



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
March 17, 2009

Honorable Mayor and
Members of the City Council

Title: La Valentina Station Project (P08-106)

Location/Council District: East side of 12th Street, between the C Street/D Street alley and E Street (District 3)

Recommendation: 1) Review a) a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; b) a **Resolution** approving the La Valentina Station project; c) an **Ordinance** rezoning a portion of the project site from Residential Mixed Use (RMX) to Multi Family Residential (R-5); and 2) pass for publication the **Ordinance** title as required by Sacramento City Charter 32c and continue to March 24, 2009 for adoption.

Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110

Presenters: Not applicable

Department: Development Services

Division: Current Planning

Organization No: 21001221

Description/Analysis

Issue: The applicant is proposing to construct a mixed-use development comprised of 63 affordable apartment units, approximately 6,000 square feet of ground-floor commercial/flex spaces on approximately 0.87 acre in the proposed Multi-Family (R-5) zone (station site) and 18 affordable townhouse-style apartment units on approximately 0.40 acre in the General Commercial (C-2) zone (north site). The proposal requires a rezone of the station site to Multi-Family (R-5) zone, Plan Review for apartments on the station site, Special Permits for commercial use on the ground floor, for parking reduction, for vehicular gates and for exceeding allowable building height, and Variances for setback reductions, for exceeding allowable height on roof structures, for exceeding 40% compact stalls, for interior side yard reduction, for vehicular gate setback reduction, for maneuvering width reduction and for allowing a distance of more than 250 feet from each unit to the trash disposal area.

Policy Considerations:

General Plan and Community Plan: The proposed project is consistent with the land use designation and applicable policies of the General Plan and Central City Community Plan to focus higher density developments and mixed-use projects in areas adjacent to transit stations and along transit corridors and to provide safe, affordable housing to the area.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The project, in proposing mix of uses that include affordable apartments and flexible commercial spaces, will contribute to creating a range of housing opportunities and choices that can foster a walkable, close-knit neighborhood.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento's Strategic Plan, specifically by adhering to goals that achieve sustainability, enhance livability, promote increased housing opportunities for Sacramento residents, and expand economic development throughout the City.

Environmental Considerations:

California Environmental Quality Act (CEQA):

A Mitigated Negative Declaration (MND) has been prepared for the project. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified environmental impacts or to mitigate such impacts to a point where it is clear that they will have no significant effect on the environment. These mitigation measures address cultural resources, hazards, and transportation. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit 4A).

Pursuant to Section 15070(B) (2) of the CEQA Guidelines, there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

The Mitigated Negative Declaration was available for public review during the period of Friday, February 13, 2009 through Thursday, March 5, 2009. As of the date of the preparation of this report, no comment letters were received.

Sustainability Considerations:

The proposed project is consistent with the Sustainability Master Plan goals to reduce dependence on the private automobile, reduce long commutes, reduce the use of fossil fuels, improve energy efficiency, reduce carbon dioxide emissions, and help to meet air quality standards. If approved, the La Valentina

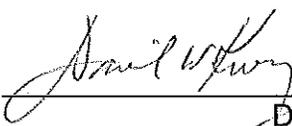
project would help to support transit use because it is located adjacent to the La Valentina Light Rail Station near the urban core of the city, and it contains a mix of uses including affordable apartments and flexible commercial spaces. The project is a low-energy building achieved by efficiency boilers, rooftop photovoltaic and solar hot-water panels.

Commission/Committee Action: On February 18, 2009, the La Valentina station site proposal was brought before the Design Commission for Review and Comment; the station site will be brought back to the Design Commission for approval on March 25, 2009. The north site will be brought before the Design Director for decision on March 26, 2009. The project is scheduled for the Planning Commission on March 12, 2009 for recommendation to the City Council.

Rationale for Recommendation: Staff finds that the proposed TOD (transit oriented development) project complies with applicable General Plan and Community Plan goals and policies in allowing mixed land uses adjacent to a transit station and in providing affordable housing to the Central City area. Staff also finds that the proposed infill project makes use of underutilized parcels and is compatible with the surrounding uses.

Financial Considerations: This project has no fiscal considerations.

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

Respectfully Submitted by: 
DAVID KWONG
Planning Manager

Approved by: 
WILLIAM THOMAS
Director of Development Services

Recommendation Approved:

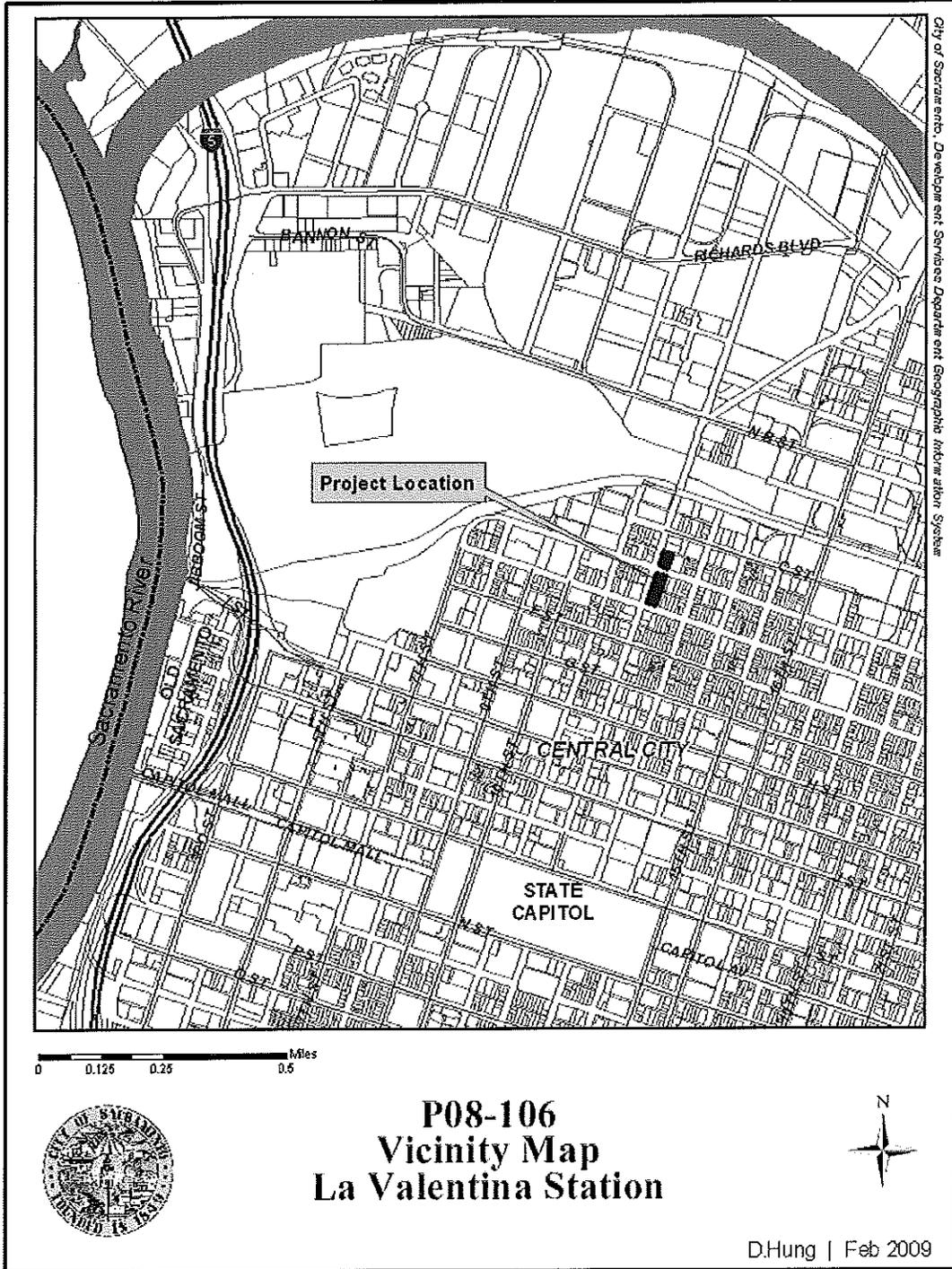


Ray Kerridge
City Manager

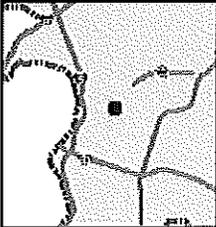
Table of Contents:

	Report	pg. 1
Attachments		
1	Vicinity Map	pg. 5
2	Zoning and Land Use Map	pg. 6
3	Background	pg. 7
4	Mitigated Negative Declaration Resolution	pg. 22
	Exhibit 4A- Mitigation Monitoring Plan	pg. 24
5	Project Approval Resolution	pg. 31
	Exhibit 5A: Topographic Survey (Station Site and North Site)	pg. 67
	Exhibit 5B: Title Sheet (Station Site)	pg. 68
	Exhibit 5C: Perspective – 12th + E (Station Site)	pg. 69
	Exhibit 5D: Perspective – 12th + D (Station Site)	pg. 70
	Exhibit 5E: Ground Level Sketch (Station Site)	pg. 71
	Exhibit 5F: Café Plan with Angled Wall (Station Site)	pg. 72
	Exhibit 5G: Perspective – Southeast (Station Site)	pg. 73
	Exhibit 5H: Landscape Concepts (Station Site)	pg. 74
	Exhibit 5I: Site Plan (Station Site)	pg. 75
	Exhibit 5J: Ground Floor Plan (Station Site)	pg. 76
	Exhibit 5K: Level 2 to 4 Plan (Station Site)	pg. 77
	Exhibit 5L: Roof Plan (Station Site)	pg. 78
	Exhibit 5M: Building Elevations (Station Site)	pg. 79
	Exhibit 5N: Building Sections (Station Site)	pg. 80
	Exhibit 5O: Materials and Colors Board (Station Site)	pg. 81
	Exhibit 5P: Project Information (North Site)	pg. 82
	Exhibit 5Q: Site and Ground Level Plan (North Site)	pg. 83
	Exhibit 5R: Second Floor Plan (North Site)	pg. 84
	Exhibit 5S: Third Floor Plan (North Site)	pg. 85
	Exhibit 5T: Roof Plan (North Site)	pg. 86
	Exhibit 5U: Unit Plans (North Site)	pg. 87
	Exhibit 5V: Elevations (North Site)	pg. 88
6	Rezone Ordinance	pg. 89
	Exhibit 6A- Rezone	pg. 90
7	Neighborhood Comments	pg. 91
8	Mitigated Negative Declaration	pg. 95

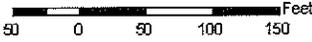
Attachment 1: Vicinity Map



Attachment 2: Land Use & Zoning Map



P08-106
Land Use Map
La Valentina Station



D. Hung | Mar 2009

Attachment 3: Background

Project Summary:

The project involves the development of parcels in proximity to the Alkali Flat/La Valentina light rail station in the Central City area; this Regional Transit station is well-used, and ranks in the top one-third of 24 stops on the Blue Line in terms of passenger volume. The subject property is currently vacant but for one parcel that is development with a residential structure that is to be demolished.

The project is separated into the Station Site and the North Site:

Station Site: The site is directly adjacent to the Alkali Flat/La Valentina light rail station on the east side of 12th Street. The site extends from D Street at the north to E street to the south and includes six parcels, to be merged, and a portion of the D Street/E Street alley to be abandoned. The proposed mixed-use building is four-stories in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units.

North Site: The site extends from the C Street/D Street alley on the north to D street on the south and includes two parcels, to be merged. The site contains one large three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18 three-bedroom units are proposed on the site. All the parking spaces are incorporated into the ground floor of each building.

Public/Neighborhood Outreach and Comments:

Staff routed the proposal to various neighborhood groups and associations which included Sacramento Housing Alliance, WalkSacramento, Sacramento Area Bicycle Advocates, Alkali & Mansion Flats Historic Neighborhood Association, Downtown Sacramento Partnership, Sacramento Old City Association, Children First Flats Network, Boulevard Park Neighborhood Association, Friends of Grant Park, Marshall School Neighborhood Association, Midtown Business Association and the Washington Park Neighborhood Improvement Group.

Additionally, Staff sent an early notice to property owners within 500 feet of the site. Comments were received concerning the density of the project, the affordable housing component, and the building design. Comments from neighbors are attached in Attachment 7.

Staff Response: Staff believes that a higher density project is appropriate for the site since it is adjacent to a light rail transit station. The affordable housing is intended for low and very low income families and there is a need to provide housing for this

segment of the population. The development of both sites will contribute to the revitalization of the Alkali Flat neighborhood locating active uses on these currently underutilized, highly-visible parcels.

Extensive outreach was conducted by both Sacramento Housing and Redevelopment Agency (SHRA) and the project applicant, Domus Development, from November 2006 to the present. A list of the outreach efforts is included below:

1986-2006

In the past, SHRA worked with a number of development teams on concepts for the La Valentina Development Site, which included commercial/retail, day care, and single family homes. For multiple reasons these concepts did not come to fruition:

- **1986 through early 1994:** SHRA incrementally acquired a total of seven parcels of real estate along 12th Street in the Alkali Flat Redevelopment Project Area.
- **1991:** SHRA issued a Request for Proposals (RFP) for the site in 1991 and received no respondents. The timing of the RFP was poor as land values in the region plummeted and interest in the downtown was low.
- **1997:** The next development attempt began in 1997 when SHRA, in partnership with the 12th Street Collaborative, worked on a proposal to develop the site into a daycare and teacher training facility.
- **2004:** In 2004, due to financial feasibility reasons, the development proposal did not come to fruition.
- **2004:** SHRA issued a Request for Proposals (RFP) to purchase and develop the Site. The Olson Company of San Ramon, California (Olson) responded and was selected to complete pre-development planning.
- **2006:** In mid-2006, after completing a variety of pre-development activities, Olson chose to withdraw from this project.

November 2006- Present

In November 2006, SHRA issued a Request for Qualifications (RFQ) to attract a private development team to develop the La Valentina Site. Domus Development was unanimously selected by project selection team. The current concept reflects the combined efforts of community stakeholders, the development team and Agency and City Staff. The proposal has been refined and has evolved through a process that vetted over a dozen iterations of the project.

- **March 2007:** In March 2007, Domus Development was unanimously chosen to develop the Site by a selection team, based on their qualifications.
 - The 7 person Selection Committee included a representative from both the Alkali Flat/Mansion Flats Neighborhood Association and the Alkali Flat

RAC (Redevelopment Area Committee). Domus Development was deemed the most qualified of the four development firms that responded to the RFQ.

- **April 5, 2007:** RAC Approval of ERN: The Domus team met with the Alkali Flat RAC on April 5, 2007, and the RAC endorsed staff's initiative to enter into an Exclusive Right to Negotiate (ERN) agreement.
- **April 12, 2007:** The Domus team met with the Alkali Flat / Mansion Flats Neighborhood Association at its April 12, 2007 general meeting.
- **June 5, 2007:** City Council approved the ERN between SHRA and Domus Development.
- **July 7, 2007:** The Alkali Flat RAC received a project update presentation from SHRA staff at the regularly scheduled RAC Meeting.
- **February 7, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting.
- **March 6, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting. ERN is extended.
- **April, 3, 2008:** A "La Valentina Subcommittee" of the RAC is formed at the regularly scheduled RAC meeting. The RAC received a staff project update.
- **June 18, 2008:** Alkali Flat RAC Special Meeting is held. The La Valentina Subcommittee receives a developer presentation on the project.
- **August 7, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting.
- **October 2, 2008:** Special Meeting of RAC to discuss the project. The RAC receives a presentation by Domus Development.
- **February 11, 2009:** The La Valentina Subcommittee receives a developer presentation on the project.

Project Analysis:

Station Site

Description

The site is directly adjacent to the Alkali Flat/La Valentina light rail station on the east side of 12th Street. The site extends from D Street at the north to E street to the south and includes six parcels, to be merged, and a portion of the D Street/E Street alley to be abandoned. The proposed mixed-use building is four-stories in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units.

Rezone

The Station Site is proposed be rezoned from Residential Mixed Use (RMX) zone, with a maximum density of 36 dwelling units per net acre to Multi Family (R-5) zone. The R-5 zone is a multi-family residential zone bordering the Central Business District. This is not entirely a residential zone and may include institutional, office and commercial uses subject to special permit review. The minimum land area per unit depends upon the percentage of lot coverage. Maximum density in the R-5 zone ranges from seventy (70) to one hundred fifty (150) dwelling units per acre. The current and proposed zoning designations are shown in the following Table:

Designation	Existing (gross ac)	Proposed (gross ac)	Difference (gross ac)
Residential Mixed Use (RMX) parcels	0.83	0	-0.83
Multi Family (R-5) parcels	0	0.83 and 0.04 alley to be abandoned	+0.87
TOTAL	0.83	0.87	

The project, with a total of 63 units on 0.87 acres, will have a density of 72 units per acre. The R-5 zone will allow the high density proposed for the residential units and also commercial uses on the ground floor subject to the approval of a special permit. The rezone request is consistent with the General Plan and Central City Community Plan designations for the subject site. The R-5 zone is also more consistent with the proposed 2030 General Plan designation of a major portion of the site as "Urban Corridor Low," allowing a density range of between 20-110 dwelling units per net acre and floor area ratio of 0.4 – 3.0; a 0.15 acre portion of the site will be designated as "Traditional Neighborhood Medium Density" with a density range of 8-21 dwelling units per acre and floor area ratio of 0 to 1.5. Even with the aforementioned split designations, the proposed project still falls within the overall density range and the overall floor area ratio of all the sites. For these reasons, staff supports the request.

Plan Review

The applicant proposes to construct apartment units in the R-5 zone on the Station Site. Section 17.24.050(17) of the zoning code permits this type of development with the

issuance of a plan review. In evaluating plan review proposals of this type, the Commission is required to make the following findings:

- A. 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.

The proposed mixed-use development is consistent with the current General Plan designation as well as the 2030 General Plan Update designation for Urban Corridor Low and Traditional Neighborhood Medium Density and applicable goals and policies.

- B. 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.

Staff have reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure, and have included conditions to ensure adequate drainage capacity and street frontage improvements.

- C. 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.

The design of the project generally consistent with applicable setback, lot coverage, density, height and parking regulations; where parking and setback standards are not met, variances are requested. Conditions have been added to ensure compliance with landscaping requirements.

- D. 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.

The proposal will comply with safety standards as required by code and conditioned as part of this project and will not pose a threat to the public health nor be injurious to the surrounding area.

Access, Circulation and Parking

The site can be accessed at separate driveways on D Street and E Street; a children’s play area/common space is shown at the area where the alley is to be abandoned so that through traffic is not allowed between the north and south portions of the site. Retractable bollards are shown to allow access by emergency vehicles. A six feet high emergency access gate is shown on the east side abutting the alley and a similar gate is shown on the west side adjacent to the public court next to the light rail station. Following is the parking analysis for the site:

Table 3A: Vehicular Parking (Station Site)			
Use	Required Parking	Proposed Parking	Difference

Apartments	64 (based on 1 space per unit + 1 guest space per 15 units)	68	+4
Flex/commercial spaces (approx. 6,000 sq. ft.)	15 (based on 1 space per 400 gross sq. ft.)	0	-15
Café	11 (based on 1 space per 100 square feet, equivalent to 1 space per 3 seats)	0	-11

Table 3B: Bicycle Parking (Station Site)

Total vehicular parking required	Required bicycle parking (1:20)	Provided bicycle parking	Difference
90	5	5 minimum	0

Height, Bulk and Setbacks

Following is the height and area standards analysis; discussions on the deviations can be found later on in this section.

Table 4: Height and Area Standards (Station Site)

Standard	Required	Proposed	Deviation?
Height	45'-0"	47'-0" to top plate	yes
Front setback (D St.)	10'	5'-0"	yes
Front Setback (E St.)	20'	5'-0"	yes
Side setback (12 th Street)	5' to 6'	0 to 8'	yes
Rear setback	None	None	no
Lot coverage	70%	~ 55%	n/a
Density	70 - 150 du/na	~ 72 du/na	no

Building design, signage and landscaping

The proposed mixed-use building is four-story in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. Covered compact parking spaces are provided on the ground floor of the building at the parking lot area. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units. Except for the studio units, all units contain outdoor balconies for usable private outdoor space. The ground floor also contains a laundry room, bike room, trash room, common room and property management office. The west façade, facing the adjacent light rail station, is finished with HardiPlank and metal screens; the rest of the building façade is stucco finish. No signage plans are provided. The eastern side of the site contains a 7-foot landscape buffer and finger planters are shown at the parking lot; a six-foot high concrete block wall will be constructed on the eastern property line. The proposed structure is a low-energy building achieved by efficiency boilers, rooftop photovoltaic and solar hot-water panels. On February 18, 2009, the La Valentina Station Site proposal was brought before the Design Commission for Review and Comment; the Station Site will be brought back to the Design Commission for approval on March 25, 2009.

Some of the major comments from the Design Commission Review and Comment are:

1. Details of the proposed transformer screen shall be provided.
2. Further articulation to the east façade is required.
3. Additional recess fenestration in the rain screen on the west elevation to be required.
4. Recommend squaring off of the rain screen elements at the top of the roof of the southern building.
5. Ground level landscaping in the colonnade would provide visual and acoustical softening of the space.
6. Corten steel shall be replaced by rusted steel that is sealed to prevent rust spots on the building.

Special Permits

The applicant proposes to develop office and commercial retail uses on the ground floor of a mixed-use building in the proposed R-5 zone, reduce required parking and to construct a mixed-use building that exceeds allowable height. The project will require special permits to allow the above proposals. In evaluating these special permits, the Commission is required to make the following findings:

- A. A special permit shall be granted upon sound principles of land use.
- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.
- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The applicant proposes to establish vehicular gates which requires the approval of a special permit. In evaluating this type of special permit, the Commission is required to make the following findings:

- A. The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.
- B. The project is consistent with city regulations and guidelines relating to the establishment of gated developments.
- C. The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.
- D. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

Special Permit for ground floor commercial/flex use: The project includes 6,000 square feet of commercial/flex spaces on the ground floor of the building that includes a café and flex commercial units that can be used individually or combined to form bigger spaces. The proposed commercial use on the ground floor is based upon sound principles of land use since the site is adjacent to a light rail station and the proposed uses will encourage active commercial uses on the ground floor. The use will be compatible to surrounding developments and will not be detrimental to the public health, safety or welfare. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow mixed-use projects to be built adjacent to transit corridors.

Special Permit to reduce required parking: As shown on the vehicular parking table above, the project does not comply with required parking for both the residential portion and the commercial portion. However, given the fact that the project is adjacent to light rail and there is sufficient parking for the residential units, staff supports the parking reduction. The proposed parking reduction is based upon sound principles of land use since the site is adjacent to a light rail station and fewer parking will encourage alternative modes of transportation and less dependence on autos. A minimum of one parking space will be provided for each apartment unit and therefore will not be detrimental to the safety and welfare of its residents. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow high density/mixed-use projects to be built adjacent to transit corridors.

Special Permit to exceed maximum height: The proposed structure has exceeded the maximum height allowable within the proposed R-5 zone by two feet; however, due to the high density, mixed-use development the project proposes adjacent to the light rail station and the overall quality of the design of the building, staff supports the height increase. Exceeding the allowed building height by two feet is based upon sound principles of land use since the site is adjacent to a light rail station and additional intensity on the site, when well designed, is supported by City policy. The project will not be injurious to the surrounding area in that it will be a compatible land use adjacent to existing residential and commercial developments and within close proximity to a light

rail station. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow mixed-use projects to be built adjacent to transit corridors.

