rail Yard Lofts shall be fitted with windows which have an outdoor-indoor transmission loss (OITC) of 30 dBA. In addition, the windows of bedrooms along the west façade extending from the northern edge of the building to a plane which is even with the KCRA building shall be fitted with windows which have an OITC of 30 dBA.</p>	<p>Project Applicant/ Developer</p>	<p>City of Sacramento Development Services Department</p>		<p>Prior to the approval of building permits.</p>	

RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP TO REDESIGNATE 6.02± ACRES FROM INDUSTRIAL TO COMMUNITY/NEIGHBORHOOD COMMERCIAL AND OFFICES AND 2.29± ACRES FROM INDUSTRIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED IN THE CENTRAL CITY, SPECIFICALLY AT 1013 D STREET, SACRAMENTO, CALIFORNIA. (P07-123) (APN: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021, 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-0113-020, 002-0113-022, 002-0113-023)

BACKGROUND

A. On October 9, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the General Plan amendment.

B. On October 28, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 16.24.097, 17.204.020(C), 17.208.020(C), 17.212.035, and 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered documentary and oral evidence concerning the General Plan amendment and the Creamery project.

C. The City Council hereby finds:

1. The proposed land use amendment is compatible with the surrounding land uses;
2. The proposed site is suitable for mixed use and residential development; and
3. The proposal is consistent with the policies of the Central City Community Plan to promote a variety of housing types within neighborhoods to encourage economic diversity and housing choice and the General Plan.

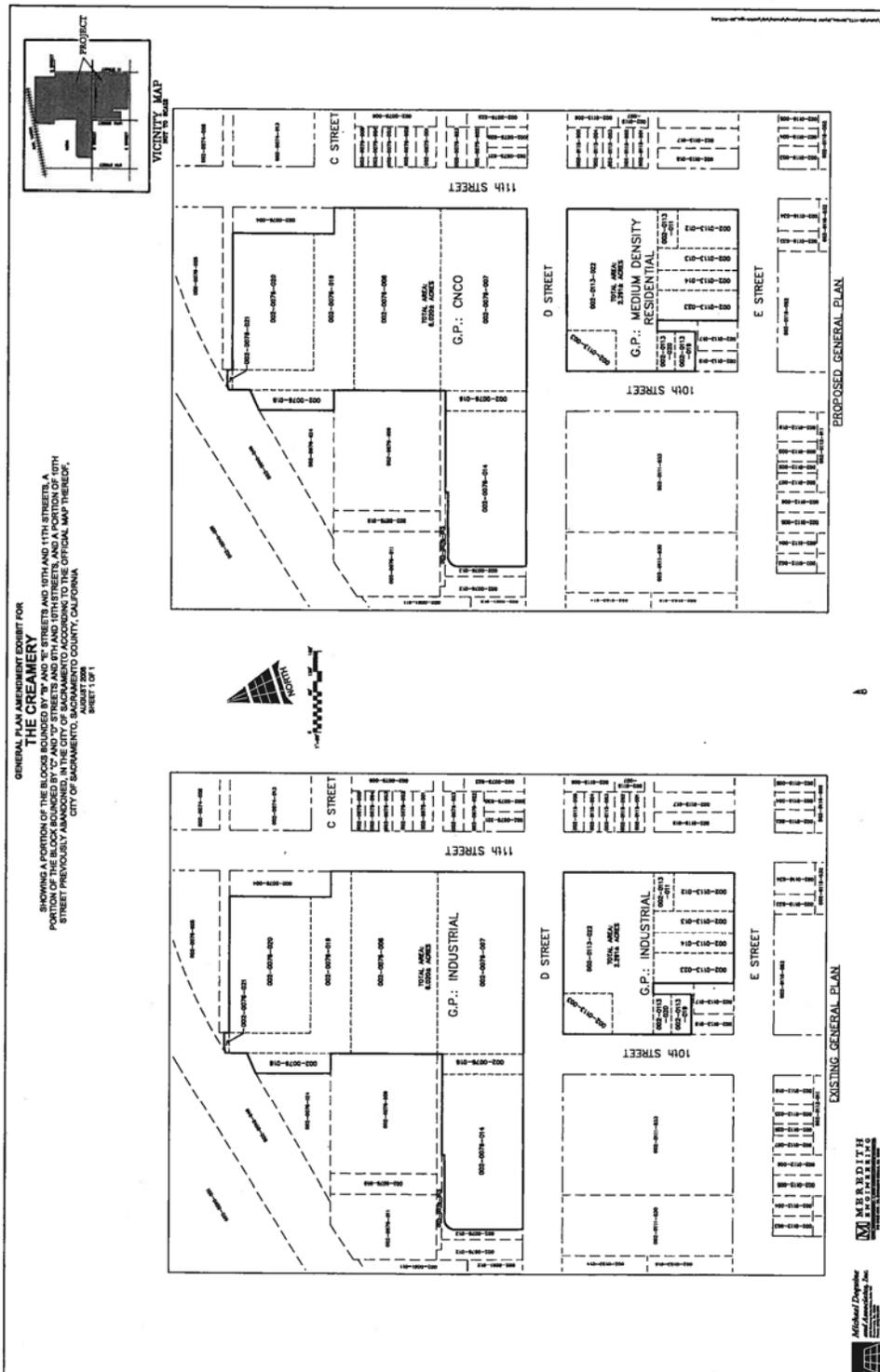
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council adopts the General Plan Land Use Amendment for the property, as described on the attached Exhibit A, in the City of Sacramento, which hereby redesignates 6.02± acres on the North Block from Industrial to Community/Neighborhood Commercial and Offices and 2.29± acres on the South Block from Industrial to Medium Density Residential. (APN: North Block: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021. South Block: 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-