Special Permit to establish vehicular gates: Vehicular gates, at six feet in height, are being proposed at the driveways at D Street and E Street; a separate pedestrian gate is shown adjacent to each vehicular gate. Emergency egress gates are also provided on the eastern property line abutting the alley and at the west side of the site abutting the public court. The applicant wants to create a private and safe parking lot area that can also allow the opportunity for outdoor activities; it will also minimize trespassers from the adjacent light rail station. Only the parking area is gated at the Station Site, with commercial space and residential units having direct access to 12th Street. The placement of the vehicular gates on the site will not impede access to a public resource or interfere with existing traffic circulation patterns. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because ground floor uses on 12th Street will still have direct access to the street. Staff agrees that the site warrants the installation of gates on parking areas because of its immediate proximity to the light rail station and the possibility of trespassers into the site. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

Variance

The applicant proposes to reduce the required setback to a mixed-use development, to allow a roof structure to exceed the maximum height, to allow compact stalls to exceed the maximum of 40%, to allow vehicular gate setback reduction, to allow maneuvering width reduction within the parking area, and to allow a distance of more than 250 feet from each residential unit to the trash disposal area. The project will require variances to deviate from the above. In evaluating variances, the Commission is required to make the following findings:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.
- B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.
- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.
- D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or

the open space zoning regulations.

Variance to reduce building setback: As shown on the height and area table above, the subject building does not provide the required setback on the front and interior sides, in particular at the north and south sides as well as the west side of the site abutting the Regional Transit parcels. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites; no use variance is requested; the proposed apartment use is permitted subject to the granting of a Plan Review; the setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the overall streetscape; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow roof structure to exceed maximum height: The roof structure which houses the eco-roof exceeds the allowable height limit. The Zoning Code allows roof structures to exceed the height typically allowed in any zone by 20%. Absent a variance, the green roof structure would be allowed an additional nine-feet of height, for a total of 54'-0" in height. A total of 57'-6" is proposed. The variance is not a special privilege unique to the site since a taller roof structure that acts as a tower element and integrates well with the rest of the building would have been supported on other similar developments; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the variance for the roof structure will not be injurious to public welfare since it is setback a distant from all adjacent parcels and the green 'eco' roof structure promotes environmental-friendliness; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to exceed 40% maximum for compact stalls: The project exceeds the 40% maximum allowed for compact stalls in order to provide sufficient a minimum one to one parking ratio for the apartments. Out of the 68 parking spaces in the parking lot, 32 spaces are compact stalls, or 47% of the stalls. The variance is not a special privilege unique to the site since a higher ratio of compact stalls would be supported at other infill developments adjacent to light rail stations; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce vehicular gate setback: A minimum 20-foot setback from the property line is required for a vehicular gate. The purpose of this setback is to allow a vehicle entering the site to pull entirely onto the site while waiting for the gate to open. Due to the relatively small size of the Station Site and the competing goal of trying to provide more outdoor space for residents on-site, the project does not provide the required 20' setback in order to provide a larger parking lot/courtyard area. The variance is not a special privilege unique to the site since more internal common area

would have been desired at similar infill developments; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow maneuvering width reduction: The project does not provide the required 26' vehicle maneuvering width for the interior parking drive-aisle. Due to the overall size of the site and narrowness, only 24' can be provided. The variance is not a special privilege unique to the site as a similar reduction would be supported for a gated parking lot for private uses and for a similarly shaped development site; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the width reductions will not be injurious to public welfare and to adjacent properties in that a small parking area is involved; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow a distance of more than 250 feet from each residential unit to the trash disposal area: The trash/service rooms on the upper floors of the building are located on the north side of the building, therefore, some of the units on the extreme south portion of the building are situated at a distance of more than the maximum 250 feet to the trash disposal point. The location of the ground floor trash/service room will allow trash collection to occur on D Street and not within the internal confines of the site. The variance is not a special privilege unique to the site since other buildings with the similar characteristics may encounter similar issues; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare since the deviation only affects a small number of residential units; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

North Site

Description

The site extends from the C Street/D Street alley on the north to D street on the south and includes two parcels, to be merged. The site contains one large three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18 three-bedroom units are proposed on the site. All the parking spaces are incorporated into the ground floor of each building.

Access, Circulation and Parking

The site can be accessed at the driveway on D Street and the driveway at the C Street/D Street alley on the north; following is the parking analysis for the site:

Table 5A: Vehicular Parking (North Site)

Use	Required Parking	Proposed Parking	Difference
Apartments	19 (based on 1 space per unit + 1 guest space per 15 units)	21	+2

Table 5B: Bicycle Parking (North Site)			
Total vehicular parking required	Required bicycle parking (1:20)	Provided bicycle parking	Difference
19	1	16	+16

Height, Bulk and Setbacks

Following is the height and area standards analysis; discussions on the deviations can be found later on in the section.

Table 6: Height and Area Standards (North Site)			
Standard	Required	Proposed	Deviation?
Height	35'	30' (to top plate)	No
Front setback (D Street)	20' or avg. of front setback of two nearest buildings	5'-7" (avg. setback of two nearest buildings)	No
Side Setback (12 th Street)	5'	Zero (portion only)	Yes
Rear setback (alley)	5'	Zero (portion only)	Yes
Courtyard	10'	8' (portion only)	Yes
Lot coverage	55% maximum	55%	no
Density	50 du/na maximum (@ 55% lot cov)	45 du/na	no

Building design, signage and landscaping

The proposal consists of one three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18, three-bedroom

units are proposed on the site; six units are flats and twelve units are split-level townhouses. Some units have usable balconies or porches. All the parking spaces are incorporated into the ground floor of each building. No signage plans are provided. The open area in the center of the site serves as a driveway and a courtyard with planters for shade trees. The North Site will be brought before the Design Director for decision on March 26, 2009.

Special Permit

The applicant proposes to establish vehicular gates and requires the approval of a special permit. In evaluating this type of special permit, the Commission is required to make the following findings:

- A. The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.
- B. The project is consistent with city regulations and guidelines relating to the establishment of gated developments.
- C. The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.
- D. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

Special Permit to establish vehicular gates: Vehicular gates, at six feet in height, are being proposed at the driveways at D Street and the D Street/E Street alley; a separate pedestrian gate must be installed adjacent to each vehicular gate. Pedestrian gates are shown the west side of the site to provide access into the site. The applicant wants to create a private and safe parking lot area that can also allow the opportunity for outdoor activities; it will also minimize trespassers from the adjacent light rail station. The placement of the vehicular gates on the site will not significantly impede access to a public resource or interfere with existing traffic circulation patterns. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because pedestrian gates are provided to allow easy access to the surrounding streets. Staff agrees that the site warrants the installation of gates on parking areas because of its immediate proximity to the light rail station and the possibility of trespassers into the site. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

Variance

The applicant proposes to reduce setbacks to a mixed-use development and to allow vehicular gate setback reduction. The project will require variances to deviate from the above. In evaluating variances, the Commission is required to make the following findings:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.
- B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.
- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.
- D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.

Variance to reduce building setback: As referenced on the height and area table above, the subject building does not provide the required setbacks on a portion the interior side at the west side adjacent to 12th Street and a portion of the rear of the site adjacent to the alley for the trash enclosure. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the overall streetscape; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce interior side yard: When a residential entry faces an interior side yard, as is the situation on 12th Street, a minimum 10' is required between the entry and the side property line. The purpose of the 10' is to allow light and air for the residential entry. As referenced on the height and area table above, the west building does not provide the required 10-foot side yard adjacent to an entryway at one of the units. As the narrow strip of property between the subject site and 12th Street is owned by Regional Transit provides a buffer between the light rail line and developable parcels, and will not be developed itself, staff supports the variance for the side yard. The variance is not a special privilege unique to the site since more interaction with the street would be supported at other infill developments adjacent to a commercial corridor and the variance does not come into conflict with the intent of the side yard development standard; no use variance is requested; the proposed use is permitted on the site subject to meeting development standards; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce vehicular gate setback: A minimum 20-foot setback from the property line is required for a vehicular gate. The purpose of this setback is to allow a vehicle entering the site to pull entirely onto the site while waiting for the gate to open. Due to the relatively small size of the North Site and the competing goal of trying to provide more outdoor space for residents on-site, the project does not provide the required 20' setback in order to provide a larger parking lot/courtyard area. The variance is not a special privilege unique to the site since more internal common area would have been desired at similar infill developments; no use variance is requested; the proposed use is permitted subject to the granting of entitlements; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Recommendation

Staff finds that the proposed project complies with applicable General Plan and Community Plan goals and policies in allowing mixed land uses adjacent to a transit station and in providing affordable housing to the Central City area. Staff also finds that the proposed infill project makes use of underutilized parcels and is compatible with the surrounding uses.

Attachment 4: Mitigated Negative Declaration – Findings – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION
MONITORING PROGRAM FOR THE LA VALENTINA STATION PROJECT
(P08-106)**

BACKGROUND

A. On March 12, 2009, the City Planning Commission conducted a public hearing and forwarded to the City Council a recommendation to approve, with conditions, the La Valentina Station (P08-160) project.

B. On March 24, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 17.200.010(C)(2)(b) and (c) (posting and mail 500'), and received and considered evidence concerning the La Valentina Station (P08-106) project.

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

Section 1. The City Council finds as follows:

A. The Project initial study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned would have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On February 13, 2009, a Notice of Intent to Adopt the MND (NOI) dated February 13, 2009 was circulated for public comments for 20 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners, residents and businesses within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On February 13, 2009 the project site was posted with the NOI, and the NOI was posted in the office of the Sacramento County Clerk.

Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

Section 4. The City Council adopts the MND for the Project.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.

Section 6. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Table of Contents:

Exhibit 4A: Mitigation Monitoring Program

Exhibit 4A: Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR

La Valentina Station (P08-106)

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ NEGATIVE DECLARATION**

PREPARED FOR:

CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

DATE:

February 13, 2009

**ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION**

DATE:

ATTEST:

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: La Valentina Station / P08-106
Owner/Developer- Name Meea Kang – Domus Development, Inc.
Address: 594 Howard Street, Suite 204
San Francisco, CA 94105

Project Location / Legal Description of Property (if recorded):
The proposed project site is located on 12th Street between C and E Streets in the Central City.

Assessor's Parcel Number (APN) 002-0082-016, 002-0082-024, 002-0121-002, 002-0121-027, 002-0121-032, 002-0121-034, 002-0121-036, and 002-0121-038.

Project Description:

A mixed-use development comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the general commercial (C-3) zone and the proposed Multi-Family (R-5) zone. Specific entitlements include:

- A. Rezone** RMX to R-5 to increase the allowable density from 36 to 94 du/na;
- B. Special Permit** to allow gated development;
- C. Special Permit – Height** to allow structures to exceed the maximum allowable height;
- D. Special Permit – Parking** to reduce required parking;
- E. Variance** to reduce the interior side setback;
- F. Variance** to allow a roof structure to exceed the maximum allowable height;
- G. Variance** to allow compact stalls to exceed a maximum of forty percent; and a
- H. Tentative Map**

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Cultural Resources, Hazards, and Traffic. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as

prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento will be responsible for ensuring compliance.

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<p>Cultural Resources</p>	<p>Cultural Resources</p> <p>CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist 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> <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</p>	<p>Development Service Department, City of Sacramento</p> <p>Native American Heritage Commission</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
	<p>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> <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-internment 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>		

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<p>Hazards</p>	<p>Hazards</p> <p>Hazards 1: The November 2005 Phase II Environmental Site Assessment shall be submitted to the County of Sacramento, Department of Environmental Health (DEH) for review. The applicant shall comply with all requirements for cleanup identify by DEH.</p> <p>Hazards 2: Prior to approval of any building permit, the applicant shall submit documentation that confirms that DEH has approved the applicant's plan for cleanup and that all cleanup efforts have been completed.</p>	<p>Development Service Department, City of Sacramento</p> <p>Department of Environmental Health, County of Sacramento</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>
<p>Traffic</p>	<p>Traffic</p> <p>Traffic 1: The project applicant shall construct roadway medians at D Street and E Street to the</p>	<p>Department of Transportation</p>	<p>The Department of</p>

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
	<p>satisfaction of the City's Department of Transportation.</p> <p>Traffic 2: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor.</p>	<p>Development Services Department</p>	<p>Transportation and the Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

Attachment 5: Project Approval Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE LA
VALENTINA STATION PROJECT (P08-106)**

BACKGROUND

A. On March 12, 2009, the City Planning Commission conducted a public hearing and forwarded to the City Council a recommendation to approve, with conditions, the La Valentina Station project.

B. On March 24, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail 500'), and received and considered evidence concerning the La Valentina Station 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 La Valentina Station project, the City Council approves the project 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:

A&B. The Mitigated Negative Declaration and Mitigation Monitoring Program for the Project have been adopted by Resolution No. _____.

D. Plan Review: The Plan Review to construct a 63-unit apartment complex on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The proposed mixed-use development is consistent with the current General Plan designation as well as the 2030 General Plan Update designation for Urban Corridor Low and Traditional Neighborhood Medium Density and applicable goals and policies.

2. Staff has reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure. Conditions of approval have been included to ensure that adequate drainage capacity and street frontage improvements are provided;
3. The design of the project generally consistent with applicable setback, lot coverage, density, height and parking regulations; where parking and setback standards are not met, variances are requested. Conditions have been added to ensure compliance with landscaping requirements; and
4. The proposal will comply with safety standards as required by code and conditioned as part of this project and will not pose a threat to the public health nor be injurious to the surrounding area.

E. Special Permit: The Special Permit to allow office and commercial retail uses on the ground floor of a mixed-use building on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The project is based on sound principles of land use by providing the component of office and commercial retail use at the ground floor adjacent to a transit station; additionally, 12th Street is identified in the City's Zoning Code as a "storefront street," encouraging active commercial uses on the ground floor;
2. The project will not be injurious to the surrounding area in that it will be a compatible land use with existing commercial and residential developments and within close proximity to light rail line; and
3. The proposed mixed-use development is consistent with General Plan and Community Plan goals to provide vibrant neighborhoods;

F. Special Permit: The Special Permit to reduce required parking for a mixed-use building on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. Staff finds that the parking reduction is appropriate for the project since the site is adjacent to a light rail station which encourages the use of alternative modes of transportation and less dependence on autos;
2. Staff finds that the proposed parking will be adequate for residents of the housing development at a minimum of one space per unit and that the reduction will not be detrimental to the safety and welfare of its residents; and
3. The proposed project, in providing high density/mixed-use development adjacent to light rail line, is consistent with the residential land use policies and density requirements of the General Plan and Central City Community Plan.

G. Special Permit: The Special Permit to establish gates at private vehicular entrance to a mixed-use development in the proposed Multi-Family (R-5) zone and a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The placement of the vehicular gates on the site will not significantly impede access to a public resource or interfere with existing traffic circulation patterns.
2. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because either the tenants have direct access to the street or pedestrian gates are provided to allow easy access to the surrounding streets.
3. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments.
4. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

H. Special Permit: The Special Permit to allow a mixed-use building to exceed maximum allowable height in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. Exceeding the allowed building height by two feet is based upon sound principles of land use since the site is adjacent to a light rail station and additional intensity on the site, when well designed, is supported by City policy;
2. The project will not be injurious to the surrounding area in that it will be a compatible land use adjacent to existing residential and commercial developments and within close proximity to a light rail station; and
3. The proposed mixed-use development is consistent with General Plan and Community Plan goals to allow mixed-use projects to be built adjacent to transit corridors.

I. Variance: The Variance to reduce setbacks for a mixed-use development in the proposed Multi-Family (R-5) zone and to a portion of a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the overall streetscape; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

J. Variance: The Variance to allow a roof structure to exceed the maximum height allowed within the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since a taller roof structure that acts as a tower element and integrates well with the rest of the building would have been supported on other similar developments;
2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The variance for the roof structure will not be injurious to public welfare since it is setback a distant from all adjacent parcels and the green 'eco' roof structure promotes environmental-friendliness; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

K. Variance: The Variance to allow the number of compact stalls to exceed the maximum of 40% within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since a higher ratio of compact stalls would be supported at other infill developments adjacent to light rail stations;
2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The proposal will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

L. Variance: The Variance to reduce interior side yard at a portion of a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more interaction with the street would be supported at other infill developments adjacent to a commercial corridor and the variance does not come into conflict with the intent of the side yard development standard;

2. No use variance is requested; the proposed use is permitted on the site subject to meeting development standards;

3. The setback reductions will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

M. Variance: The Variance to allow vehicular gate setback reduction within the proposed Multi-Family (R-5) zone and the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more internal common area would have been desired at similar infill developments;

2. No use variance is requested; the proposed use is permitted subject to the granting of entitlements;

3. The proposal will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

N. Variance: The Variance to allow maneuvering width reduction within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since the reduction would be supported at other gated parking lots for private use in similar shaped parcels;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The width reductions will not be injurious to public welfare and to adjacent properties in that a small parking area is involved; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

O. Variance: The Variance to allowing more than 250 feet from each unit to trash enclosure within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since other buildings with the similar characteristics may encounter similar issues;
2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The proposal will not be injurious to public welfare since the deviation only affects a small number of residential units; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

Conditions of Approval

D. The **Plan Review** to construct a 63-unit apartment complex on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is hereby approved subject to the following conditions:

Planning

- D1. This approval is for the construction of 63 apartment units shown on attached exhibits. Development of this site shall be in compliance with the attached exhibits except as conditioned.
- D2. Design Review approval shall be issued for the Station Site prior to the issuance of building permits.

D3. The applicant shall obtain all necessary building permits prior to commencement of construction; 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.

D4. The applicant shall comply with all requirements included in the Mitigation Monitoring Plan for P08-106, on file at the Planning Division.

D5. Building and landscape setbacks are approved per attached site plan for Station Site unless otherwise conditioned on the project.

D6. Landscaping & Walls and Fencing:

- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
- b. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
- c. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- d. Continuous concrete curbing shall be provided around all planter areas within or adjacent to parking lots and driveways.
- e. 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 of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- f. Fencing adjacent to public streets shall be decorative wrought iron or tubular steel painted to complement the buildings.

D7. The applicant shall comply with the City's Recycling Ordinance (Section 17.72) unless otherwise approved on this project.

D8. Signage: All signage must be reviewed and approved by Planning Director prior to issuance of building permits; all signage shall comply with the Sign Ordinance, City Code Section 15.148, and a sign permit shall be obtained prior to construction of any sign.

D9. Lighting:

- a. The type and location of the outdoor lighting (building, parking lot, walkway, etc.) must be approved by the Planning Director prior to issuance of a building permit. Each building address number shall be illuminated.
- b. Project lighting shall be provided as follows: one footcandle of minimum maintained illumination per square foot of parking space and exterior walkways/sidewalks during hours of darkness and 0.25 footcandle of minimum maintained illumination per square foot of surface on any interior walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
- c. Per Section 17.68.030(B), exterior lighting, if provided, shall reflect away from residential areas and public streets. Fixtures shall be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

D10. A total of 68 parking spaces shall be provided per plans; visitor parking spaces shall be clearly marked.

D11. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A minimum of five bicycle facilities shall be required for this project and shall be located in close proximity to building entrances.

D12. 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.

D13. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

D14. On site management shall be provided. If security becomes a concern and if deemed necessary by the Police Department, the applicant shall contract with a reputable security firm to provide on site security, night and day, when the management office is closed.

D15. The final color palette for all buildings shall be submitted for review and approval by the Planning Director prior to the issuance of building permit.

D16. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).

D17. The project shall reasonably maintain the buildings and landscaping.

D18. Auto repairs are not permitted on-site at any time, except in emergencies, such as flat tire or dead battery.

D19. Visitor parking shall be strictly enforced.

Department of Transportation

D20. Construct standard public improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed to City standards and assured as set forth in Chapter 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions 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 fronting the property along 12th, D and E Streets per City standards to the satisfaction of the Department of Transportation;

D21. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The existing driveways along D and E street shall be reconstructed to be ADA compliant (if existing and not compliant) to the satisfaction of the Department of Transportation;

D22. The applicant shall install on-street angled parking along D street between 12th street and 11th Street to the satisfaction of the Traffic Engineering Division: If the City has already installed angled parking at this location before the applicant has submitted the improvement plans then the applicant shall reimburse the City the costs of installation of the said angled parking at \$6,000 per block. The determination regarding timing and need for implementation of the subject angled parking by the City will be made by Traffic Engineering Division of the DOT depending on the extent of potential delay in development of the proposed project and the parking need within the area;

D23. The two driveways along D and E streets shall function as right-in right-out only. The applicant shall install two median curbs along D and E Street to restrict left-in and left-out movements. The median curbs shall be constructed from 12th street intersection to a point after the driveways (Along D and E Street) to the satisfaction of the Department of Transportation. The median curbs construction at the 12th street intersection with D and E shall insure adequate turning radius and clearance from 12th street to D and E streets. This shall include any needed signage or markings to the satisfaction of the Department of Transportation;

D24. All gates shall be constructed a minimum of 20-feet from the driveway's flow line to the satisfaction of the Department of Transportation. All gates must remain open during PM traffic peak hours (4-6 PM). The proposed gated entry along the C and D Alley does not require the 20-foot setback requirement;

D25. The applicant shall repair/reconstruct the existing alley (C & D Alley) per City standards (in Concrete) and to the satisfaction of the Department of Transportation. The limit of construction shall be from 12th street to the project's boundary along the alley;

D26. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor;

D27. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

D28. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards along the site's frontage only;

D29. 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 Department of Transportation;

D30. The applicant shall coordinate with Regional Transit and make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit. The applicant shall also coordinate with Regional Transit regarding the proposed trash pickup location along D Street and the possible conflict with the existing bus stop within the project's frontage along D Street.

Fire

D31. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

D32. 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.

D33. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

D34. Provide appropriate Knox access for site.

D35. 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.

D36. 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.

D37. 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

Utilities

D38. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered. Excess service shall be abandoned to the satisfaction of the Department of Utilities (DOU).

D39. Per 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.

D40. The applicant/owner is required to extend a 12" water main in D Street and E Street from the existing water main in 12th Street to the east property line of the subject lot. The design, construction and alternate alignment of the water main shall be to the satisfaction of the Department of Utilities.

D41. All water services to this project shall connect to the new water main in D Street and E Street only.

D42. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

D43. The parcel shall have a separate street tap for a metered irrigation service.

D44. All onsite water, sewer and storm drainage shall be private systems maintained by the owner.

D45. There are existing water and combined sanitary sewer mains located in D Street/E Street Alley. If required by the DOU, the applicant shall abandon, remove or relocate these existing facilities to the satisfaction of the DOU.

D46. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed 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.

D47. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure

(including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the water and combined sewer system.

D48. 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 62 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$101,000 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.

D49. If required by DOU, the applicant shall remove and replace the section of the existing combined sanitary sewer main fronting the property.

D50. All sewer services shall connect to the existing combined sanitary sewer main in D Street and E Street only.

D51. If required by the DOU, the applicant shall provide a key to access the gate for maintenance and repair of the existing underground utilities.

D52. Onsite sewer and drainage mains shall be separate systems.

D53. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in D Street and E Street Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.