0113-020, 002-0113-022, 002-0113-023)

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Exhibit A: General Plan Amendment Exhibit



RESOLUTION NO.

Adopted by the Sacramento City Council

AMENDING THE CENTRAL CITY COMMUNITY LAND PLAN USE MAP TO REDESIGNATE 6.02± ACRES FROM INDUSTRIAL TO GENERAL COMMERCIAL AND 2.29± ACRES FROM INDUSTRIAL TO MULTIFAMILY FOR THE PROPERTY LOCATED IN THE CENTRAL CITY, SPECIFICALLY AT 1013 D STREET, SACRAMENTO, CALIFORNIA. (P07-123)

(APN: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021, 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-0113-020, 002-0113-022, 002-0113-023)

BACKGROUND

A. On October 9, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Central City Plan amendment.

B. On October 28, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 16.24.097, 17.204.020(C), 17.208.020(C), 17.212.035, and 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered documentary and oral evidence concerning the Community Plan amendment and the Creamery project.

C. The City Council hereby finds:

1. The proposed land use amendment is consistent with the conversion of a 6.02± acre portion of this site to General Commercial and 2.29± acres to Multifamily to implement the goals and policies of the Central City Community Plan and the Housing Strategy to maintain a balance between housing and jobs and to meet future housing needs;
2. The proposed Plan Amendment is compatible with the surrounding uses; and
3. The proposal is consistent with the policies of the Community Plan to promote a variety of housing types within neighborhoods to encourage economic diversity and housing choice.

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

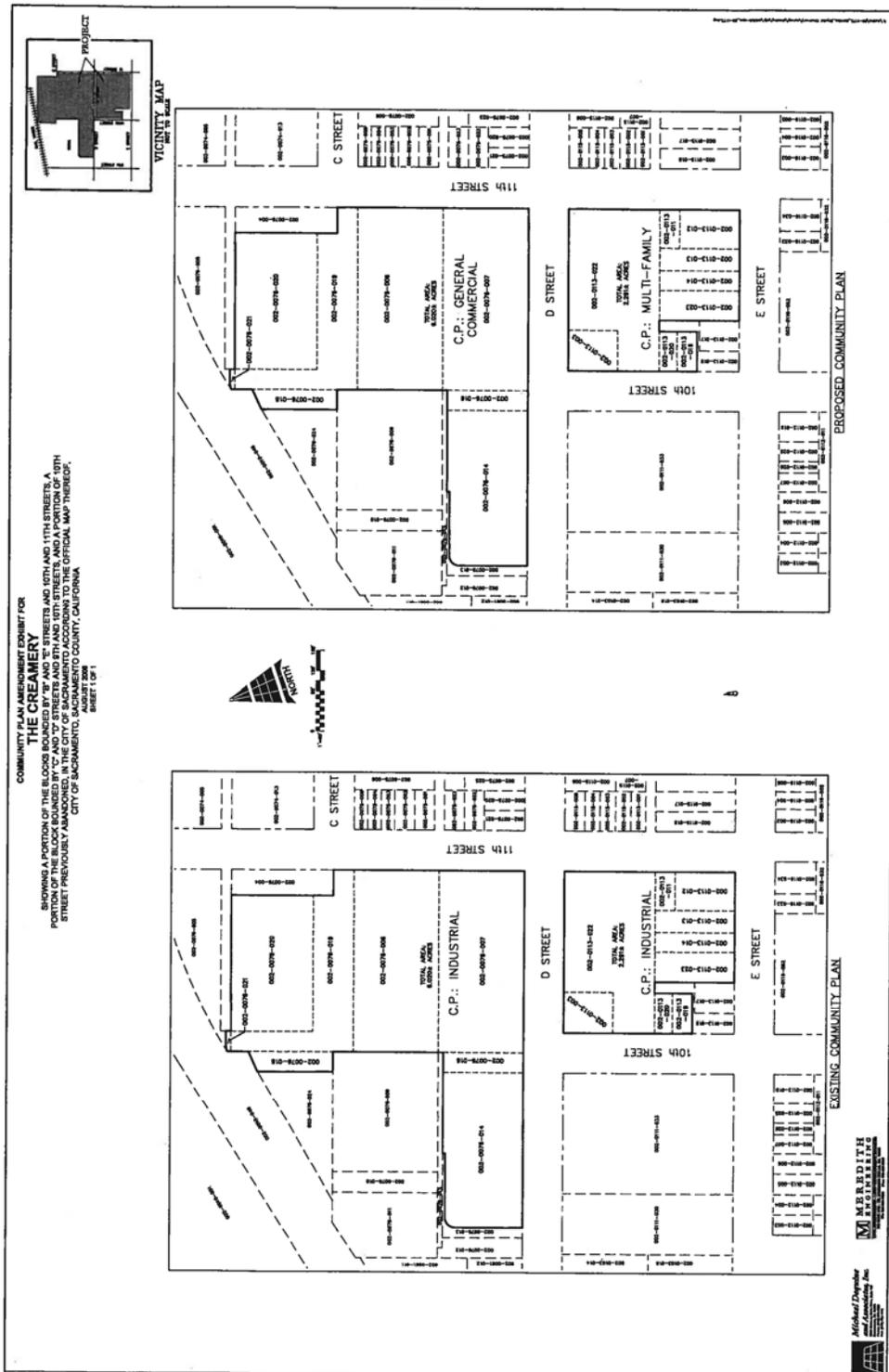
Section 1. The City Council adopts the Community Plan Amendment for the property described on the attached Exhibit A, in the City of Sacramento, which hereby redesignates the Central City Community Plan land use map for 6.02± acres on the North Block from

Industrial to General Commercial and 2.29± acres on the South Block from Industrial to Multifamily. (APN: North Block: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021. South Block: 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-0113-020, 002-0113-022, 002-0113-023)

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Exhibit A: Community Plan Amendment



ORDINANCE NO.