D54. Finished lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of walk of sidewalk elevation and 1.5 feet above the controlling overland release elevation or as approved by the Department of Utilities.

D55. Per City Code, the Subdivider may not develop the project in anyway 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 DOU. 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 and Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

D56. 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 Department of Utilities.

D57. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

D58. 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) certification by property owner or authorized representative.

D59. 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 the combined sewer system area, only source control measures are required. Storm drain message is required at all drain inlets. Improvement plans must include the source controls and on-site treatment control measures selected for the site. Refer to the latest edition of the "Stormwater Quality Design Manual", dated May 2007 for appropriate source control measures.

D60. Provide a minimum clearance for the walkway (located on top of the D Street/ E Street alley) to the satisfaction of the Department of Utilities.

Building

D61. Proposed project is to be constructed on vacant land that incorporates several parcels. To comply with multiple code requirements parcel merge shall be approved prior to building permit issuance.

D62. Proposed building consists of several different occupancies: residential apartments R-2, assembly (Cafe)-A-2, private parking carports- U and office-B. Mixed use and occupancy separation issues shall be addressed to satisfy requirements of Section 508.

D63. Building Code analysis shall be provided to demonstrate that building height and building area with maximum area and height increases are in compliance with sections 503, 504 and 506 based on type of construction of proposed building. Special Provisions, Section 509 may be applicable for proposed building.

D64. All portions of proposed building and facilities shall be accessible to persons with disabilities as required by Chapters 11A and 11B of 2007 CBC. Since new building is provided with an elevator, all residential units have to be adaptable and on accessible route.

D65. Guards are required for green "Eco" roof in compliance with section 1013.

Police

D66. All alarms shall comply with Sacramento City Code.

D67. The developer/applicant shall enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours. A security person shall be provided to patrol the project after normal working hours during all phases of construction, and adequate security lighting shall be provided to illuminate vulnerable equipment and materials. An acceptable alternative to a security person would be a portable lighting/video system.

D68. Entrance doors into individual retail units shall be secured with a single cylinder deadbolt lock with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw.

D69. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.

D70. A 180 degree viewing device (or peephole) shall be installed in office, administration, delivery area entry doors, and in each residential unit entrance door.

D71. Exterior doors into hallways and doors leading into stairwells shall have self locking (dead latch) devices allowing egress to the exterior of the building or stairwell but requiring a key to be used to gain access to the interior of the building from the outside or into the hallway from the stairwell.

D72. Exterior doors into the building and doors leading into stairwells shall be equipped with self-closing devices.

D73. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame (sliding).

D74. The sliding portion of a sliding glass window shall be on the inside track.

D75. Hostile vegetation, such as shrubs with thorns or leaf shapes that make them very undesirable for people to walk through is highly recommended. Shrubs around dumpster enclosures should be hostile in structure to help prevent undesirable access to the dumpster. Additionally, dumpster enclosures shall be lockable.

D76. Parking spaces that are assigned to residents shall not be numbered to coincide with dwelling unit numbers.

D77. Handicapped spaces shall be clearly marked and properly posted with a painted designation on the ground and a sign on the wall or post for each stall.

D78. Signage that clearly states vehicles may be towed under authority of section 22658(a) of the California Vehicle Code is highly recommended. Without such signage, abandoned or unauthorized vehicles cannot lawfully be towed.

Parks

D79. **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 Planning 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.)

Urban Forest Services

D80. Applicant must obtain a UFS permit prior to any pruning or removal of trees growing in the City right of way.

D81. All City trees adjacent to the project site are to be enclosed by a 6' high chain link fence, (minimum enclosure area of 7'x 10') prior to commencement of any construction activity.

D82. Irrigation: All trees are to be irrigated on a non turf station by a minimum of two 6" or 12" pop up heads w/ nozzles that allow maximum possible installation distance from center trunk line:

- Use 3'x 12' nozzles along 12th Street (see red line).
- Use 3'x 18' nozzles along D Street
- Use ¼ throw 4' radius nozzles in smaller on site planters
- Use ¼ throw 8' radius nozzles in largest on site planter.

D83. All trees are to be planted in a gradual mound 2" to 3" above the surrounding grade and mulched with wood chips (playground fiber or coarser) to a depth of approximately 3". No groundcover or shrubs will be planted within 3' of any tree trunk.

Regional Transit

D84. 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. Transit information shall also be displayed in prominent locations within the business for both patrons and employees.

D85. Pedestrian amenities such as pavers, tree shading, lighting and trellises will be provided to encourage walking to transit.

D86. Project construction can not disrupt the operation of light rail service.

D87. Project construction shall not disrupt transit service or pedestrian access to transit stops and stations.

D88. Provide bicycle parking facilities per the City of Sacramento's requirements at building/store entrances.

D89. Dumpsters and/or trash/recycling containers shall be located within the development or off the sidewalks during pick up days so as not to impede pedestrian traffic flow or activity.

D90. Building columns/supports shall not impede ADA accessibility to the station. Please contact David Solomon, Senior Architect, at (916) 557-4682 for setback requirements from the tracks for this particular site.

Advisory Notes:

Utilities

1. The applicant is responsible for the protection and repair of the existing City combined sanitary sewer and water mains in D Street/E Street Alley during construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.
2. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities 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 domestic, irrigation and fire suppression systems.
3. Multiple fire services are allowed per parcel and may be required.
4. The proposed project is located in the 100-year floodplain, designated as an Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

Urban Forest Services

5. Proposed species selection is not identified in the vegetated swale. The swale planter shown will not provide adequate root development conditions or anchoring soil for shade trees.

Species Selection:

Tree 1	Acer nigrum Ginkgo biloba Tilia x flavescens	Greencolumn Maple Halka Ginkgo, Autumn Gold Ginkgo Glenleven Linden
Tree 2	Ginkgo biloba Podocarpus gracilior Xylosma congestum	Princeton Sentry Ginkgo Fern Pine Xylosma (standard)
Tree 3	Ginkgo biloba	Magyar Ginkgo, Golden Colonnade Ginkgo
Tree 4	Quercus cerris Quercus macdanielii Quercus phellos Quercus shumardii Ulmus japonica Ulmus japonica Ulmus wilsoniana	Turkey Oak Heritage Oak Willow Oak Shumard Oak Accolade elm New Horizon Elm Prospector Elm

Parks

6. As per City Code, the applicant will be responsible to meet his/her obligations regarding 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 \$109,016. This is based on 81 multi-family units at the Specified Infill rate of \$1,336 per unit; and, 5,000 sq. ft. at the commercial rate of \$0.16 per sq. ft. 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.

Police

7. Crime preventing environmental design strategies will be crucial in the landscaping and lighting of this multi-use development. Lighting should minimally meet IESNA standards and in some cases exceed them. The lighting plan for each area must be made with mature landscaping in mind. It is imperative that the landscaping plan is coordinated with the lighting plan to ensure proper illumination is maintained through the maturity of the trees and shrubs. If the landscaping overwhelms the lighting, reduced visibility will create an environment for crime to occur. In order to preserve visibility, we recommend shrubs that mature around 2.5' tall, and bushes or trees with canopy no lower than 8'tall, in most instances.

8. Open masonry walls and shrub lines are inconsistent with crime prevention by environmental design strategies. We recommend against using them. However, if they are essential and cannot be avoided, masonry walls should incorporate murals and other types of graffiti reducing public art. Tall shrubs should be a hostile variety to reduce habitation by transients. Incorporating these principles in the design process is highly recommended.
9. Benches, trash cans, and bicycle racks should be placed in highly visible locations. Benches should be designed to discourage sleeping by utilizing partitions or circular designs that wrap around trees or poles. In areas such as bus and train stops where loitering is not desirable, benches should also be designed to deliver minimal comfort while still providing a temporary resting place for legitimate customers. Wrought iron benches are desirable because they provide a vandal resistant design that is difficult to damage and is easily secured to the ground.
10. Trash cans should be visibly open to discourage unlawful use. As with benches, trash receptacles should be designed to be vandal resistant. Wrought iron designs are fireproof, can be easily secured to the ground and cannot be easily broken and utilized as a weapon or projectile.
11. The majority of graffiti vandals perceive themselves as artists. Consequently, they will not disrespect another artist's work. As a result, public art is highly recommended. Locations such as large blank walls and utility service cabinets are good locations for mural type projects. Statues and other freestanding projects can also serve as excellent landmarks for way-finding.
12. Parking structures and parking lots pose a higher risk than other commercial structures for violent crime. Public perception and fear of crime in these areas is high. Consequently, parking structures and lots should incorporate crime preventing design strategies. Additional crime preventing efforts in these areas will improve public perception, which will encourage patronage of the site.
13. Structures: Parking structures should be engineered with as many open interior and exterior walls as practical. Staircases should be very open by design, or they should have glass/polycarbonate walls. Elevators should be designed with mirrors, video surveillance, and glass/polycarbonate back walls whenever possible. We recommend that consideration be given to creating retail operations that are actually part of the parking lot, thereby bringing legitimate activity to the area.
14. Lots: Wherever practical, orient buildings and/or activities toward areas that are potentially at risk. Incorporate traffic calming with raised curb planters, raised curb sidewalks and raised curb tire blocks. For larger lots, incorporate gated areas to control access to selected areas during non-peak times.
15. Depending on their location, pay telephones have a history of contributing to crime issues. Although cellular telephones have greatly reduced the need for pay telephones, there may still be a need at certain locations.
16. If it is determined that payphones are needed within a building, they should be located near the main building entrance and within constant view of employees and the

general public. They should not be located out of main activity areas or near bathroom entrances.

17. For exterior locations, pay telephones should not be placed in areas that give a criminal a legitimate purpose for being present (e.g. near public bathrooms, near child care facilities etc.).

18. In recent years there has been a significant increase in the theft of construction related materials that can be re-sold or recycled. We routinely see reports of thieves stealing all the wire, all the installed toilets, even entire HVAC systems from buildings on a regular basis. Used photovoltaic panels retain a large portion of their value in today's market and can easily be sold. With this in mind, the police department strongly recommends that special consideration be given to securing the photovoltaic panels with something more than a standard nut on a threaded bolt.

19. Entrances to the bathrooms should be in constant view of employees when possible. If unable to be within constant view, they should be in high activity areas.

20. Special Use Permits: Retail establishments that require special use permits will be required to install:

1. Video surveillance systems.
2. A safe.
3. A duress alarm.

21. Video surveillance is becoming a standard security feature in the City of Sacramento. Arrested criminals frequently tell detectives they analyzed various sites before committing their crimes and chose the site without video surveillance cameras. Ideal locations for cameras are on light poles, power poles and building corners. Cameras should be capable of capturing doorways, playgrounds, plazas, and parking lots. Digital recording devices capable of storing 30 days of information are ideal. If the system is based in the building's control room, it can be a valuable tool for building staff and firefighters in the event of an emergency.

22. Way-finding elements help prevent crime. Lack of way-finding can lead to fear, confusion and possibly exposure to crime. It is important to incorporate clear way-finding measures within large structures, in public plazas and areas. This can be achieved via architectural landmarks, landscaping, lighting, pavement transitions and signage.

G. The **Special Permit** to establish gates at private vehicular entrance to a mixed-use development in the proposed Multi-Family (R-5) zone and a multi-family residential development in the General Commercial (C-2) zone is hereby approved subject to the following conditions:

General

G1. All gates must remain open during PM traffic peak hours (4-6 PM).

G2. Gated developments shall comply with section 17.76.050 of the Zoning Ordinance.

G3. Vehicular gates shall be decorative wrought iron or tubular steel painted to complement the buildings.

G4. The design and construction of such gates shall be to the satisfaction of the Planning Director and Development Engineering Division. A final design shall be submitted to Current Planning and Development Engineering for approval prior to the issuance of building permits.

Fire

G5. All gates shall be provided with an approved Knox.

Utilities

G6. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered. Excess service shall be abandoned to the satisfaction of the Department of Utilities.

G7. Per 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.

G8. The applicant/owner is required to extend a 12" water main in D Street and E Street from the existing water main in 12th Street to the east property line of the subject lot. The design, construction and alternate alignment of the water main shall be to the satisfaction of the Department of Utilities.

G9. All water services to this project shall connect to the new water main in D Street and E Street only.

G10. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

G11. The parcel shall have a separate street tap for a metered irrigation service.

G12. All onsite water, sewer and storm drainage shall be private systems maintained by the owner.

G13. There are existing water and combined sanitary sewer mains located in D Street/E Street Alley. If required by the Department of Utilities (DOU), the applicant shall abandon, remove or relocate these existing facilities to the satisfaction of the DOU.

G14. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed 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.

G15. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure

(including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the water and combined sewer system.

G16. 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 62 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$101,000 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.

G17. If required by DOU, the applicant shall remove and replace the section of the existing combined sanitary sewer main fronting the property.

G18. All sewer services shall connect to the existing combined sanitary sewer main in D Street and E Street only.

G19. If required by the DOU, the applicant shall provide a key to access the gate for maintenance and repair of the existing underground utilities.

G20. Onsite sewer and drainage mains shall be separate systems.

G21. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in D Street and E Street Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.

G22. Finished lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of walk of sidewalk elevation and 1.5 feet above the controlling overland release elevation or as approved by the Department of Utilities.

G23. Per City Code, the Subdivider may not develop the project in anyway 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 DOU. 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 and Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

G24. 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 Department of Utilities.

G25. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

G26. 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) certification by property owner or authorized representative.

G27. 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 the combined sewer system area, only source control measures are required. Storm drain message is required at all drain inlets. Improvement plans must include the source controls and on-site treatment control measures selected for the site. Refer to the latest edition of the "Stormwater Quality Design Manual", dated May 2007 for appropriate source control measures.

G28. Provide a minimum clearance for the walkway (located on top of the D Street/ E Street alley) to the satisfaction of the Department of Utilities.

Advisory Notes:

Utilities

1. The applicant is responsible for the protection and repair of the existing City combined sanitary sewer and water mains in D Street/E Street Alley during construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.

2. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities 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 domestic, irrigation and fire suppression systems.

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

4. The proposed project is located in the 100-year floodplain, designated as an Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

L. The **Variance** to reduce interior side yard at a portion of a multi-family residential development in the General Commercial (C-2) zone is hereby approved subject to the following conditions:

Planning

L1. This approval is for the construction of 18 apartment units shown on attached exhibits. Development of this site shall be in compliance with the attached exhibits except as conditioned.

L2. Design Review approval shall be issued for the North Site prior to the issuance of building permits.

L3. The applicant shall obtain all necessary building permits prior to commencement of construction; 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.

L4. The applicant shall comply with all requirements included in the Mitigation Monitoring Plan for P08-106, on file at the Planning Division.

L5. Building and landscape setbacks are approved per attached site plan for North Site unless otherwise conditioned on the project.

L6. Landscaping & Walls and Fencing:

- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
- b. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
- c. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- d. Continuous concrete curbing shall be provided around all planter areas within or adjacent to parking lots and driveways.
- e. 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 of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.

- f. Fencing adjacent to public streets shall be decorative wrought iron or tubular steel painted to complement the buildings.

L7. Trash Enclosures:

- a. The applicant shall comply with the City's Recycling Ordinance (Section 17.72).
- b. Trash enclosures shall be constructed of solid masonry material with exterior surface finish compatible to the main structures in color and texture. Walls shall be a minimum of six feet in height.
- c. The trash enclosure structure shall have heavy gauge metal gates and designed with cane bolts on the doors to secure the gates when in the open and closed positions.
- d. All trash enclosure facilities shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines such that enclosures will not be noticeable when viewed from surrounding streets
- e. A concrete apron shall be constructed in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size, and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at the point of dumpster pickup.
- f. Each recycling and trash enclosure or receptacle shall be designed to allow the convenient disposal of recyclable materials and trash by residents without having to open the main enclosure gates.

L8. Signage: All signage must be reviewed and approved by Planning Director prior to issuance of building permits; all signage shall comply with the Sign Ordinance, City Code Section 15.148, and a sign permit shall be obtained prior to construction of any sign.

L9. Lighting:

- a. The type and location of the outdoor lighting (building, parking lot, walkway, etc.) must be approved by the Planning Director prior to issuance of a building permit. Each building address number shall be illuminated.

- b. Project lighting shall be provided as follows: one footcandle of minimum maintained illumination per square foot of parking space and exterior walkways/sidewalks during hours of darkness and 0.25 footcandle of minimum maintained illumination per square foot of surface on any interior walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
- c. Per Section 17.68.030(B), exterior lighting, if provided, shall reflect away from residential areas and public streets. Fixtures shall be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

L10. A total of 21 parking spaces shall be provided per plans; visitor parking space shall be clearly marked.

L11. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A minimum of one bicycle facility shall be required for this project and shall be located in close proximity to entries.

L12. 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.

L13. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

L14. On site management shall be provided. If security becomes a concern and if deemed necessary by the Police Department, the applicant shall contract with a reputable security firm to provide on site security, night and day, when the management office is closed.

L15. The final color palette for all buildings shall be submitted for review and approval by the Planning Director prior to the issuance of building permit.

L16. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).

L17. The project shall reasonably maintain the buildings and landscaping.

L18. Auto repairs are not permitted on-site at any time, except in emergencies, such as flat tire or dead battery.

L19. Visitor parking shall be strictly enforced.

Department of Transportation

L20. Construct standard public improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed to City standards and assured as set forth in Chapter 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions 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 fronting the property along 12th, D and E Streets per City standards to the satisfaction of the Department of Transportation;

L21. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The existing driveways along D and E street shall be reconstructed to be ADA compliant (if existing and not compliant) to the satisfaction of the Department of Transportation;

L22. The applicant shall install on-street angled parking along D street between 12th street and 11th Street to the satisfaction of the Traffic Engineering Division: If the City has already installed angled parking at this location before the applicant has submitted the improvement plans then the applicant shall reimburse the City the costs of installation of the said angled parking at \$6,000 per block. The determination regarding timing and need for implementation of the subject angled parking by the City will be made by Traffic Engineering Division of the DOT depending on the extent of potential delay in development of the proposed project and the parking need within the area;

L23. The two driveways along D and E streets shall function as right-in right-out only. The applicant shall install two median curbs along D and E Street to restrict left-in and left-out movements. The median curbs shall be constructed from 12th street intersection to a point after the driveways (Along D and E Street) to the satisfaction of the Department of Transportation. The median curbs construction at the 12th street intersection with D and E shall insure adequate turning radius and clearance from 12th street to D and E streets. This shall include any needed signage or markings to the satisfaction of the Department of Transportation;

L24. All gates shall be constructed a minimum of 20-feet from the driveway's flow line to the satisfaction of the Department of Transportation. All gates must remain open during PM traffic peak hours (4-6 PM). The proposed gated entry along the C and D Alley does not require the 20-foot setback requirement;

L25. The applicant shall repair/reconstruct the existing alley (C & D Alley) per City standards (in Concrete) and to the satisfaction of the Department of Transportation. The limit of construction shall be from 12th street to the project's boundary along the alley;

L26. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor;

L27. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

L28. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards along the site's frontage only;

L29. 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 Department of Transportation;

L30. The applicant shall coordinate with Regional Transit and make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit. The applicant shall also coordinate with Regional Transit regarding the proposed trash pickup location along D Street and the possible conflict with the existing bus stop within the project's frontage along D Street.

Fire

L31. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

L32. 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.

L33. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

L34. Provide appropriate Knox access for site.

L35. 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.

L36. 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.

L37. 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

Utilities

L38. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered. Excess service shall be abandoned to the satisfaction of the Department of Utilities (DOU).

L39. Per 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.

L40. The applicant/owner is required to extend a 12" water main in D Street and E Street from the existing water main in 12th Street to the east property line of the subject lot. The design, construction and alternate alignment of the water main shall be to the satisfaction of the Department of Utilities.

L41. All water services to this project shall connect to the new water main in D Street and E Street only.

L42. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

L43. The parcel shall have a separate street tap for a metered irrigation service.

L44. All onsite water, sewer and storm drainage shall be private systems maintained by the owner.

L45. There are existing water and combined sanitary sewer mains located in D Street/E Street Alley. If required by the DOU, the applicant shall abandon, remove or relocate these existing facilities to the satisfaction of the DOU.

L46. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed 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.

L47. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure (including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the water and combined sewer system.

L48. 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 62 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$101,000 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.

L49. If required by DOU, the applicant shall remove and replace the section of the existing combined sanitary sewer main fronting the property.

L50. All sewer services shall connect to the existing combined sanitary sewer main in D Street and E Street only.

L51. If required by the DOU, the applicant shall provide a key to access the gate for maintenance and repair of the existing underground utilities.

L52. Onsite sewer and drainage mains shall be separate systems.

L53. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in D Street and E Street Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.

L54. Finished lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of walk of sidewalk elevation and 1.5 feet above the controlling overland release elevation or as approved by the Department of Utilities.

L55. Per City Code, the Subdivider may not develop the project in anyway 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 DOU. 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.

L56. 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 Department of Utilities.

L57. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion

and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

L58. 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) certification by property owner or authorized representative.

L59. 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 the combined sewer system area, only source control measures are required. Storm drain message is required at all drain inlets. Improvement plans must include the source controls and on-site treatment control measures selected for the site. Refer to the latest edition of the "Stormwater Quality Design Manual", dated May 2007 for appropriate source control measures.

L60. Provide a minimum clearance for the walkway (located on top of the D Street/ E Street alley) to the satisfaction of the Department of Utilities.

Building

L61. This project consists of multiple buildings that are going to be erected on a single lot. According to section 503.1.2, multiple buildings on the same lot shall be regulated as separate buildings or shall be considered as portions of one building. Building Code analysis shall be provided to demonstrate compliance with Sections 503, 504, 506 and 704.

L62. On East side, all three new apartment buildings are located 5'-5" away from East property line. To comply with wall and opening protection requirements and since those new buildings are classified as R-2 occupancy group, 1 HR fire rating is required for East wall and openings in East wall are limited to 10% of unprotected and 25% protected per Table 704.8.

L63. All portions of proposed building and facilities shall be accessible to persons with disabilities as required by Chapters 11A of 2007 CBC.

Police

L64. All alarms shall comply with Sacramento City Code.

L65. The developer/applicant shall enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours. A security person shall be provided to patrol the project after normal working hours during all phases of construction, and adequate security lighting shall be provided to illuminate vulnerable equipment and materials. An acceptable alternative to a security person would be a portable lighting/video system.

L66. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.

L67. Exterior doors into hallways and doors leading into stairwells shall have self locking (dead latch) devices allowing egress to the exterior of the building or stairwell but requiring a key to be used to gain access to the interior of the building from the outside or into the hallway from the stairwell.

L68. Exterior doors into the building and doors leading into stairwells shall be equipped with self-closing devices.

L69. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame (sliding).

L70. The sliding portion of a sliding glass window shall be on the inside track.

L71. Hostile vegetation, such as shrubs with thorns or leaf shapes that make them very undesirable for people to walk through is highly recommended. Shrubs around dumpster enclosures should be hostile in structure to help prevent undesirable access to the dumpster. Additionally, dumpster enclosures shall be lockable.

L72. Parking spaces that are assigned to residents shall not be numbered to coincide with dwelling unit numbers.

L73. Handicapped spaces shall be clearly marked and properly posted with a painted designation on the ground and a sign on the wall or post for each stall.

L74. Signage that clearly states vehicles may be towed under authority of section 22658(a) of the California Vehicle Code is highly recommended. Without such signage, abandoned or unauthorized vehicles cannot lawfully be towed.