Adopted by the Sacramento City Council

REZONING FROM INDUSTRIAL (M-1) TO GENERAL COMMERCIAL (C-2) AND MULTIFAMILY (R-3A) THE REAL PROPERTY LOCATED AT 1013 D STREET (P07-123) (APN: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021, 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-0113-020, 002-0113-022, 002-0113-023) COUNCIL DISTRICT 1

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

SECTION 1

The properties generally described, known and referred to as APNs: 002-0076-006, 002-0076-007, 002-0076-014, 002-0076-016, 002-0076-018, 002-0076-019, 002-0076-020, 002-0076-021 which is shown on attached Exhibit A, consists of 6.02± acres and is currently in the Industrial (M-1) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the M-1 zone and placed in the General Commercial (C-2) zone.

The properties generally described, known and referred to as APNs: 002-0113-003, 002-0113-011, 002-0113-012, 002-0113-013, 002-0113-014, 002-0113-019, 002-0113-020, 002-0113-022, 002-0113-023 which is shown on attached Exhibit A, consists of 2.29± acres and is currently in the Industrial (M-1) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the M-1 zone and placed in the Multifamily (R-3A) zone.

SECTION 2

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

SECTION 3

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

Table of Contents: Exhibit A: The Creamery Rezone Map – 1 Page

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE CREAMERY
PROJECT (P07-123)**

BACKGROUND

A. On October 9, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Creamery project.

B. On October 28, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 16.24.097, 17.204.020(C), 17.208.020(C), 17.212.035, and 17.200.010(C)(2)(a, b, and c) (publication, posting, and mail 500'), and received and considered evidence concerning the Creamery project.

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

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

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

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

F. The Tentative Map to subdivide the subject property into 47 lots for condominium purposes **is approved** subject to the following Findings of Fact:

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

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

- b. The site is physically suitable for the type of development proposed and suited for the proposed density;
- c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;
- d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
- e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

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

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

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

5. The Planning Commission 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).

G. The Special Permit to allow alternative ownership housing (condominiums) in the proposed General Commercial (C-2) and Multifamily (R-3A) zones **is approved** subject to the following Findings of Fact:

- a. Granting the Special Permit is based upon sound principles of land use in that the proposed project is compatible with the surrounding area of commercial and residential and adds to the balance of housing types in the downtown neighborhood. The proposed development promotes the goals and policies of the Central City Housing Strategy to increase housing and contribute to a better jobs/housing balance.

- b. Granting the Special Permit will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project will develop residential units that are oriented to provide eyes on the street and internal plaza areas, and provides balconies and terraces for outdoor space, and;
- c. The proposed project is consistent with the proposed Central City Community Plan designation of General Commercial and Multifamily and the proposed General Commercial (C-2) and Multifamily (R-3A) zone in which housing, office, and retail are typically allowed by special permit. The project is also consistent with the General Plan policies which encourage infill development and will promote alternative modes of transportation such as bus, bike, lightrail, and walking which helps air quality and reduces urban sprawl.

H. The Special Permit to partially waive parking for proposed commercial uses is **approved** subject to the following Findings of Fact:

- a. Granting the Special Permit is based upon sound principles of land use in that the proposed project is converting parallel parking spaces on the street to angled parking to increase the supply of onstreet parking spaces in the nearby vicinity;
- b. Granting the Special Permit will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project provides parking onsite for the residential units and shared parking and onstreet parking for the office and retail uses, and;
- c. The proposed project is consistent with the Central City Community Plan and General Plan policies relating to sharing parking for uses with different peak periods and the reduction of the amount of public surface parking near light rail stations thereby encouraging transit ridership.

I.&J. The Special Permits to allow a major project over 75,000 square feet and to exceed the height requirements of 35 feet in the proposed General Commercial (C-2) zone with a proposal of 45 feet for office **are approved** subject to the following Findings of Fact:

- a. Granting the Special Permit is based upon sound principles of land use in that the proposed project will increase the ridership of the light rail system and the project will provide a buffer between the railway and the residential uses on the south of the subject site.
- b. Granting the Special Permit will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project provides an open plaza area to maintain light and air between the structures, and;

- c. The proposed project is consistent with the proposed General Plan land use designation of General Commercial which allows retail, office, work lofts, and residential uses and supports intensity of development within walking distance of light rail stations.