Parks

L75. **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 Planning 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.)

Urban Forest Services

L76. Applicant must obtain a UFS permit prior to any pruning or removal of trees growing in the City right of way.

L77. All City trees adjacent to the project site are to be enclosed by a 6' high chain link fence, (minimum enclosure area of 7'x 10') prior to commencement of any construction activity.

L78. Install three on site tree planters (8'x 10', 6'x 6' and 5'x 5').

L79. Adjust pedestrian path of travel along 12th to improve traffic flow and improve street tree growing conditions.

L80. During or after final phase of construction adjust tree planters per red line along 12th Street to improve growing conditions and reduce future pavement lifting in the City right of way. "

L81. Plant trees along D Street in three turf free planter areas.

L82. Irrigation: All trees are to be irrigated on a non turf station by a minimum of two 6" or 12" pop up heads w/ nozzles that allow maximum possible installation distance from center trunk line:

- Use 3'x 12' nozzles along 12th Street (see red line).
- Use 3'x 18' nozzles along D Street
- Use ¼ throw 4' radius nozzles in smaller on site planters
- Use ¼ throw 8' radius nozzles in largest on site planter.

L83. All trees are to be planted in a gradual mound 2" to 3" above the surrounding grade and mulched with wood chips (playground fiber or coarser) to a depth of approximately 3". No groundcover or shrubs will be planted within 3' of any tree trunk.

Regional Transit

L84. 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. Transit information shall also be displayed in prominent locations within the business for both patrons and employees.

L85. Pedestrian amenities such as pavers, tree shading, lighting and trellises will be provided to encourage walking to transit.

L86. Project construction can not disrupt the operation of light rail service.

L87. Project construction shall not disrupt transit service or pedestrian access to transit stops and stations.

L88. Dumpsters and/or trash/recycling containers shall be located within the development or off the sidewalks during pick up days so as not to impede pedestrian traffic flow or activity.

Advisory Notes:

Utilities

1. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities 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 domestic, irrigation and fire suppression systems.

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

3. The proposed project is located in the 100-year floodplain, designated as an Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

Parks

4. As per City Code, the applicant will be responsible to meet his/her obligations regarding 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 \$109,016. This is based on 81 multi-family units at the Specified Infill rate of \$1,336 per unit; and, 5,000 sq. ft. at the commercial rate of \$0.16 per sq. ft. 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.

Police

5. Crime preventing environmental design strategies will be crucial in the landscaping and lighting of this multi-use development. Lighting should minimally meet IESNA standards and in some cases exceed them. The lighting plan for each area must be made with mature landscaping in mind. It is imperative that the landscaping plan is coordinated with the lighting plan to ensure proper illumination is maintained through the maturity of the trees and shrubs. If the landscaping overwhelms the lighting, reduced visibility will create an environment for crime to occur. In order to preserve visibility, we recommend shrubs that mature around 2.5' tall, and bushes or trees with canopy no lower than 8'tall, in most instances.

6. Open masonry walls and shrub lines are inconsistent with crime prevention by environmental design strategies. We recommend against using them. However, if they are essential and cannot be avoided, masonry walls should incorporate murals and other types of graffiti reducing public art. Tall shrubs should be a hostile variety to reduce habitation by transients. Incorporating these principles in the design process is highly recommended.
7. Benches, trash cans, and bicycle racks should be placed in highly visible locations. Benches should be designed to discourage sleeping by utilizing partitions or circular designs that wrap around trees or poles. In areas such as bus and train stops where loitering is not desirable, benches should also be designed to deliver minimal comfort while still providing a temporary resting place for legitimate customers. Wrought iron benches are desirable because they provide a vandal resistant design that is difficult to damage and is easily secured to the ground.
8. Trash cans should be visibly open to discourage unlawful use. As with benches, trash receptacles should be designed to be vandal resistant. Wrought iron designs are fireproof, can be easily secured to the ground and cannot be easily broken and utilized as a weapon or projectile.
9. The majority of graffiti vandals perceive themselves as artists. Consequently, they will not disrespect another artist's work. As a result, public art is highly recommended. Locations such as large blank walls and utility service cabinets are good locations for mural type projects. Statues and other freestanding projects can also serve as excellent landmarks for way-finding.
10. Parking structures and parking lots pose a higher risk than other commercial structures for violent crime. Public perception and fear of crime in these areas is high. Consequently, parking structures and lots should incorporate crime preventing design strategies. Additional crime preventing efforts in these areas will improve public perception, which will encourage patronage of the site.
11. Structures: Parking structures should be engineered with as many open interior and exterior walls as practical. Staircases should be very open by design, or they should have glass/polycarbonate walls. Elevators should be designed with mirrors, video surveillance, and glass/polycarbonate back walls whenever possible. We recommend that consideration be given to creating retail operations that are actually part of the parking lot, thereby bringing legitimate activity to the area.
12. Lots: Wherever practical, orient buildings and/or activities toward areas that are potentially at risk. Incorporate traffic calming with raised curb planters, raised curb sidewalks and raised curb tire blocks. For larger lots, incorporate gated areas to control access to selected areas during non-peak times.
13. Depending on their location, pay telephones have a history of contributing to crime issues. Although cellular telephones have greatly reduced the need for pay telephones, there may still be a need at certain locations.
14. If it is determined that payphones are needed within a building, they should be located near the main building entrance and within constant view of employees and the

general public. They should not be located out of main activity areas or near bathroom entrances.

15. For exterior locations, pay telephones should not be placed in areas that give a criminal a legitimate purpose for being present (e.g. near public bathrooms, near child care facilities etc.).

16. In recent years there has been a significant increase in the theft of construction related materials that can be re-sold or recycled. We routinely see reports of thieves stealing all the wire, all the installed toilets, even entire HVAC systems from buildings on a regular basis. Used photovoltaic panels retain a large portion of their value in today's market and can easily be sold. With this in mind, the police department strongly recommends that special consideration be given to securing the photovoltaic panels with something more than a standard nut on a threaded bolt.

17. Entrances to the bathrooms should be in constant view of employees when possible. If unable to be within constant view, they should be in high activity areas.

18. Special Use Permits: Retail establishments that require special use permits will be required to install:

4. Video surveillance systems.
5. A safe.
6. A duress alarm.

19. Video surveillance is becoming a standard security feature in the City of Sacramento. Arrested criminals frequently tell detectives they analyzed various sites before committing their crimes and chose the site without video surveillance cameras. Ideal locations for cameras are on light poles, power poles and building corners. Cameras should be capable of capturing doorways, playgrounds, plazas, and parking lots. Digital recording devices capable of storing 30 days of information are ideal. If the system is based in the building's control room, it can be a valuable tool for building staff and firefighters in the event of an emergency.

20. Way-finding elements help prevent crime. Lack of way-finding can lead to fear, confusion and possibly exposure to crime. It is important to incorporate clear way-finding measures within large structures, in public plazas and areas. This can be achieved via architectural landmarks, landscaping, lighting, pavement transitions and signage.

Table of Contents:

- Exhibit 5A: Topographic Survey (Station Site and North Site)
- Exhibit 5B: Title Sheet (Station Site)
- Exhibit 5C: Perspective – 12th + E (Station Site)
- Exhibit 5D: Perspective – 12th + D (Station Site)
- Exhibit 5E: Ground Level Sketch (Station Site)

- Exhibit 5F: Café Plan with Angled Wall (Station Site)
- Exhibit 5G: Perspective – Southeast (Station Site)
- Exhibit 5H: Landscape Concepts (Station Site)
- Exhibit 5I: Site Plan (Station Site)
- Exhibit 5J: Ground Floor Plan (Station Site)
- Exhibit 5K: Level 2 to 4 Plan (Station Site)
- Exhibit 5L: Roof Plan (Station Site)
- Exhibit 5M: Building Elevations (Station Site)
- Exhibit 5N: Building Sections (Station Site)
- Exhibit 5O: Materials and Colors Board (Station Site)
- Exhibit 5P: Project Information (North Site)
- Exhibit 5Q: Site and Ground Level Plan (North Site)
- Exhibit 5R: Second Floor Plan (North Site)
- Exhibit 5S: Third Floor Plan (North Site)
- Exhibit 5T: Roof Plan (North Site)
- Exhibit 5U: Unit Plans (North Site)
- Exhibit 5V: Elevations (North Site)

Exhibit 5A: Topographic Survey (Station Site and North Site)

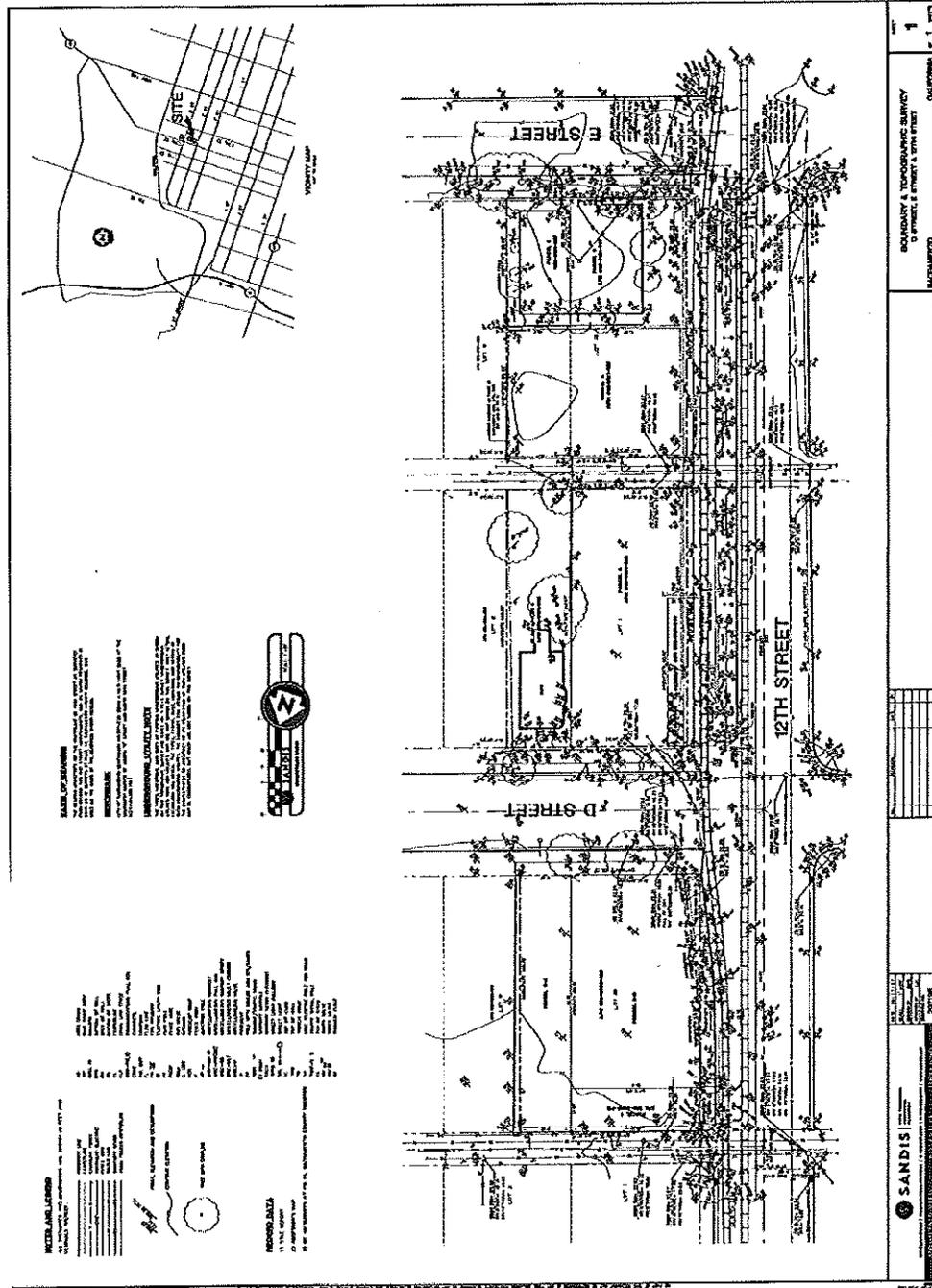
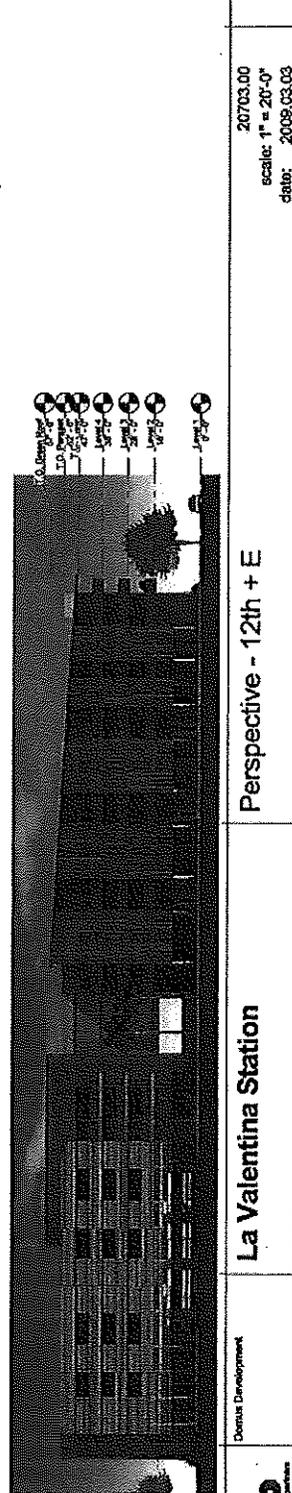
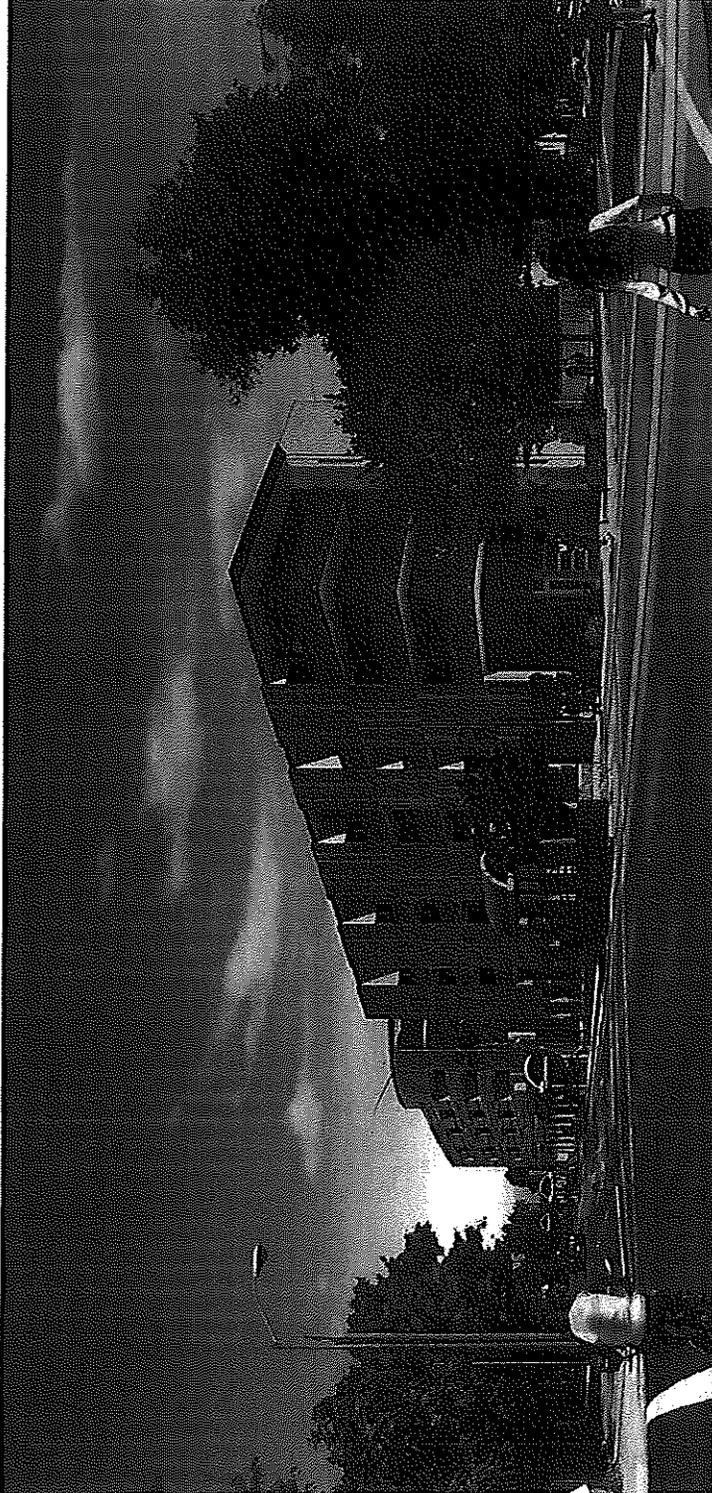
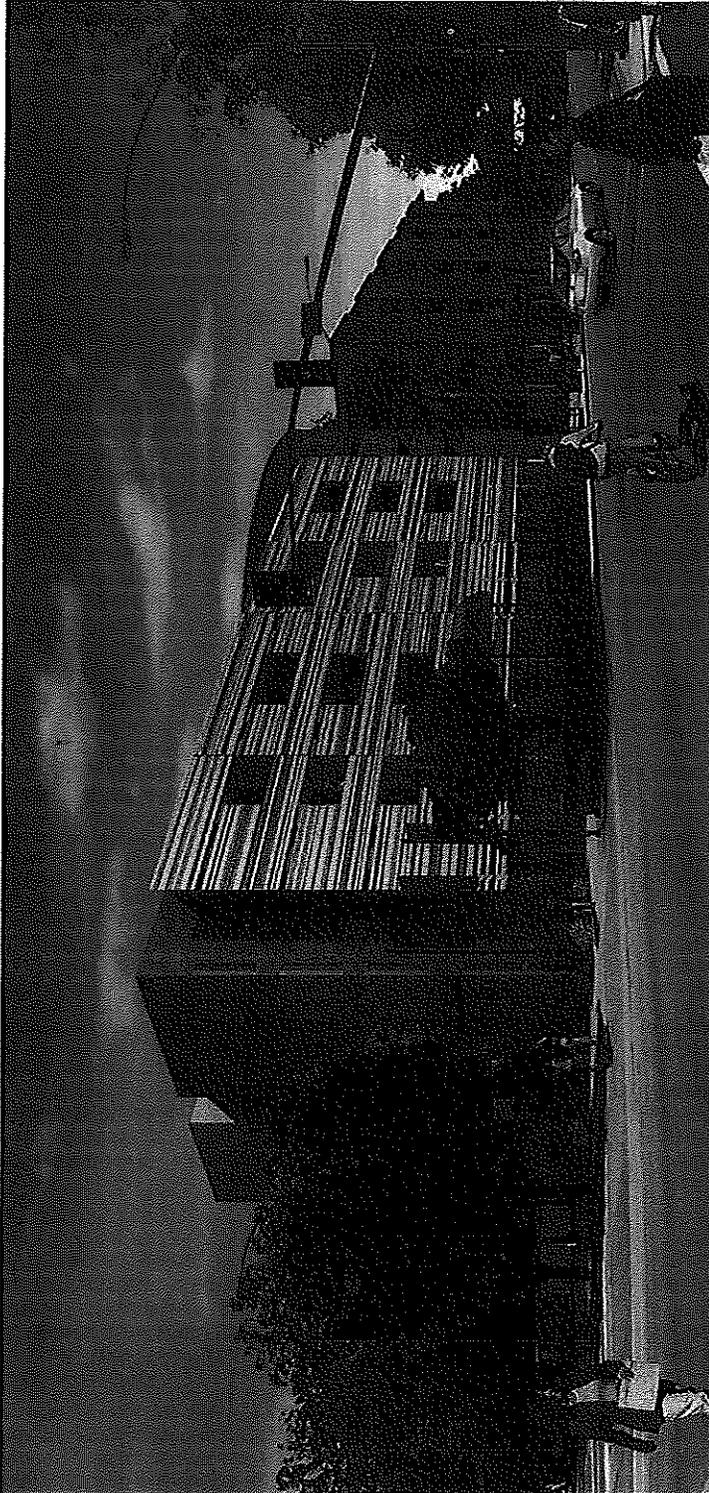


Exhibit 5C: Perspective – 12th + E (Station Site)



20703.00 scale: 1" = 20'-0" date: 2008.03.03	Perspective - 12th + E	La Valentina Station	Dennis Development
--	------------------------	----------------------	--------------------

Exhibit 5D: Perspective – 12th + D (Station Site)



 Omnia Development	La Valentina Station	Perspective - 12th + D	20703.00 scale: date: 2008.03.03
---	-----------------------------	------------------------	--

Exhibit 5E: Ground Level Sketch (Station Site)