K. The Special Permit to exceed the height requirements of 35 foot in the proposed Multifamily (R-3A) zone with a proposal of 39'3" for new residential condominium units **is approved** subject to the following Findings of Fact:

- a. Granting the Special Permit is based upon sound principles of land use in that the proposed residential use at 25 dwelling units per acre is within the allowed range of Multifamily (R-3A) which allows up to a maximum of 36 dwelling units per acre.
- b. Granting the Special Permit will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the additional height to the residential structure will allow a rooftop deck for private outdoor space for residents and provides eyes on the street for an area in transition, and;
- c. The proposed project is consistent with the proposed Central City Community Plan and General Plan Multifamily designation in that the project provides housing on the south side of D Street which completes the residential neighborhood.

L. The Variance to allow recycling and trash enclosures to be located in required setback areas **is approved** subject to the following Findings of Fact:

- a. Granting the Variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances where there is an internal plaza area with landscaping, sculptures, and other amenities and the trash enclosures would negatively impact the usability of the plaza;
- b. The project will not be detrimental to public health, safety, or welfare nor result in a nuisance in that the trash enclosures abut property lines that will not negatively impact any residential uses and the trash enclosures are located in areas not highly visible from the public street view; and
- c. The project will provide adequate capacity, number, and distribution of recycling and trash enclosures and receptacles to serve the new development.

M. The Variance to allow less than 50% tree shading for private driveways for South Block **is approved** subject to the following Findings of Fact:

- a. Granting the Variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other

property owners facing similar circumstances where garages are designed to face private streets to allow pedestrian friendly public streetscapes and the row of garage doors does not allow placement of tree planters for shading;

- b. Granting the Variance does not constitute a use variance in that alternative ownership housing is allowed in the Multifamily (R-3A) zone with the issuance of a special permit; and
- c. The project is consistent with the General Plan and Central City Community Plan relating to providing vehicular access to garages from alleys or private streets and limiting curb cuts to numbered and lettered streets.

N. The Variance to allow office buildings to deviate from required setback/stepback **is approved** subject to the following Findings of Fact:

- a. Granting the Variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances where the previously existing building on the site had a zero lot line and adjacent properties in the area similarly have reduced setbacks and stepbacks;
- b. Granting the Variance does not constitute a use variance in that offices are allowed in the proposed General Commercial (C-2) zones; and
- c. The project is consistent with the General Plan, Central City Community Plan, and Smart Growth Principles relating to providing strong urban streetwalls for commercial uses along the public streets to improve the pedestrian experience and enhance security.

Conditions Of Approval

F. The Tentative Map to subdivide the property from one parcel into one parcel for condominium purposes **is approved** subject to the following conditions of approval:

CONDITIONS: Tentative Map

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P07-123). The design of any improvement not covered by these conditions shall be to City standard.

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

Traffic 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 Council 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:

TRAFFIC ENGINEERING

- F1. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development Engineering Division after consultation with the U.S. Postal Service.
- F2. Private reciprocal ingress, egress, and maneuvering easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, and maneuvering easement shall be conveyed to and reserved from any appropriate parcel, at no cost, at the time of sale or other conveyance of either parcel.
- F3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P07-123).
- F4. 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 Transportation.
- F5. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Traffic Engineering Division. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Traffic Engineering Division.
- F6. 11th Street and D Street adjacent to the project shall be provided with on-street angled parking. Angled parking will be installed with each phase of the map in which said angled parking is adjacent to.