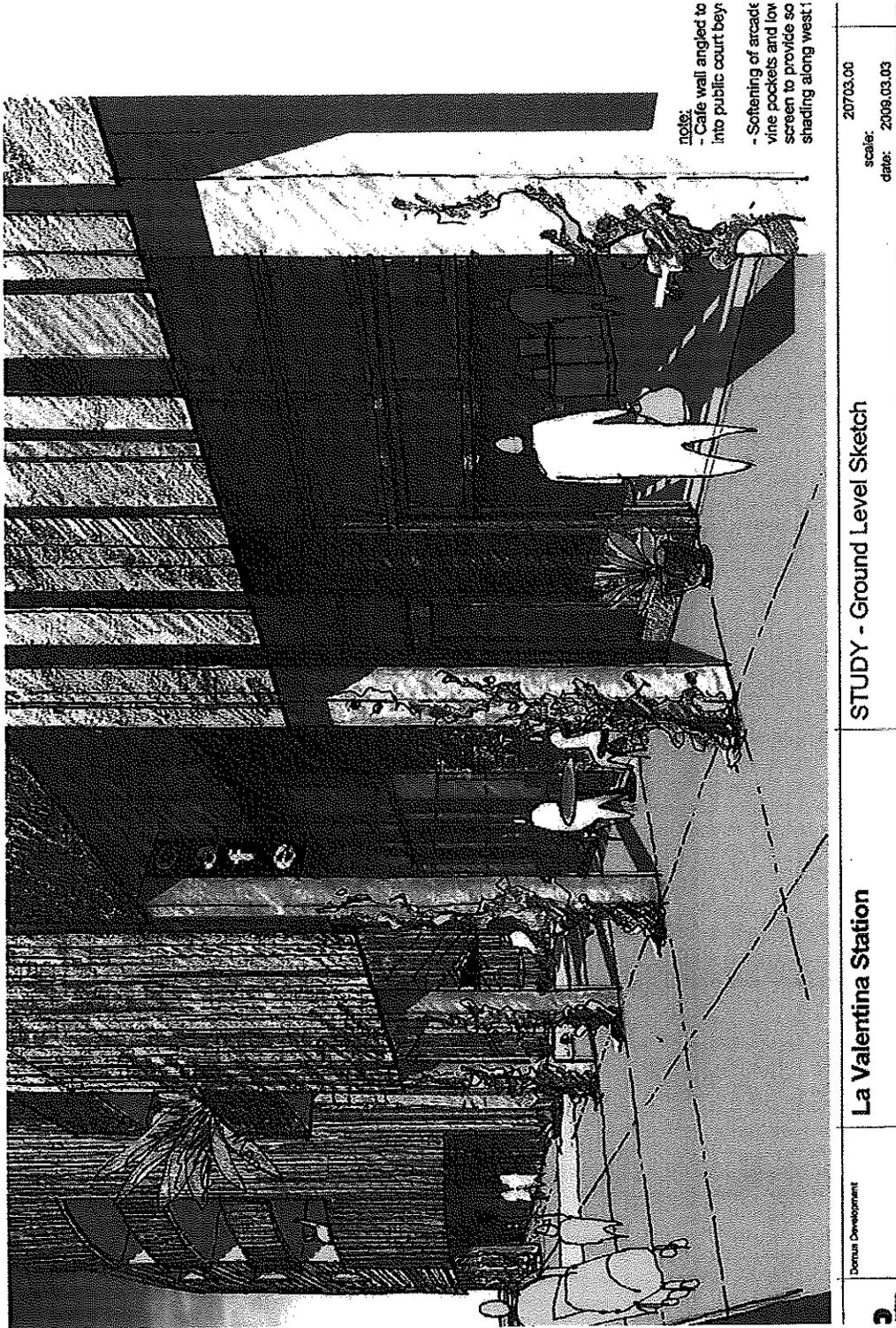
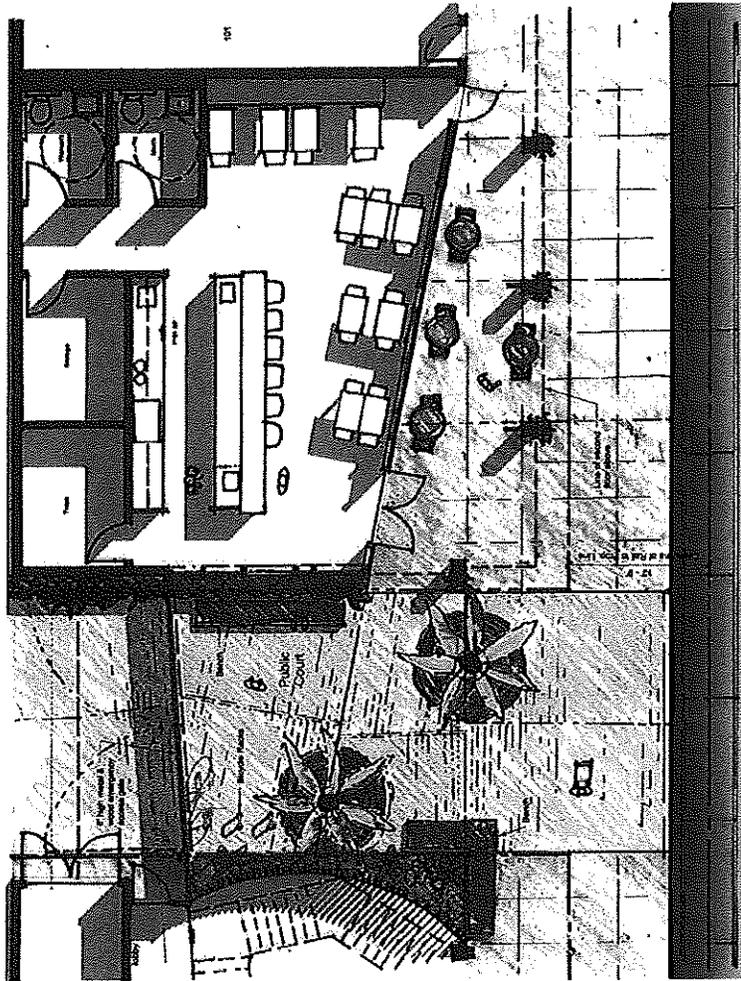


Exhibit 5F: Café Plan with Angled Wall (Station Site)



note:
- Café wall angled to ot
public court/ central sp

① Enlarged Café Plan
1/4" = 1'-0"

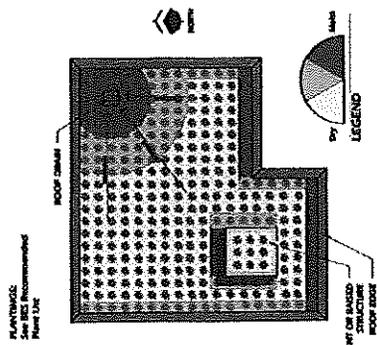
	Demos Development	La Valentina Station	STUDY - Café Plan with angled wall 20703.00 scale: 1/4" = 1'-0" date: 2009.03.03
--	-------------------	----------------------	---

Exhibit 5G: Perspective – Southeast (Station Site)

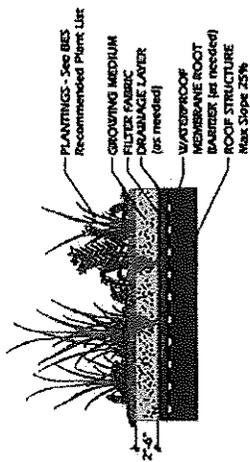


 Donus Development	La Valentina Station	Perspective - Southeast	20700.00 scale: date: 2009.03.03
---	-----------------------------	--------------------------------	--

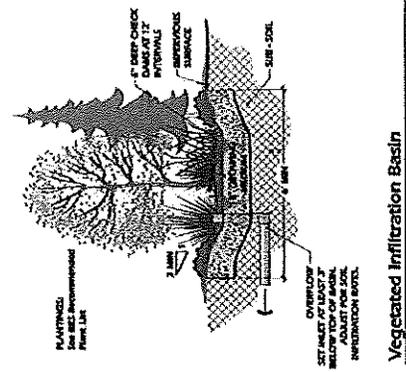
Exhibit 5H: Landscape Concepts (Station Site)



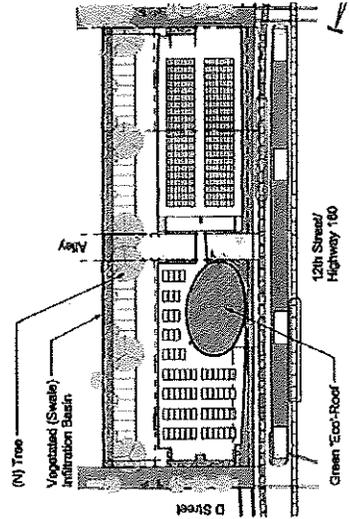
Ecoroof Evaporation Diagram



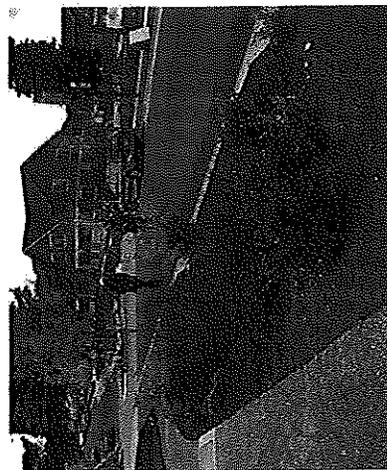
SIMPLIFIED APPROACH DESIGN CRITERIA
Eco-roof



Vegetated Infiltration Basin



① Landscape Concepts - Key Plan
1" = 40'-0"



	<p>La Valentina Station</p>	<p>Landscape Concepts</p>	<p>20703.00 scale: 1" = 40'-0" date: 2009.03.03</p>
--	-----------------------------	---------------------------	---

Exhibit 5I: Site Plan (Station Site)

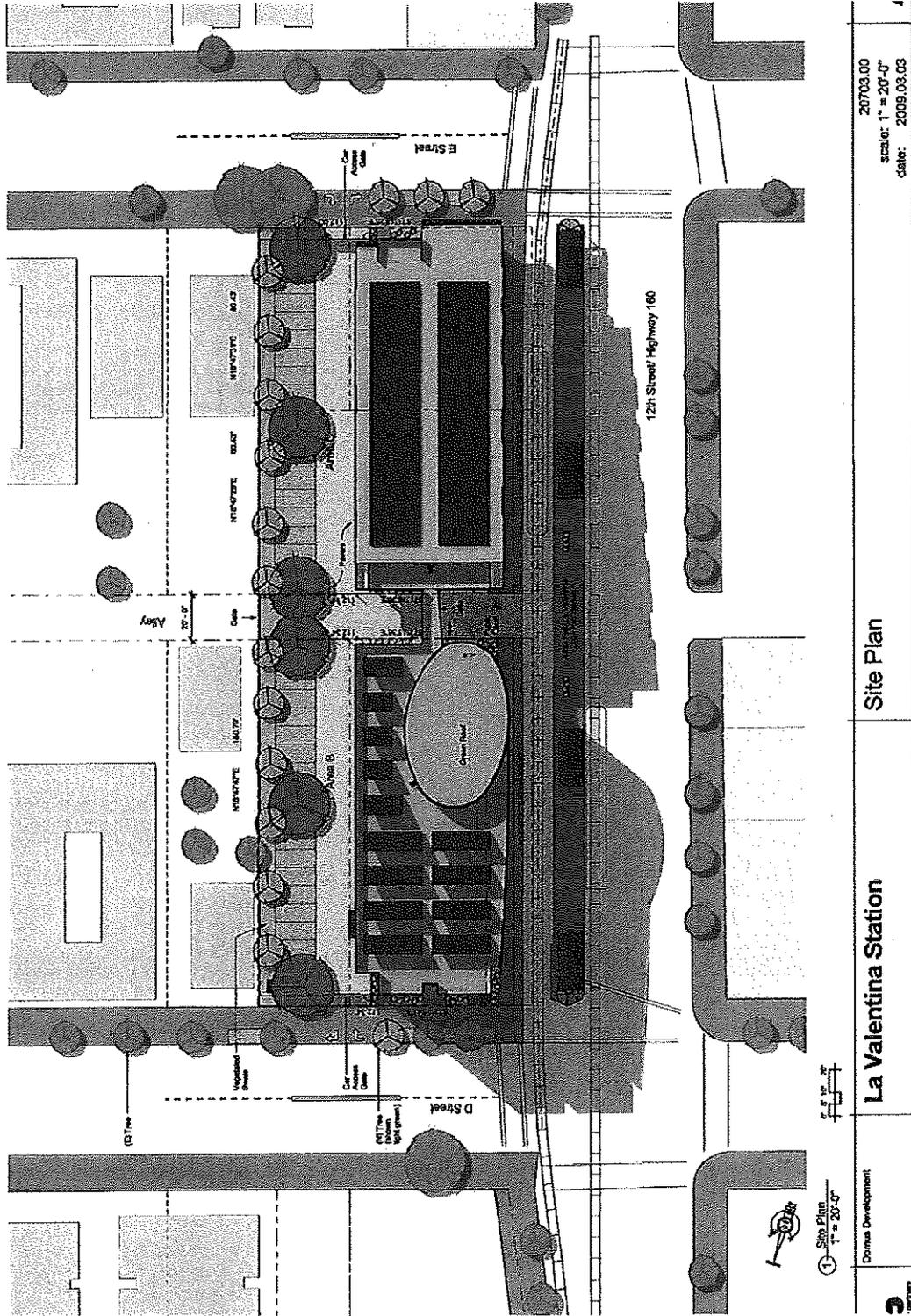
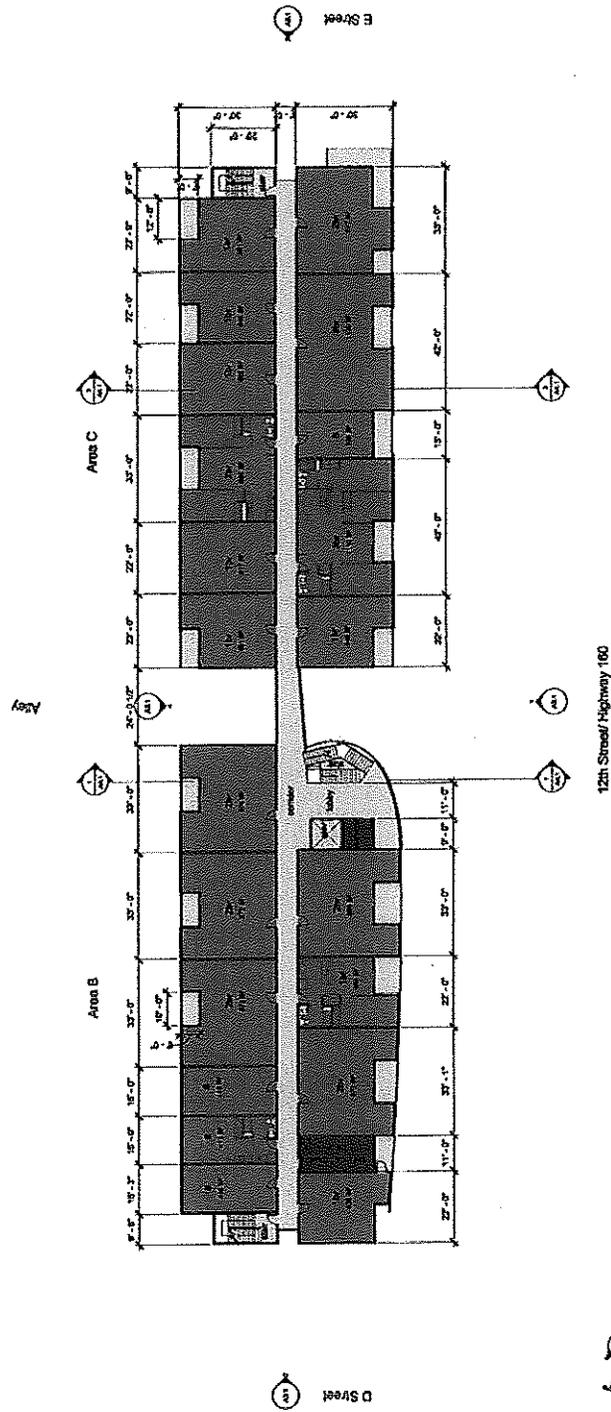


Exhibit 5K: Level 2 to 4 Plan (Station Site)

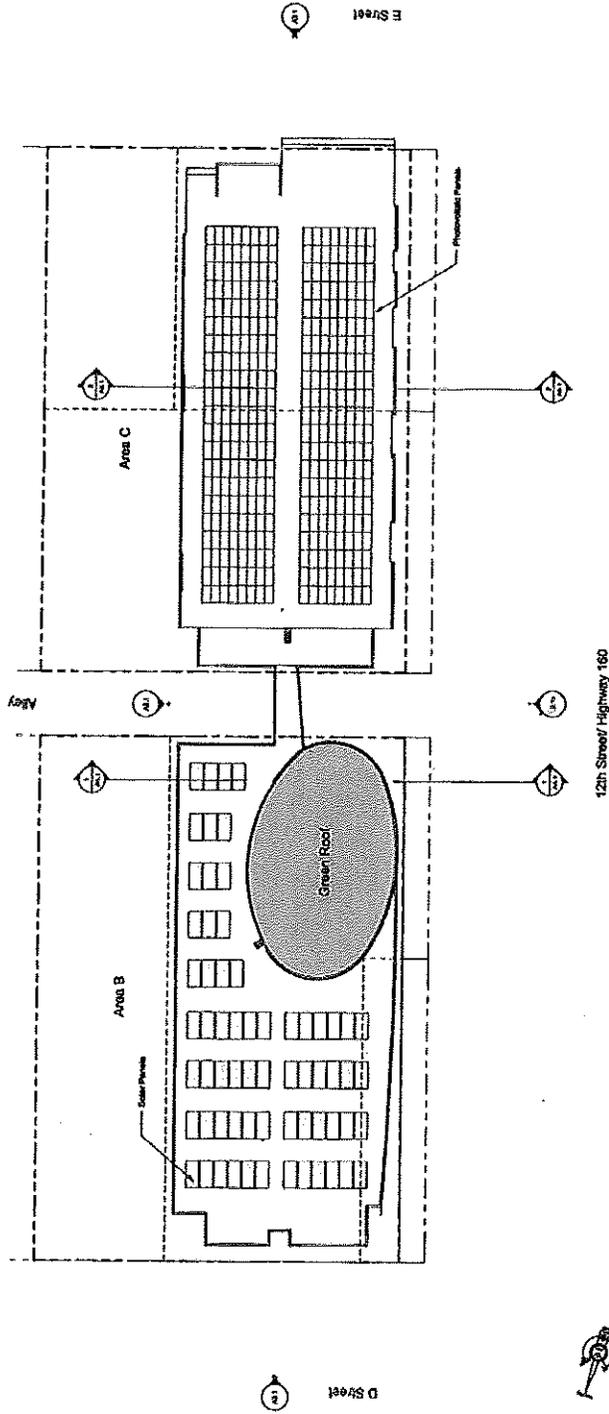




 ① Level 2-4
 1/16" = 1'-0"


 Doma Development	La Valentina Station	Level: 2-4 Plan 20703.00 scale: 1/16" = 1'-0" date: 2008.03.03
--	-----------------------------	--

Exhibit 5L: Roof Plan (Station Site)



1 Roof Plan
1/16" = 1'-0"



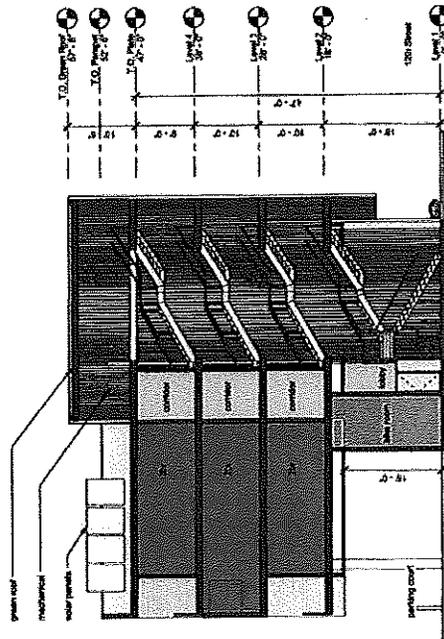
	Demas Development	La Valentina Station	Roof Plan 20703.00 scale: 1/16" = 1'-0" date: 2009.03.03
--	-------------------	----------------------	---

Exhibit 5M: Building Elevations (Station Site)

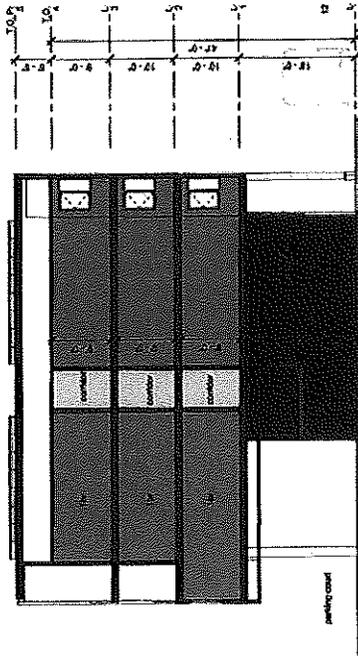


20703.00 scale: 1/16" = 1'-0" date: 2009.03.03	Building Elevations	La Valentina Station
--	---------------------	----------------------

Exhibit 5N: Building Sections (Station Site)



① Section 1
1/8" = 1'-0"



② Section 2
1/8" = 1'-0"



	Donus Development La Valentina Station	Building Sections	20703.00 scale: 1/8" = 1'-0" date: 2009.03.03
--	--	--------------------------	---

Exhibit 50: Materials and Colors Board (Station Site)

STUCCO

Painted Stucco "Pala Avocado" Benjamin Moore: 2138-30

Painted Stucco "Pala Avocado" Benjamin Moore: 2146-40

Painted Stucco "Snow White" Benjamin Moore: OC-66

PAINTED FIBERGLASS WINDOWS + DOORS
(white)

GREEN ROOF

PERFORATED COR-TEN METAL SCREEN

PAINTED HARDIE/PLANK
"Chestnut" Benjamin Moore: HC-9

PAINTED HARDIE/PLANK
"Golden Rancho" Benjamin Moore: 2165-30

PAINTED HARDIE/PLANK
"Greenfield Pumpkin" Benjamin Moore: HC-40

WOOD SLAT FENCE

PERMEABLE CEMENT BOARD

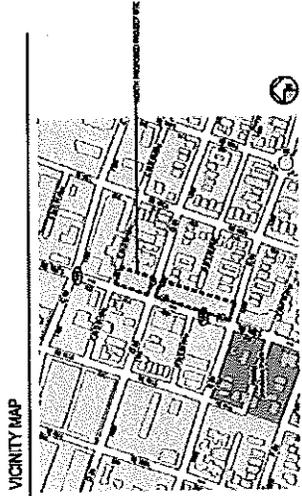
COLUMNS
Domus Development

La Valentina Station

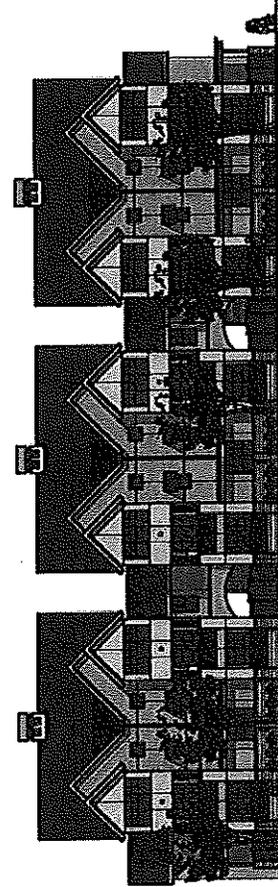
Materials and Colors Board

scale: 20703.00
date: 2009.03.03

Exhibit 5P: Project Information (North Site)



VICINITY MAP



PROJECT INFORMATION

BUILDING AND SITE

BUILDING TOTAL FLOOR AREA

BUILDING SQUARE

NET FLOOR AREA

FLOOR AREA ABOVE

BUILDING FOOTPRINT

FOOTPRINT AREA

NUMBER OF UNITS

NET BUILDING AREA

RESIDENTIAL UNIT MIX

INDUSTRIAL

OFFICE

RETAIL

RESIDENTIAL

TOTAL

TOTAL NUMBER OF RESIDENTIAL UNITS

PROJECT TEAM

OWNER/DEVELOPER

ARCHITECT

CIVIL ENGINEER

MECHANICAL ENGINEER

ELECTRICAL ENGINEER

PLUMBING ENGINEER

STRUCTURAL ENGINEER

LANDSCAPE ARCHITECT

TRAFFIC ENGINEER

ENVIRONMENTAL ENGINEER

SOIL REMEDIATION ENGINEER

ASBESTOS ABATEMENT ENGINEER

HAZARDOUS WASTE ENGINEER

SEWER ENGINEER

WATER ENGINEER

GEOTECHNICAL ENGINEER

FOUNDATION ENGINEER

CONCRETE ENGINEER

STEEL ENGINEER

WOOD ENGINEER

GLASS ENGINEER

MECHANICAL INSULATION ENGINEER

ENERGY ENGINEER

ACoustics ENGINEER

Lighting ENGINEER

Interior Design ENGINEER

Historic Preservation ENGINEER

Archaeology ENGINEER

Historic Landmarks ENGINEER

Historic Resources ENGINEER

Historic Structures ENGINEER

Historic Sites ENGINEER

Historic Districts ENGINEER

Historic Landmarks ENGINEER

Historic Resources ENGINEER

Historic Structures ENGINEER

Historic Sites ENGINEER

Historic Districts ENGINEER

Historic Landmarks ENGINEER

Historic Resources ENGINEER

Historic Structures ENGINEER

Historic Sites ENGINEER

DRAWING LIST

NO.	DESCRIPTION	DATE
01	PROJECT INFORMATION SHEET	03/17/09
02	GENERAL NOTES	03/17/09
03	FOUNDATION PLAN	03/17/09
04	FIRST FLOOR PLAN	03/17/09
05	SECOND FLOOR PLAN	03/17/09
06	THIRD FLOOR PLAN	03/17/09
07	MECHANICAL PLAN	03/17/09
08	ELECTRICAL PLAN	03/17/09
09	PLUMBING PLAN	03/17/09
10	STRUCTURAL PLAN	03/17/09
11	LANDSCAPE PLAN	03/17/09
12	TRAFFIC PLAN	03/17/09
13	ENVIRONMENTAL PLAN	03/17/09
14	ASBESTOS ABATEMENT PLAN	03/17/09
15	HAZARDOUS WASTE PLAN	03/17/09
16	SEWER PLAN	03/17/09
17	WATER PLAN	03/17/09
18	GEOTECHNICAL PLAN	03/17/09
19	FOUNDATION PLAN	03/17/09
20	CONCRETE PLAN	03/17/09
21	STEEL PLAN	03/17/09
22	WOOD PLAN	03/17/09
23	GLASS PLAN	03/17/09
24	MECHANICAL INSULATION PLAN	03/17/09
25	ENERGY PLAN	03/17/09
26	ACoustics PLAN	03/17/09
27	Lighting PLAN	03/17/09
28	Interior Design PLAN	03/17/09
29	Historic Preservation PLAN	03/17/09
30	Archaeology PLAN	03/17/09
31	Historic Landmarks PLAN	03/17/09
32	Historic Resources PLAN	03/17/09
33	Historic Structures PLAN	03/17/09
34	Historic Sites PLAN	03/17/09
35	Historic Districts PLAN	03/17/09
36	Historic Landmarks PLAN	03/17/09
37	Historic Resources PLAN	03/17/09
38	Historic Structures PLAN	03/17/09
39	Historic Sites PLAN	03/17/09
40	Historic Districts PLAN	03/17/09

PARKING

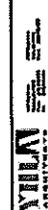
TYPE	NUMBER	PERCENTAGE	TOTAL
Garage	10	100%	10
Street	0	0%	0
Other	0	0%	0
TOTAL	10	100%	10

OPEN SPACE

TYPE	NUMBER	PERCENTAGE	TOTAL
Open Space	10	100%	10
Other	0	0%	0
TOTAL	10	100%	10

BUILDING AREA

TYPE	NUMBER	PERCENTAGE	TOTAL
Building Area	10	100%	10
Other	0	0%	0
TOTAL	10	100%	10



LA VALENTINA NORTH
SOUTH BAY, CALIFORNIA
FOURTH DEVELOPMENT

PROJECT INFORMATION & INDEX

A0.1

Exhibit 5Q: Site and Ground Level Plan (North Site)

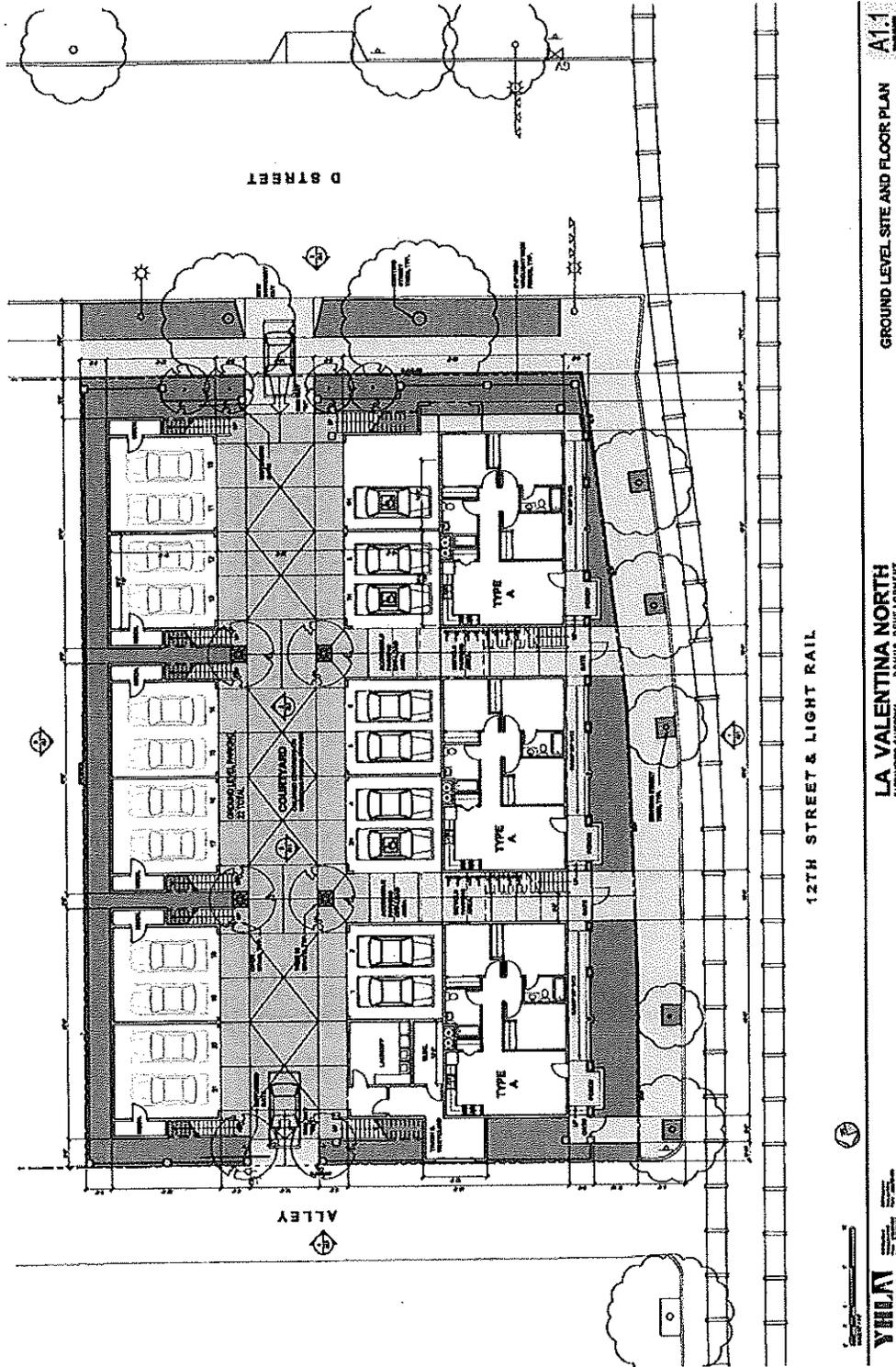


Exhibit 5R: Second Floor Plan (North Site)

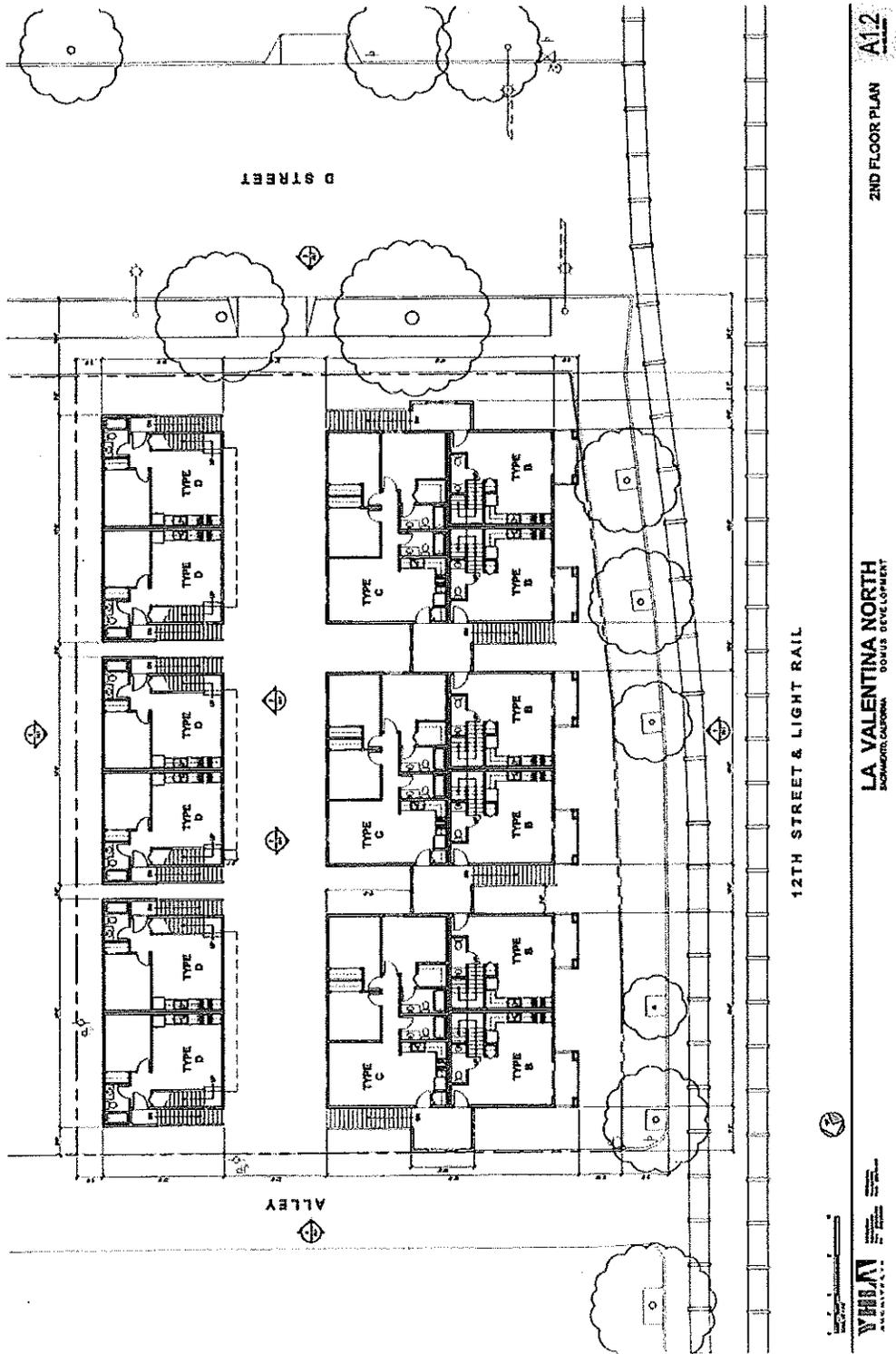
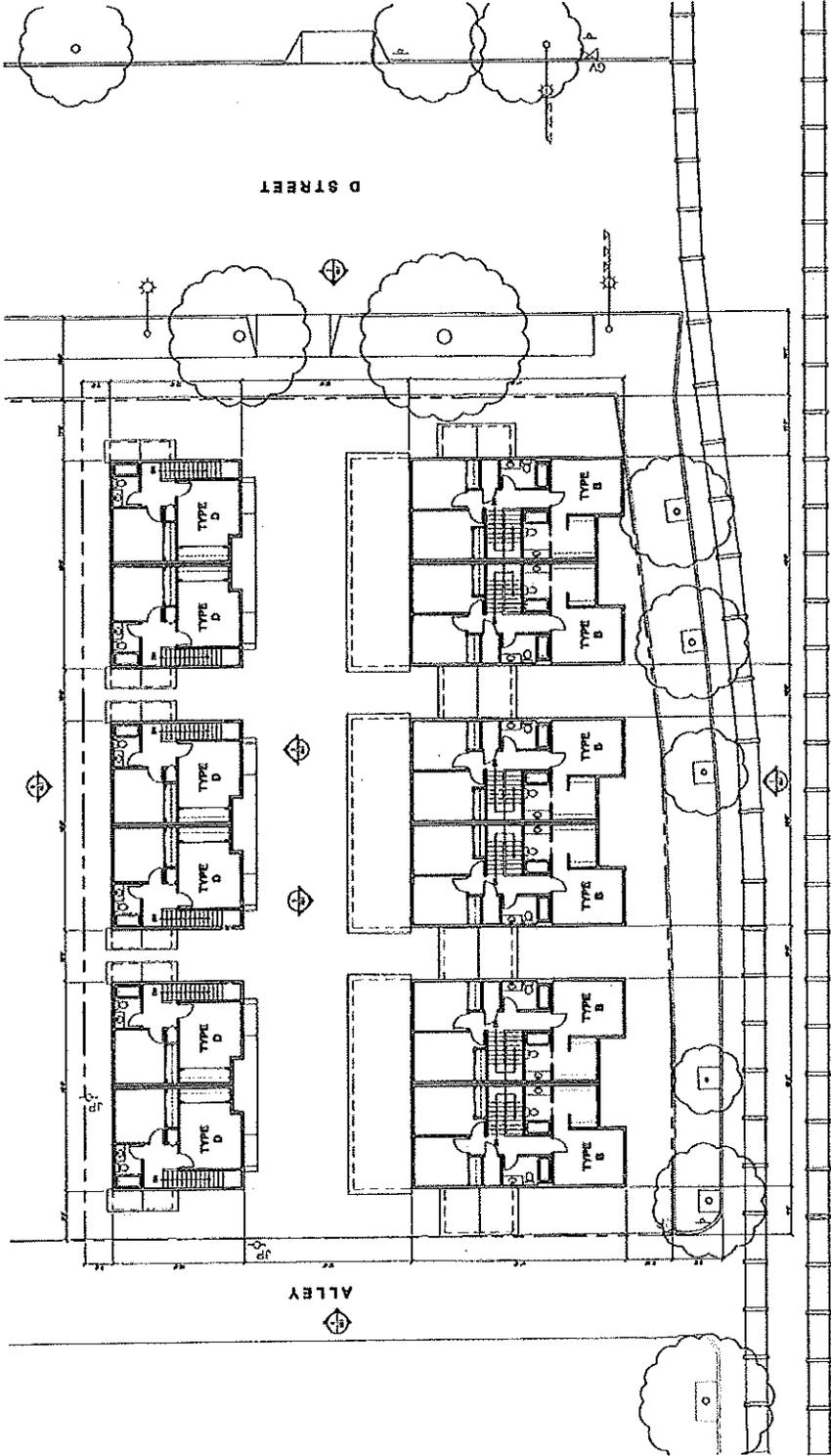


Exhibit 5S: Third Floor Plan (North Site)



12TH STREET & LIGHT RAIL

D STREET

ALLEY

LA VALENTINA NORTH
MONUMENTAL CALIFORNIA DOWNS DEVELOPMENT

3RD FLOOR PLAN
A13

YRBA LINDA
ARCHITECTURAL

Exhibit 5T: Roof Plan (North Site)

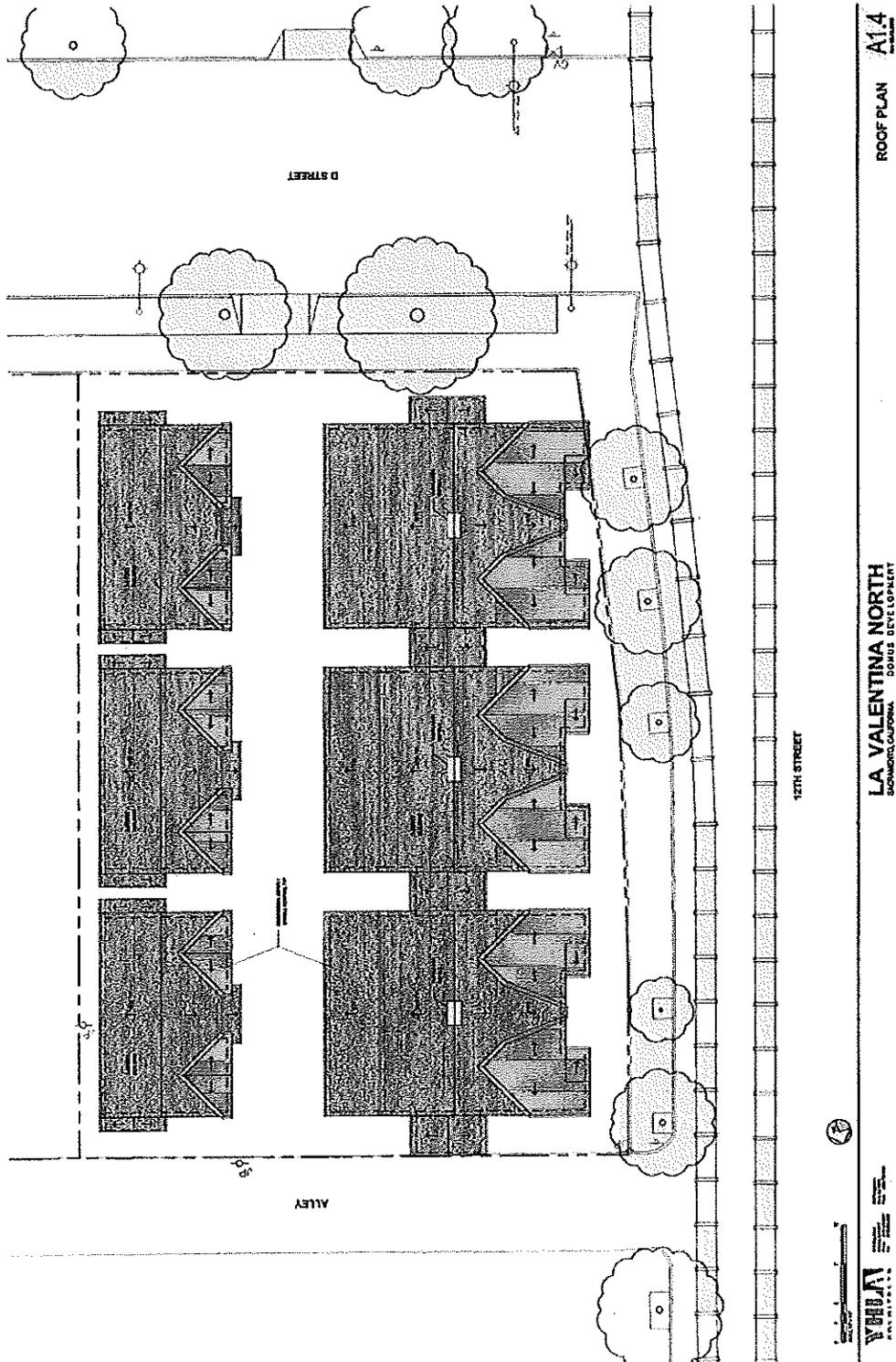
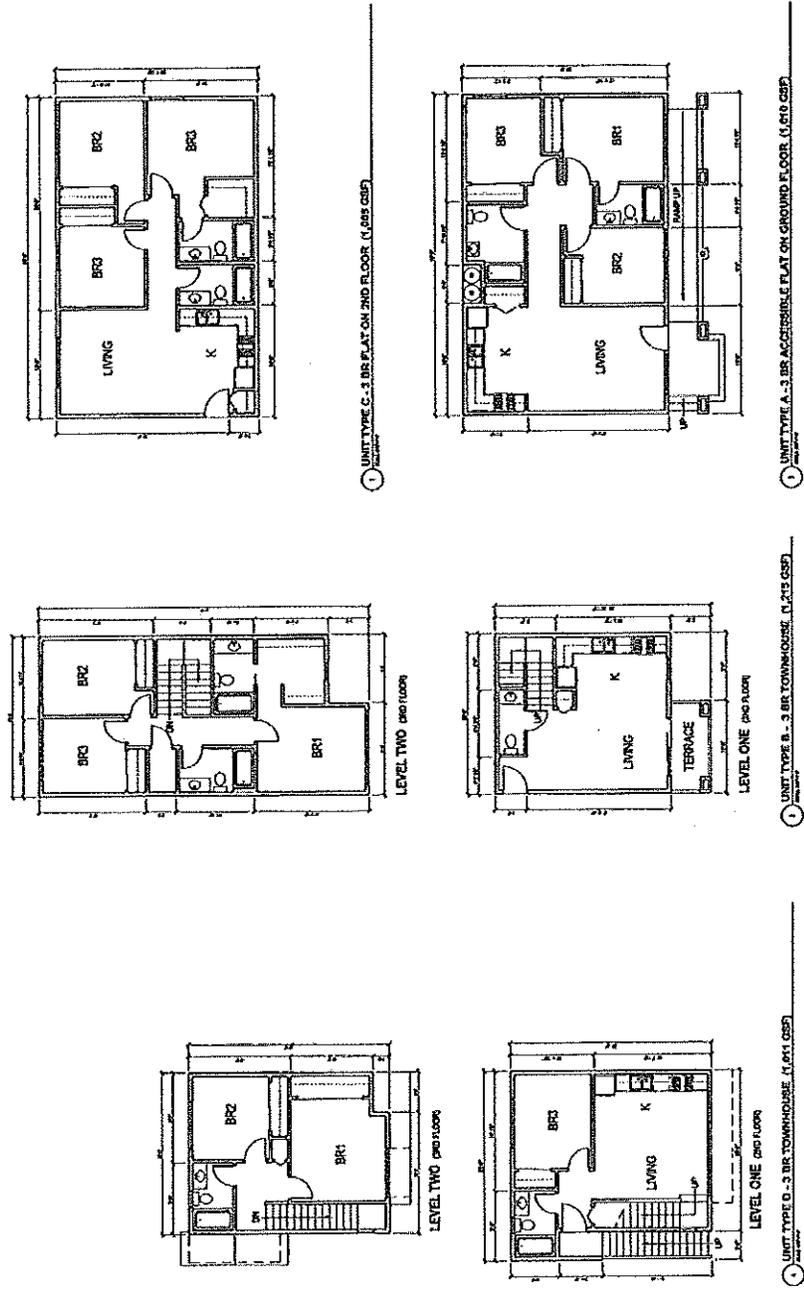
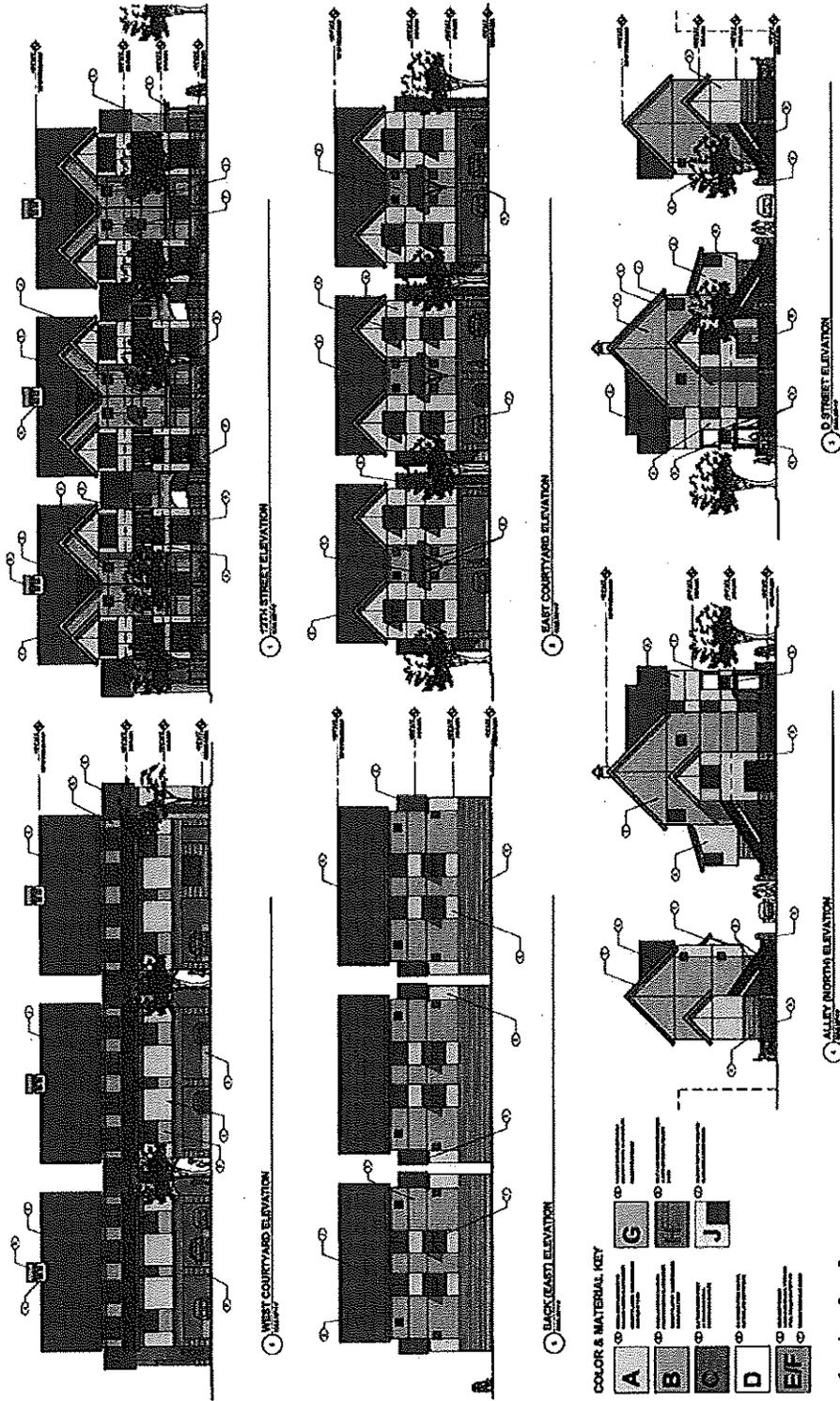


Exhibit 5U: Unit Plans (North Site)



YHHA ARCHITECTURAL
 LA VALENTINA NORTH
 SACRAMENTO, CALIFORNIA
 DOWNS DEVELOPMENT
 UNIT PLANS
 A2.1

Exhibit 5V: Elevations (North Site)



LA VALENTINA NORTH
 MOMENTUM GARDENS
 DONUS DEVELOPMENT

YHIA
 ARCHITECTS

A3.1
 EXTERIOR ELEVATIONS

Attachment 6: Rezone Ordinance

ORDINANCE NO.