- F7. E Street adjacent to the project shall be evaluated for on-street angled parking. If angled parking is feasible the applicant shall work with the City towards the installation of said parking.
- F8. All the improvements related to angled parking including the layout of the same shall be designed and constructed to the satisfaction of Traffic Engineering Division. The layout of angled parking on some or all of the above mentioned segments may need to be changed to back-in angled parking. The determination in this regard will be made by Traffic Engineering Division at the time of implementation of angled parking.
- F9. All intersections will be assessed and if deemed appropriate will have Bulb-outs. Bulb-outs will be installed with each phase of the map in which said Bulb-outs are adjacent to.
- F10. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Traffic Engineering Division.
- F11. Form a Homeowner's Association with CC&R's for Lot A, all private streets and the islands within the private streets to be approved by the City. CC&R's shall be recorded assuring maintenance of all private streets, lights, sewer services, drop inlets, drain leads, landscaping, irrigation and noise barriers.

CITY UTILITIES

- F12. Only one domestic water service is required per parcel except for the commercial parcels. Any new domestic water services shall be metered. Excess domestic water services shall be abandoned to the satisfaction of the Department of Utilities (DOU).
- F13. There are existing 6" and 8" water mains located within the project property north and south of D Street. These existing water mains shall be relocated to the street to the satisfaction of the DOU. The water main alignment will be determined prior to the offsite improvement plan submittal.
- F14. All condominium parcels are required to have a separate water tap from the public water main.
- F15. Prior to or concurrent with the submittal of improvement plans, a project specific water study is required for review and approval by the Department of Utilities. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or

“residual” pressure at all water service connections shall be a least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or “residual” pressure in the area of the fire shall not be less than 20 pounds per square inch. The water study shall determine if the existing and proposed water distribution system is adequate to supply fire flow demands for the project. A water supply test is required for this project. Contact the Department of Utilities for the pressure boundary conditions to be used in the water study.

- F16. Private streets with two City maintained water, drainage or sewer facilities shall have a minimum paved AC (asphalt concrete) width of 22-feet from edge of pavement to edge of pavement. No other utilities will be allowed within this 22-foot section. Drain inlets, curb and gutter shall be constructed to City Standards for residential streets.
- F17. Per City Code section 13.04.230, no permanent structure (including without limitation trash enclosures, garages, patios, concrete slabs, tool shed and similar structures) shall be constructed or placed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.
- F18. Common area landscaping shall have a minimum of one (1) separate tap from the public distribution system for a metered irrigation service.
- F19. Multiple fire services are allowed per parcel and may be required for the commercial lots.
- F20. An ownership association shall be formed and C.C. & R’s shall be approved by the City and recorded assuring maintenance of private water, sewer and storm drainage facilities within the project. The onsite water, sewer and storm drainage systems shall be private systems maintained by the association.
- F21. Prior to the initiation of any water, sewer or storm drainage services to the 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. Such agreement shall provide, among other requirements, for payment of all charges for the project’s water 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, the Association will sub-meter in the future if required to do so by any law or regulation, and shall be in a form approved by the City Attorney.
- F22. Residential water taps and meters shall be sized per the City’s Building Department on-site plumbing requirements (water taps and meters may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.).

- F23. Show all existing easements on the improvement plan and final map. If there are no existing easement for the public water, sewer or drainage system then a minimum of 15-feet of easement shall be dedicated to the satisfaction of the Department of Utilities.
- F24. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for water, drainage and sewer at no cost at the time of sale or other conveyance of any parcel. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book____, O.R. Page____."
- F25. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS due to the Equivalent Single-Family Dwelling (ESD) unit is estimated to be 208 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$488,992 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.
- F26. There are existing combined sewer mains located within the project property north of D Street. The applicant is required to abandon the existing system and relocate the combined sewer system to the street to the satisfaction of the DOU. The sewer main alignment will be determined prior to the offsite improvement plan submittal.
- F27. The existing combined sewer mains may be at capacity. The applicant is required to do a sewer study to determine if the existing system has enough capacity for this project. If there is no capacity, then the applicant will be required to construct a sewer main extension within the public street to the closest trunk line (sewer main 18" or larger). The closest sewer trunk line is located in 13th Street.
- F28. Onsite sewer and drainage mains shall be a separate system.
- F29. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual may be required. This study and shed map shall be approved by the Department of Utilities. The 10-year and 100-year HGL's shall be shown on the improvement plans. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above local controlling overland flow release elevation, whichever is higher. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The drainage study shall include an overland flow release map for the proposed project. Based on the drainage study, onsite storage may be required.
- F30. Per City Code, the Subdivider may not develop the project in any way that obstructs,

impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the Department of Utilities. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