Adopted by the Sacramento City Council

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM RESIDENTIAL MIXED USE (RMX) ZONE TO MULTI FAMILY (R-5) ZONE
(EAST SIDE OF 12TH STREET, BETWEEN D STREET AND E STREET) (P08-106) (APN: 002-0121-002, -027, -032, -034, -036 AND -038)**

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

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as La Valentina Station Project (Station Site) located on the east side of 12th Street, between D Street and E Street (APN: 002-0121-002, -027, -032, -034, -036, -038) and consisting of approximately 0.87 acres, from Residential Mixed Use (RMX) zone to multi family (R-5) zone.

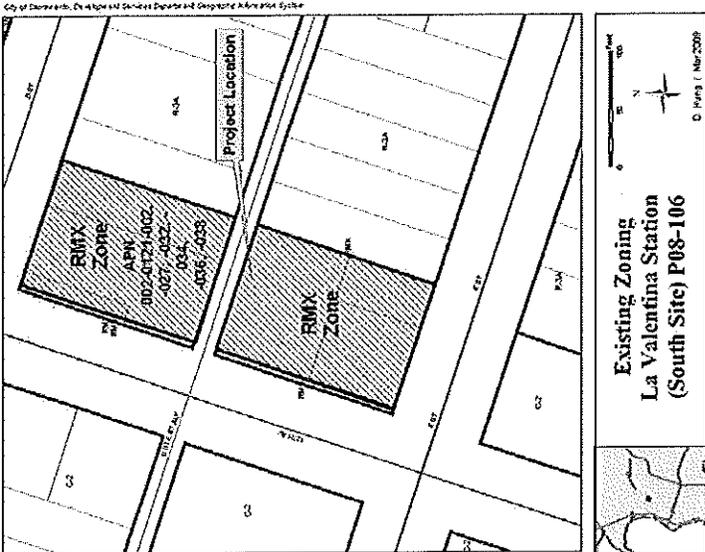
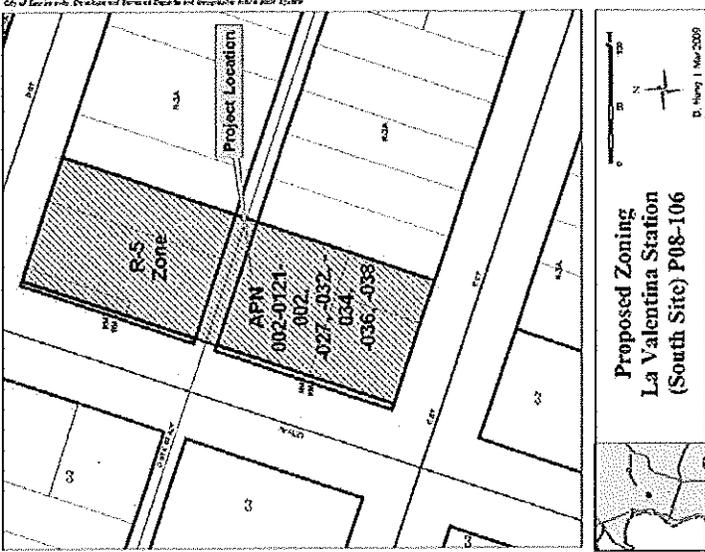
Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit 6A: Rezone – 1 page

Exhibit 6A: Rezone



Attachment 7: Neighborhood Comments

Comment 1

David,
Hope I am NOT too late for some comments on this project.

My name is Bill Masters. I live at 1100 E Street.

I am contacting you about the above mentioned project because I have some concerns/reservations about it and its potential impact on the neighborhood.

I have waited over 20 years for something to be done on that sight that would "enhance" our neighborhood. I can't believe we waited all these years and this is the best we can do. I am "shocked" that we are "settling" for this project.

I feel that a 4 story project is NOT suitable at this location. The density is too great. The proposed design is "cold and lifeless" and has no "tie-in" to any of the other existing structures on 12th Street.

In addition, this so called housing "mix" of 63 affordable and only 7 market rate units, is a MISTAKE!

Our neighborhood doesn't need more "affordable" housing. It needs more "reasonably" priced housing. It needs housing for people who make too much to qualify for "affordable" housing but not enough to rent the area's/City's new "high price lofts". We need to build something for the person in the "middle".

As proposed this development has the potential to become the "slum of the future".

Lastly, I have serious concerns that this project, as proposed, will exacerbate the already dangerous environment that exists around this light rail station. The amount of drug commerce that centers at this station will now have the added benefit of the "close proximity" of this development for shelter from law enforcement.

Please rethink this project.

Thanks,
Bill Masters
916-443-8926

Comment 2

Allow me to introduce myself Mr. Hung.

My name is Rudy O. Cuellar and I'm the current owner of the 1212 D Street property since 1985 located to the East of your proposed project.

1. When are you going to remove the 1210 D Street eye sore house which is a breeding ground for pigeons, rats and crack dealers who gather in front.

2. Behind the 1210 D Street house the City has a gate that was used to keep out drug traffic from entering to do drugs in the alley from Light Rail. It is now breached and the people who live in the E street alley apartments now go back and forth at will and are part of this problem. Recently they had a fight that turned into a stabbing by one of the participants girl friend.

The apartments to the East of me were recently refurbished and now starting to fill up with young gang bangers and drug activity via the alley side.

3. My other question is who is responsible for all the traffic that has now been created by RT's mini bus with people who gather there for the busses.

Is this mini bus line going to continue to operate at this location in the future if and when this proposed apartment complex gets built?

Since I live next door to this lack of sensible planning idea brought on by RT, I see first hand constant garbage left by the ridership.

People who want to use a bathroom then go around to the East side of my fence to defecate or relieve themselves.

When I've gone out to tell them to stop they have attacked me verbally and on a couple of occasions have physically attacked me or a near fight.

The fact that I'm going on 59 years old does not stop them from further threatening me or my young daughter on several occasions.

You are with the City, therefore I'm addressing this issue to you since the city and RT fail to clean up the mess created both by RT and the 1210 property.

I looked at my city property bill and I get billed for city street cleaning yet the gutter at D Street and 12th are constantly left filthy.

I get out of work and have to clean up the area on a constant basis or it would really look bad since they drop trash on my side as well.

At night and with the weather now becoming milder, I'm constantly chasing away people who hang out in front of the 1210 property.

So if your proposal is going to include more section 7 people I'd have to say that I strongly oppose your development.

Respectfully.

Rudy O. Cuellar

La Valentina Station Project (P08-106)

March 17, 2009

Comment 3

Dear Mr. Hung:

We were very pleased to learn of the proposal for a high-density, mixed use project at 12th and E Streets. We fully support that type of development and any zoning modifications needed to make it feasible. We were also glad that the plan and elevations are subject to change, as the version distributed with your letter does not, frankly, look very attractive. Is it necessary to design this project for 100% "affordable" housing?

Roger Lathe & Louise Mehler
1117 F Street

Hi David,

I'm an Alkali Flat home owner and am supportive of this concept. Also, I represent downtown residents on the board of the Downtown Sacramento Partnership. If possible, please keep me in the loop as this project moves forward.

Best,

Steve

Steve Hansen

Genentech | State Government Affairs



Attachment 8: Mitigated Negative Declaration

DEVELOPMENT SERVICES DEPARTMENT

CITY OF SACRAMENTO CALIFORNIA

300 RICHARDS BLVD SACRAMENTO, CA 95811

PLANNING DIVISION

ENVIRONMENTAL PLANNING SERVICES

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, make, declare, and publish this Negative Declaration for the following described project:

P08-106 La Valentina Station – A mixed-use development located on 12th Street, between C Street and E Street comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the General Commercial (C-2) zone the proposed Multi-Family (R-5) zone. Specific entitlements include:

- A. **Rezone** RMX to R-5 to increase the allowable density from 36 to 94 du/na;
- B. **Special Permit** to allow gated development;
- C. **Special Permit – Height** to allow structures to exceed the maximum allowable height;
- D. **Special Permit – Parking** to reduce required parking;
- E. **Variance** to reduce the interior side setback;
- F. **Variance** to allow a roof structure to exceed the maximum allowable height;
- G. **Variance** to allow compact stalls to exceed a maximum of forty percent; and a
- H. **Tentative Map**

The City of Sacramento, Development Services Department, has reviewed the proposed project and on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Mitigated Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento; and the Sacramento City Code.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Development Services Department, Planning Division, 300 Richards Boulevard, Sacramento, California 95811.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: 
Date: 2/12/09

LA VALENTINA STATION (P08-106)

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

This Initial Study has been required and prepared by the Development Services Department, 300 Richards Boulevard, Sacramento, CA 95811, pursuant to Title 14, Section 15070 of the California Code of Regulations; and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this Initial Study was completed.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the Proposed Project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Contains the Environmental Checklist form together with a discussion of the checklist questions. The Checklist Form is used to determine the following for the proposed project: 1) "Potentially Significant Impacts," which identifies impacts that may have a significant effect on the environment, but for which the level of significance cannot be appropriately determined without further analysis in an Environmental Impact Report (EIR), 2) "Potentially Significant Impacts Unless Mitigated," which identifies impacts that could be mitigated to less than significant with implementation of mitigation measures, and 3) "Less Than Significant Impacts," which identifies impacts that would be less than significant and do not require the implementation of mitigation measures.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have either a "Potentially Significant Impact" or "Potentially Significant Impact Unless Mitigated," as indicated in the Environmental Checklist.

SECTION V - DETERMINATION: Identifies the determination of whether impacts associated with development of the Proposed Project are significant, and what, if any, added environmental documentation may be required.

SECTION VI - REFERENCES CITED

ATTACHMENTS:

- A** – Vicinity Map/Site Plan
- B** – URBEMIS Report
- C** – Mitigation Monitoring Plan

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION I - BACKGROUND

File Number, Project Name: P08-106, La Valentina Station

Project Location: 12th Street, between C Street and E Street (APN: 002-0121-002, 002-0121-036, 002-0121-038, 002-0121-032, 002-0121-027, 002-0121-034, 002-0082-024, and 002-0082-016).

Project Applicant: Meea Kang
Domus Development
594 Howard Street, Suite 204
San Francisco, CA 94105
(415) 856-0010

Project Planner: David Hung, Associate Planner
Development Services Department
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811
(916) 808-5530

Environmental Planner: Rochelle Hall, Assistant Planner
Development Services Department
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811
(916) 808-5914

Date Initial Study Completed: February 13, 2009

INTRODUCTION

The following Initial Study/Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 *et seq.*). The City of Sacramento is the Lead Agency for the preparation of this Mitigated Negative Declaration for the La Valentina Station Project (P08-106) (proposed project).

The City determined that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project. This environmental review examines project effects which are identified as potentially significant effects on the environment or which may be substantially reduced or avoided by the adoption of revisions or conditions to the design of project specific features. It is believed at this time that the project will not result in potentially significant impacts, with the application of appropriate mitigation measures. Therefore, a Mitigated Negative Declaration has been prepared for this project.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This analysis is incorporating by reference the general discussion portions of earlier environmental documents (CEQA Guidelines Section 15150(a)). These documents are available for public review at the City of Sacramento, Development Services Department, 300 Richards Boulevard, Sacramento, CA 95811.

Section 15130 (d) of the CEQA Guidelines state that, "No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or area-wide cumulative impacts of the proposed project have already been adequately addressed, as defined in 15152(f)(1), in a certified EIR for the plan."

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but no later than the close of the 20-day review period as listed in the Notice of Availability/Intent, March 5, 2009.

Please send written responses to:

Rochelle Hall, Assistant Planner
Development Services Department
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811
rxhall@cityofsacramento.org

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION II - PROJECT DESCRIPTION

PROJECT LOCATION

The proposed project site is comprised of eight parcels, totaling 1.27 acres, and located on 12th Street, between C Street and E Street (Assessor Parcel Numbers: 002-0121-002, 002-0121-027, 002-01210-032, 002-0121-034, 002-0121-036, 002-0121-038, 002-0082-024, and 002-0082-016) (See Appendix A – Vicinity Map/Location Map).

PROJECT BACKGROUND, PURPOSE AND DESCRIPTION

The proposed project site has been vacant for the past ten years, and is located in the Central City Community Plan area of the City. The site is adjacent to a Sacramento Regional Transit Light Rail Station on 12th Street, between D and E Streets. The site is located in the combined sewer/drainage system, and includes an 8-inch main within the public utility easement (PUE) on the proposed site.

The site is located in the Central City Design District. The site is not located in an adopted historic district, but is bordered by adopted historic districts. The 12th Street Commercial Historic District borders the site to the south, and is characterized by early twentieth century association of clustering of buildings influenced by the evolution of the importance of the automobile. The Alkali Flat North Historic District and Alkali Flat Central Historic District border the site to the west, and are characterized by nineteenth century Queen Anne and Eastlake cottages, and early twentieth century Colonial Revival and Craftsman in style. The Washington Historic District borders the site to the east, and is similar to the alkali flat Historic Districts, with its ubiquitous high basement buildings. Many apartment buildings in this area are designed in the manner of single-family houses and are visually consistent with the character of the streets. C Street Commercial Historic District borders the site to the north, characterized by representatives of the commercial buildings of the 1920 era.

The proposed project is located on eight parcels with two General Plan designations: Urban Corridor Low and Traditional Medium Density. The Urban Corridor Low land use designation provides for a mix of horizontal and vertical mixed-use development and single-use commercial and residential development that includes retail, service, and office uses; and gathering places such as a plaza, courtyard, or park. The Traditional Medium Density land use designation also includes multi-family dwelling units and neighborhood-serving commercial uses.

The proposed project includes entitlements to construct a mixed-use development comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the general commercial (C-2) zone and the proposed Multi-Family (R-5) zone. Specific entitlements include:

- A. **Rezone** from RMX to R-5 to increase the allowable density from 36 to 94 du/na;
- B. **Special Permit** to allow gated development;
- C. **Special Permit – Height** to allow structures to exceed the maximum allowable height;
- D. **Special Permit – Parking** to reduce required parking;
- E. **Variance** to reduce the interior side setback;
- F. **Variance** to allow a roof structure to exceed the maximum allowable height;
- G. **Variance** to allow compact stalls to exceed a maximum of forty percent; and
- H. **Tentative Map**

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
1. <u>LAND USE</u>			
<i>Would the proposal:</i>			
A) Result in a substantial alteration of the present or planned use of an area?			✓
B) Affect agricultural resources or operation (e.g., impacts to soils or farmlands, or impact from incompatible land uses?)			✓

ENVIRONMENTAL SETTING

The proposed project site consists of eight parcels, totaling approximately 1.27 acres site on 12th Street, between C and E Streets (Assessor Parcel Numbers: 002-0082-024, 002-0082-016, 002-0121-002, 002-0121-027, 002-0121-032, 002-0121-034, 002-0121-036, 002-0121-038) (See Appendix A – Vicinity Map/Location Map). Adjacent land uses include vacant commercial to the north, residential to the east, residential and commercial to the south and to the west.

General Plan land use designations for the site are Urban Corridor Low and Traditional Neighborhood Medium Density. The Zoning for the site is General Commercial (C-2 and Residential Mixed Use.

STANDARDS OF SIGNIFICANCE

For the purposes of this analysis, an impact is considered significant if the project would substantially alter an approved land use plan that would result in a physical change to the environment. Impacts to the physical environment resulting from the proposed project are discussed in subsequent sections of this document.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

The proposed project is generally consistent with the allowable uses as designated in the adopted General Plan Central City Community Plan; however, a rezone is proposed for the site from residential mixed-use (RMX) to multi-family (R-5), which would increase the allowable density from 36 dwelling units per acre to 70 -94 dwelling units per acre. The rezone would be consistent with surrounding uses, and with the goals of the General Plan to increase density in urban centers adjacent to public transportation. The site is located within the "Midtown Commercial Corridors" Growth Opportunity Area and was designated for high density mixed use development (20-110

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

du/acre). Applicable General Plan policies include: Infill Development; Mixed-use Corridors; and Corridor Uses. The proposed project would not be incompatible with adjacent land uses, which include residential and commercial. Therefore, the proposed project would have a less than significant impact to present or planned land uses.

The project site is within an urbanized area and is not suitable for agricultural use. No agricultural operations are located within the vicinity. Therefore, the proposed project would have a less than significant impact on agricultural resources or operations.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant land use impacts.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
2. POPULATION AND HOUSING			
<i>Would the proposal:</i>			
A) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?			✓
B) Displace existing housing, especially affordable housing?			✓

ENVIRONMENTAL SETTING

The proposed project site consists of eight parcels, totaling approximately 1.27 acres on 12th Street, between C and E Streets (Assessor Parcel Numbers: 002-0082-024, 002-0082-016, 002-0121-002, 002-0121-027, 002-0121-032, 002-0121-034, 002-0121-036, 002-0121-038) (See Appendix A – Vicinity Map/Location Map). Adjacent land uses include vacant commercial to the north, residential to the east, residential and commercial to the south and to the west.

General Plan land use designations for the site are Urban Corridor Low and Traditional Neighborhood Medium Density. The Community Plan land use designation and the Zoning for the site is Residential Mixed Use.

STANDARDS OF SIGNIFICANCE

For the purposes of this analysis, an impact is considered significant if the project would induce substantial growth that is inconsistent with the approved land use plan for the area or displace existing affordable housing.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS**QUESTION A**

The proposed project would construct 18 townhouse units, 63 dwelling units, 7 live-work units, and 2,500 square feet of commercial uses on approximately 1.27 acres in the general commercial (C-2) and the residential mixed-use (RMX) zone. The proposed project is consistent with the General Plan and Central City Community Plan designations of the site and would not result in a substantial alteration of the designated land use. The proposed project would require a rezone from residential mixed-use (RMX) multi-family (R-5) to increase the allowable density of the site from a maximum of 36 dwelling units per acre to a maximum of 94 dwelling units per acre. The allowable density would increase, and would permit the proposed project to develop the site in a manner consistent with adopted goals of land use plans to increase densities in urban centers and near access to public transportation. Any impacts would be considered less than significant. The 2030 General Plan Land Use Diagram shows the site as Urban Corridor Low which allows for 20 to 110 du per net acre and 0.4 to 4.0 Floor Area Ratio (FAR). Allowed land uses include a mixture of retail, service, office and residential uses. In addition, the traffic impacts of development consistent with the Land Use Diagram were covered in the 2030 General Plan EIR.

QUESTION B

No existing housing exists on the site. The project would not displace any existing or planned affordable housing, but would include the development of affordable housing, and impacts to existing housing would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant impacts to population and housing.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
3. SEISMICITY, SOILS, AND GEOLOGY Would the proposal result in or expose people to potential impacts involving:			
A) Seismic hazards?			✓
B) Erosion, changes in topography or unstable soil conditions?			✓
C) Subsidence of land (groundwater pumping or dewatering)?			✓
D) Unique geologic or physical features?			✓

ENVIRONMENTAL SETTING

The project site is located in the central portion of the Great Valley geomorphic province of California. The Great Valley lies between the mountains and the foothills of the Sierra Nevada Range to the east and the California Coast Ranges to the west. The geological formations of the Great Valley are typified by thick sequences of alluvial sediments (up to two-mile depth) deposited during the filling of a large ancient basin (Wallace Kuhl, 1994).

The surface geology within the project area consists of Holocene floodplain deposits, which include unconsolidated sands, silts and clays formed from flooding of the American and Sacramento Rivers. The soil type in the immediate project vicinity is depicted as Sailboat-Scribner-Cosumnes, which is defined as very deep, somewhat poorly and poorly-drained soils that have a seasonal high water table and are protected by levees (SGPU DEIR, T-1, T-2, T-5).

No geologic features such as faults or Alquist-Priolo special studies zones are known to occur in or near the project area. In addition, according to the CA Division of Mines and Geology, the City is classified as Zone I, out of a three-point scale with III being the most susceptible to seismic hazards (SGPU DEIR, T-6 and T-10). Development within this area is subject to potential damage from earthquake ground shaking at a maximum intensity of VIII on the Modified Mercalli Scale (SGPU DEIR, T-6). The closest active fault to the site is the Foothills Fault System, which passes about 21 miles to the east. Three other major active faults in the area are the Great Valley Fault, located about 28 miles to the southwest; and the Hunting Creek – Berryessa Fault and Concord – Green Valley Fault located 40 miles to the west (Lowney 2006, Page 4).

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

STANDARDS OF SIGNIFICANCE

For the purposes of this analysis, an impact is considered significant if it allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

ANSWERS TO CHECKLIST QUESTIONS**QUESTION A**

Because no active or potentially active faults are known in the project area, the proposed project would not be subject to the rupture of a known earthquake fault.