- F31. The existing public utility running parallel and north of D Street shall be abandoned to the satisfaction of the Department of Utilities. The existing drainage and sewer main shall become private mains and be maintained by the property owner.
- F32. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be granted.
- F33. An onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All onsite systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).
- F34. 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.
- F35. 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.
- F36. This project will disturb greater than 1 acre of property, 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 at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) signed certification page by property owner or authorized representative.

- F37. 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 this project is in the combined sewer system area, only source control measures are required for this project. Refer to the "Guidance Manual for On Site Stormwater Quality Design Manual" dated May 2007 for appropriate source control measures

SPECIAL DISTRICTS: Assessment Districts

- F38. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.

PPDD: Parks

- F39. **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)
- F40. **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 the Project Manager in the Special Districts Division of the Planning Department). 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.
- F41. **Private Facility Credits:** According to the Site Plan dated August 2008, the North Block (Lot A) and South Block (Lot B) is labeled as Private Plaza Space. City Code Chapter 16.64, Sections 16.64.100, 110 and 120 address granting of private recreation facility credits. The City may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise required under this chapter and no more than five percent per category of open space or recreational facilities described in this Chapter under 16.64.100. Should the applicant elect to request City consideration of private facility credits, such request shall be made in writing and shall occur before recordation of the final map.

FIRE

- F42. All turning radii for fire access shall be designed as 35' inside and 55' outside.
- F43. 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.
- F44. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3
- F45. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

G. The **Special Permit** to allow alternative ownership housing (condominiums) in the proposed General Commercial (C-2) and Multifamily (R-3A) zones **is approved** subject to the following conditions of approval:

- G1. The project shall comply with design review conditions of approval (DR07-283).
- G2. The project shall conform to the plans submitted. Any changes shall require additional review by Planning staff.
- G3. A photocell light fixture shall be provided on the building façade with the garage door. The fixture shall be of a type that automatically comes on at dusk and goes off at dawn. The fixture is subject to the review of Design Review staff.
- G4. A Homeowner's Association shall be established. A copy of the CC&Rs shall be provided to Planning staff, prior to occupancy. The CC&Rs shall require trash cans and recycling containers to be stored within the garage, rear yard, or courtyard and not lining the private streets. The CC&Rs will also indicate the Homeowner's Association is responsible for maintaining the operation of previously mentioned photocell lights along the private drives.
- G5. Air conditioning and mechanical equipment shall be appropriately screened to not be visible from any street view.
- G6. The interior garage space shall be usable by a vehicle.
- G7. The developer will provide current transit information with sales materials to buyers.
- G8. Historic Acorn lighting shall be provided along the subject site frontage. A minimum of three street lights per street frontage shall be provided or a minimum number to the satisfaction of the Electrical Services Division in the Department of Transportation.

FIRE

- G9. 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.
- G10. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- G11. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (North & East sides of the Artisans between the Railyard and Mills loft isn't meeting the requirement). (CFC 503.1.1)
- G12. Provide appropriate Knox access for site
- G13. 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.
- G14. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.
- G15. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
- G16. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8
- G17. Provide at least 5' setback for second story bedroom windows to allow for fire ladder rescue operations. Provide clear access to buildings openings, free to landscaping and other obstructions. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the Fire Department. CFC 504.1

REGIONAL TRANSIT

- G18. Transit information shall be displayed in a prominent location in the residential sales/rental office, through a homeowner's association, or with real estate transactions, for employees and customers. Please contact Devra Selenis, Marketing Department at 916-556-0112 for more information.