Due to the seismicity in the region, people and property on the site could be subject to seismic hazards, such as groundshaking, liquefaction, and settlement, which could result in damage or failure of components of the proposed project. This seismic activity could disrupt utility service due to damage or destruction of infrastructure, resulting in unsanitary or unhealthful conditions or possible fires or explosion from damaged natural gas lines.

Compliance with the California Uniform Building Code (Title 24) would minimize the potential for adverse effects on people and property due to seismic activity by requiring the use of earthquake protection standards in construction. Prior to construction, the project applicant must demonstrate to the City that the site, infrastructure, and building designs for the proposed project comply with all required regulations and standards pertaining to seismic hazards.

Implementation of applicable regulations, codes, and standard engineering practices would mitigate any potential impacts caused by development of the proposed project site related to groundshaking or secondary seismic hazards. Therefore, the impacts due to seismic activity would be less than significant and no mitigation is required.

QUESTION B

The project would not involve significant changes in topography. Erosion may occur as a result of grading, since soils are especially prone to erosion from storm water runoff that occurs during or immediately after construction. All grading and erosion control would be conducted in compliance with the requirements of the Sacramento City Code to prevent erosion of soils during construction (Ordinance 15.88.250). This Ordinance requires the project applicant to show erosion and sediment control methods on the improvement plans. These plans also show the methods to control urban runoff pollution from the project site during construction. In addition, the majority of the proposed project site will be built, landscaped, and paved upon completion of the project, which will help prevent erosion.

QUESTIONS C AND D

According to the SGPU DEIR, no significant subsidence of land has occurred within the City of Sacramento (SGPU, DEIR T-13). State regulations and standards related to geotechnical considerations are reflected in the Sacramento City Code. Construction and design would be required to comply with the latest City-adopted code at the time of construction, including the Uniform Building Code. The code would require construction and design of buildings to meet standards that would reduce risks associated with subsidence or liquefaction. In addition, the proposed project does not include below-grade features, such as basements, which would require

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

extensive excavation and; therefore, construction of the proposed project is not anticipated to require groundwater pumping or dewatering. However, in the event that dewatering activities are required, a short-term change could occur in the quantity of groundwater and/or direction of rate of flow, as well as the quality of the groundwater. Any dewatering activities associated with the proposed project must comply with application requirements established by the Central Valley Regional Water Quality Control Board (RWQCB) to ensure that such activities would not result in substantial changes in groundwater flow or quality. Therefore, compliance with the RWQCB requirements would ensure a less than significant impact and no mitigation is required.

There are no recognized unique geologic features or physical features that would be impacted by the construction of the proposed project. Therefore, related impacts on area soils and earth conditions are anticipated to be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant impacts to geology, soils and seismicity.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>4. WATER Would the proposal result in or expose people to potential impacts involving:</p> <p>A) Changes in absorption rates, drainage patterns, or the rate and amount of surface/stormwater runoff (e.g. during or after construction; or from material storage areas, vehicle fueling/maintenance areas, waste handling, hazardous materials handling & storage, delivery areas, etc.)?</p>			✓
<p>B) Exposure of people or property to water related hazards such as flooding?</p>			✓
<p>C) Discharge into surface waters or other alteration of surface water quality that substantially impact temperature, dissolved oxygen or turbidity, beneficial uses of receiving waters or areas that provide water quality benefits, or cause harm to the biological integrity of the waters?</p>			✓
<p>D) Changes in flow velocity or volume of stormwater runoff that cause environmental harm or significant increases in erosion of the project site or surrounding areas?</p>			✓
<p>E) Changes in currents, or the course or direction of water movements?</p>			✓
<p>F) Change in the quantity of ground waters, either through direct additions or withdrawal, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?</p>			✓
<p>G) Altered direction or rate of flow of groundwater?</p>			✓
<p>H) Impacts to groundwater quality?</p>			✓

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ENVIRONMENTAL SETTING

Surface Water/Drainage. The Sacramento, American, and Cosumnes Rivers are the main surface water tributaries that drain much of Sacramento. The aquifer system underlying the City is part of the larger Central Valley groundwater basin. Surface inflows to the east of the City Limits and deep percolation of precipitation and surface water applied to irrigated crop land recharge the aquifer system.

Water Quality. The majority of the City's municipal water is received from the American and Sacramento Rivers. The water quality of the American River is considered very good. The Sacramento River water is considered to be of good quality also, although higher sediment loads and extensive irrigated agriculture upstream of Sacramento tends to degrade the water quality. During the spring and fall, irrigation tailwaters are discharged into drainage canals that flow to the river. In the winter, runoff flows over these same areas. In both instances, flows are highly turbid and introduce large amounts of herbicides and pesticides into the drainage canals, particularly rice field herbicides in May and June. The aesthetic quality of the river is changed from relatively clear to turbid from irrigation discharges.

The City of Sacramento has obtained a municipal stormwater NPDES permit from the State Water Resources Control Board (SWRCB) under the requirements of the Environmental Protection Agency and Section 402 of the Clean Water Act (CWA). The goal of the permit is to reduce pollutants found in urban storm runoff. The general permit requires the permittee to employ BMPs before, during, and after construction. The primary objective of the BMPs is to reduce non-point source pollution into waterways. These practices include structural and source control measures for residential and commercial areas, and BMPs for construction sites. BMP mechanisms minimize erosion and sedimentation and prevent pollutants such as oil and grease from entering the stormwater drains. BMPs are approved by the Department of Utilities prior to construction (the BMP document is available for review from the Department of Utilities, Engineering Services Division, 1395 35th Avenue, Sacramento, CA).

Flooding. The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineates flood hazard zones for communities. The project site is currently within the "Shaded X" flood zone, as specified in a February 16, 2005 Letter of Map Revision (LOMR) to the City's Flood Insurance Rate Map (FIRM). This zone is applied to areas of the City, which are outside of the 100-year flood plain due to the protection of levees.

Groundwater. The City of Sacramento is located within the South American Groundwater Subbasin, part of the large Sacramento Valley Groundwater Basin. Various geologic formations comprise the water-bearing deposits in the basin. Groundwater occurs in unconfined to semi-confined states throughout the subbasins. The degree of confinement typically increases with depth below the ground surface. Groundwater in the upper aquifer formations is typically unconfined. In general groundwater levels in the vicinity of the City of Sacramento have been reported to be stable, fluctuating less than 10 feet since the 1970's (CA Dept of Water Resources, 2004).

Groundwater within the project area has been recorded at fairly shallow depths. Groundwater has been reported at a depth of 20 feet below ground surface, flowing in a southeast direction (SMCS DEIR, 2005).

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

STANDARDS OF SIGNIFICANCE

Water Quality. For purposes of this environmental document, an impact is considered significant if the proposed project would substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increased sediments and other contaminants generated by consumption and/or operation activities.

Flooding. For purposes of this environmental document, an impact is considered significant if the proposed project substantially increases exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

ANSWERS TO CHECKLIST QUESTIONS**QUESTION A**

The project site is relatively flat and currently contains impervious surfaces from prior urban uses. The site is also surrounded by urban uses, and runoff is directed to drop-inlets, which discharge into the City's Combined Sewer System (CSS), and is ultimately conveyed to wastewater treatment plants for treatment prior to discharge into the Sacramento River.

The proposed project would not result in a significant increase in the volume of runoff due to the impervious surface of the prior development. The site was previously developed with urban uses, and all sewer and drainage infrastructure are already in place on the site. Existing sewer and drainage infrastructure constructed with the previous uses may not meet current City standards. However, any newly required sewer or drainage infrastructure to connect the site to existing public utilities, or required upgrades to the system, would be designed and installed per the City's standards for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). Therefore, impacts due to changes in absorption rates, drainage patterns, or the rate and amount of stormwater drainage would be less than significant.

QUESTION B

The project site is located within the "Shaded X" Flood Zone. The Flood Zone X is defined as areas of 500-year flood - areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood. Therefore, implementation of the project will not expose people and/or property to the risk of injury and damage in the event of a 100-year, or greater, flood. The proposed project would have a less than significant impact for exposure of people to water hazards, such as flooding.

QUESTIONS C, D, AND E

Construction related activities such as grading, trenching, paving, and landscaping have the potential to impact water quality. These activities have the potential to increase sediment loads in runoff that would enter the combined sewer system. The degree of construction-related impacts to water quality are partially determined by the duration of the various construction activities and rainfall distribution. Due to low summer rainfall, summer construction activities would decrease the sediment and other pollutant levels that may impact water quality. Fuel, oil, grease, solvents, and other chemicals used in construction activities have the potential to create toxicity problems if allowed to enter a waterway. Construction activities are also a source of various other materials including trash, cleaning materials, paints, solvents, adhesives, and cementitious asphaltic materials.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The applicant/developer would be required to comply with the City's Grading, Erosion and Sediment Control Ordinance (Code 15.88.250). This ordinance requires the applicant to prepare erosion and sediment control plans during construction, prepare preliminary and final grading plans. On-site source control measures as well as maintenance of erosion and sediment control practices are also required at all times.

During construction, sediment may contribute to runoff. Because the project is required to comply with the City's ordinance described above, the project impacts to water quality is anticipated to be less-than-significant.

Additionally, development of the site would be required to comply with regulations involving the control of pollution in stormwater discharges under the City's Stormwater Management and Discharge Control Code (Title 13, Chapter 13.16). This code requires all development to prevent pollutants from entering the stormwater conveyance system. Under this code, the project would be required to develop and comply with Best Management Practices (BMPs) (e.g., use of erosion control barriers, proper disposal of chemicals, hydroseeding, good house keeping, etc.) to manage short-term, construction related, erosion and stormwater issues which would be regulated by the City's Stormwater Prevention Pollution Plan Inspectors. Long term stormwater issues are addressed through source control and good housekeeping practices.

Compliance with all applicable ordinances, codes and regulatory requirements designed to maintain and improve water quality from development activities would ensure that the proposed project will have a less-than-significant impact on drainage and water quality.

QUESTIONS F, G AND H

The proposed project includes below grade levels, and is expected to involve substantial excavation or trenching that could impact groundwater. Groundwater has been reported in the area at fairly shallow depths (20 feet below ground surface), and in the event that dewatering activities are required, these could result in a short-term change in the quantity of groundwater and/or direction of rate of flow, and groundwater quality. The City of Sacramento requires that any discharges of groundwater from construction foundation or basement dewatering be permitted through the City Utilities Department. All groundwater discharges to the sewer must also obtain a discharge permit from the SRCSD Industrial Waste Section. If groundwater pumping or discharges would need to occur to accommodate foundation construction, all such activities would be regulated and enforced through regulatory mechanisms already in place. In addition, there are no known groundwater contamination issues at the site, and it is not anticipated that contaminated groundwater would be encountered if dewatering would need to occur. However, should contaminants be detected in groundwater that were not previously detected, the City would require the applicant to initiate actions to control contaminant levels during dewatering through the required permitting process.

With implementation of established City review procedures for excavation and dewatering, Therefore, the proposed project would have a less-than-significant impact on groundwater.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project will have a less-than-significant impact on water resources.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
5. AIR QUALITY			
<i>Would the proposal:</i>			
A) Violate any air quality standard or contribute to an existing or projected air quality violation?			✓
B) Exposure of sensitive receptors to pollutants?			✓
C) Alter air movement, moisture, or temperature, or cause any change in climate?			✓
D) Create objectionable odors?			✓

ENVIRONMENTAL SETTING

The project area is located in the Sacramento Valley Air Basin (SVAB), which is bounded by the Sierra Nevada on the east and the Coast Range on the west. The climate of the SVAB is Mediterranean in character, with mild, rainy winters and hot dry summers. Prevailing winds in the project area originate primarily from the southwest. These winds are the result of marine breezes coming through the Carquinez Straits. These marine breezes diminish during the winter months, and winds from the north occur more frequently at this time. Air quality within the project area and surrounding region is largely influenced by urban emission sources.

The SVAB is subject to federal, state, and local air quality regulations under the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD). The SMAQMD is responsible for implementing emissions standards and other requirements of federal and state laws. As there are minimal industrial emissions, urban emission sources originate primarily from automobiles. Home fireplaces also contribute a significant portion of the air pollutants, particularly during the winter months. Air quality hazards are caused primarily by carbon monoxide (CO), particulate matter (PM₁₀), and ozone, primarily as a result of motor vehicles. Both the federal Environmental Protection Agency and the California Air Resources Board classifies the SVAB as non-attainment for ozone and PM₁₀ (particulate matter less than 10 microns in diameter). Although, SMAQMD reports that air quality meets Federal PM10 Standards, but a maintenance plan must be submitted in order for the SVAB to be formally designated to attainment. Carbon monoxide (CO) is designated as unclassified/attainment (California Air Resources Board, 1998).

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

STANDARDS OF SIGNIFICANCE

The SMAQMD adopted the following thresholds of significance in 2002:

Ozone and Particulate Matter. An increase of nitrogen oxides (NO_x) above 85 pounds per day for short-term effects (construction) would result in a significant impact. An increase of either ozone precursor, nitrogen oxides (NO_x) or reactive organic gases (ROG), above 65 pounds per day for long-term effects (operation) would result in a significant impact (as revised by SMAQMD, March 2002). The threshold of significance for PM₁₀ is a concentration based threshold equivalent to the California Ambient Air Quality Standard (CAAQS). For PM₁₀, a project would have a significant impact if it would emit pollutants at a level equal to or greater than five percent of the CAAQS (50 micrograms/cubic meter for 24 hours) if there were an existing or projected violation; however, if a project is below the ROG and NO_x thresholds, it can be assumed that the project is below the PM₁₀ threshold as well (SMAQMD, 2004).

Carbon Monoxide. The pollutant of concern for sensitive receptors is carbon monoxide (CO). Motor vehicle emissions are the dominant source of CO in Sacramento County (SMAQMD, 2004). For purposes of environmental analysis, sensitive receptor locations generally include parks, sidewalks, transit stops, hospitals, rest homes, schools, playgrounds and residences. Commercial buildings are generally not considered sensitive receptors. Carbon monoxide concentrations are considered significant if they exceed the 1-hour state ambient air quality standard of 20.0 parts per million (ppm) or the 8-hour state ambient standard of 9.0 ppm (state ambient air quality standards are more stringent than their federal counterparts).

ANSWERS TO CHECKLIST QUESTIONS**QUESTIONS A AND B**

The URBEMIS 2007 9.2.2 model was used to calculate estimated emissions for the construction of the proposed project. Based on the estimated emissions from the URBEMIS model, the proposed project would not exceed the short-term emissions threshold of 85 lbs/day for NO_x. Estimated NO_x emissions using the URBEMIS 2007 9.2.2 model were calculated to be approximately 1.17 lbs/day, which is less than the 85 lbs/day threshold.

Construction activities would be required to comply with SMAQMD's Rule 403 on Fugitive Dust, which provides that the operator shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation. Reasonable precautions shall include, but are not limited to:

- the use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways or the clearing of land.
- the application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts;
- other means approved by the Air Pollution Control Officer.

Compliance with this rule will further reduce impacts associated with the proposed project.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Operational Impacts

The URBEMIS 2007 9.2.2 model was used to calculate estimated emissions for the operations of the proposed project. Based on the estimated emissions from the URBEMIS model, the proposed project would not exceed the long-term emissions threshold of 65 lbs/day for NO_x. Estimated NO_x emissions using the URBEMIS 2007 9.2.2 model were calculated to be approximately 0.91 lbs/day, which is not above the 65 lbs/day threshold. Based on the estimated emissions from the URBEMIS model, the proposed project would not exceed the long-term emissions threshold of 65 lbs/day for Reactive Organic Gases (ROG). Estimated ROG emissions using the URBEMIS 2007 9.2.2 model were calculated to be approximately 0.83 lbs/day, which is less than the 65 lbs/day threshold.

Therefore, impacts to air quality from the construction or operations of the proposed project would be less than significant.

QUESTION C

The project does not propose buildings of a height or mass that would cause alterations in climate. The land use proposed for the project would not result in changes to moisture or temperature in the project area. Any impacts would be considered less than significant.

QUESTION D

The proposed project would construct of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces. The proposed land uses would not emit substantial objectionable odors. Construction equipment and materials may emit odors perceptible to residents within the project vicinity. However, any construction-related odors would be localized to the immediate vicinity of construction operations, and would be temporary (occurring only during active construction). Therefore, the impact on sensitive receptors from pollutants and odor is considered less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project will have a less-than-significant impact on air quality.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
6. TRANSPORTATION/CIRCULATION Would the proposal result in:			
A) Increased vehicle trips or traffic congestion?			✓
B) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓
C) Inadequate emergency access or access to nearby uses?			✓
D) Insufficient parking capacity on-site or off-site?			✓
E) Hazards or barriers for pedestrians or bicyclists?			✓
F) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓
G) Rail, waterborne or air traffic impacts?			✓

ENVIRONMENTAL SETTING

Roads. Regional automobile access to the project area, the Sacramento Central City and midtown area, is provided primarily by the freeway system that serves Downtown Sacramento, including U.S. 50, the Capital City Freeway (Business Route 80), and State Route 99 (SR99).

Interstate 5 (I-5) is a north-south freeway located west of the project site. Primary access to the project site from I-5 is provided at the I Street/J Street interchange.

U.S. 50 is an east-west freeway that is located along the south side of the Central City, about south of the project. Access to this freeway is primarily via interchanges at Business Route 80, Stockton Boulevard, and 26th Street. To the east, U.S. 50 serves eastern portions of the City and County of Sacramento and extends into El Dorado County. To the west, U.S. 50 extends via the Pioneer Bridge to West Sacramento Yolo County.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Capitol City Freeway (Business Route 80) is a north-south freeway that is located along the east side of the Central City east of the project site. Access to this freeway is primarily via interchanges at E Street, H Street, J Street, N Street, P Street and T Street. To the northeast, the Capitol City Freeway provides access to northeastern portions of the City and County of Sacramento, and Interstate 80 extending into Placer County. To the south, the freeway provides access to U.S. 50 and continues as **SR 99** south of U.S. 50. SR 99 provides access to southern portions of the City and County, as well as other Central Valley communities. Downtown Sacramento is served by a grid street system. Numbered streets exist in a north-south orientation; lettered streets exist in an east-west orientation.

12th Street is a one-way, southbound arterial roadway located east of the project site. 12th Street extends from Richards Boulevard to the north to Riverside Boulevard to the south. In the vicinity of the project site, this roadway provides four southbound travel lanes. Between the 12th Street intersection with Sunbeam Avenue/Sproule Avenue and the K Street pedestrian mall, the 12th Street right-of-way includes two sets of light rail tracks. The southbound track is located in a shared, southbound travel lane. The northbound tracks are in a dedicated light rail lane. There are two light rail stations along this segment of 12th Street. The Alkali Flat/La Valentina station is located between D Street and E Street, and the 12th and I station is located between H Street and I Street. At both station, the southbound train occupies the southbound travel lane while loading and unloading passengers.

D and E Streets are two-way east-west streets that provided access to the project site and extend from East Sacramento in the east and terminate around the 7th Street in the west.

Public Transportation. Sacramento Regional Transit (RT) operates 80 bus routes and 26.9 miles of light rail covering a 418 square-mile service area. Buses and light rail run 365 days a year using 76 light rail vehicles, 258 buses powered by compressed natural gas (CNG) and 17 shuttle vans. Buses operate daily from 5:00 a.m. to 11:30 p.m. every 15 to 60 minutes, depending on the route. Light rail trains operate from 4:30 a.m. to 1:00 a.m. daily with service every 15 minutes during the day and every 30 minutes in the evening. The nearest light rail station is adjacent to the project site on 12th Street, between D and E Streets.

Bikeways. A Sacramento City / County Bicycle Task Force developed a 2010 Bikeway Master Plan for the region. Existing on-street bikeways include:

- E Street - 7th Street to east of Alhambra Boulevard

Parking. On-street parking is allowed on the adjacent local streets. The project will also include on site parking for residents and guests exclusively.

STANDARDS OF SIGNIFICANCE

The following *Standards of Significance* have been established in assessing the impacts of proposed projects on the transportation facilities.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

- Roadways:*
- (1). An impact is considered significant for roadways when the project causes the facility to degrade from LOS C or better to LOS D or worse.
 - (2). For facilities that are already worse than LOS C without the project, an impact is also considered significant if the project increases the v/c ratio by 0.02 or more on a roadway.
- Signalized and unsignalized Intersections:*
- (1). An impact to the intersections is considered significant if the Project causes the LOS of the intersections to degrade from LOS C or better to LOS D or worse.
 - (2). For intersections that are already operating at LOS D, E, or F without the Project, an impact is significant if the implementation of the Project increases the average delay by 5 seconds or more at an intersection.
- Transit Facilities:*
- An impact is considered significant if the implementation of the project will cause one or more of the following:
- (1). The project-generated ridership, when added to the existing or future ridership, exceeds existing and/or planned system capacity. Capacity is defined as the total number of passengers the system of buses and light rail vehicles can carry during the peak hours of operation.
 - (2). Adversely affect the transit system operations or facilities in a way that discourages ridership (e.g., removes shelter, reduces park and ride).
- Bicycle Facilities:*
- An impact is considered significant if the implementation of the project will cause one or more of the following:
- (1). eliminate or adversely affect an existing bikeway facility in a way that discourages the bikeway use;
 - (2). interfere with the implementation of a proposed bikeway;
 - (3). result in unsafe conditions for bicyclists, including unsafe bicycle/pedestrian or bicycle/motor vehicle conflicts.
- Pedestrian Facilities:*
- An impact is considered significant if the project will adversely affect the existing pedestrian facility or will result in unsafe conditions for pedestrians, including unsafe pedestrian/bicycle or pedestrian/motor vehicle conflicts.
- Parking Facilities*
- A significant impact to parking would occur if the anticipated parking demand of the Project exceeds the available or planned parking supply for typical day conditions. However, the impact would not be significant if the Project is consistent with the parking requirements stipulated in the City Code.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS

QUESTION A

The proposed project consists of the development of a 18 townhouse units, 63 residential units, 7 live-work units, and 2,500 square feet of residential uses in a very close proximity to the La Valentina light rail station. The site is 1.27 acres, and was previously vacant; therefore, the proposed project would generate additional new trips on the roadway network. Trip generation was estimated using the ITE's *Trip Generation, Seventh Edition* with adjustment to account for trips using alternative modes, internal trip reduction between the retail and the residential uses and finally a pass-by reduction was also taken consistent with the methodologies described in the Trip Generation Handbook published by the ITE. The total number of new generated trips estimated for the site is 54 total A.M. peak hour trips, 53 total P.M. peak hour trips and 598 daily trips.

Additionally, the City is planning to upgrade the signal coordination in the downtown grid from the existing pre-timed signal timing to allow traffic signal coordination capabilities by upgrading the traffic controller/s within the 12th Street corridor. Therefore, the project applicant shall be required to pay a fair share contribution to this signal upgrade.

The additional trips would increase traffic volumes at project area intersections and roadways but the impacts to area roadways would be less than significant with the implementation of the following mitigation measures:

1. The project applicant shall construct a roadway medians at D Street and E Street to the satisfaction of the City's Department of Transportation
2. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor.

QUESTIONS B AND C

The proposed project would be required to allow for adequate access to proposed new residential and commercial uses on the site. Adequate access to the site would require both on- and off-site public improvements to be designed and constructed in accordance with the specifications in the City's Design Manual, to the satisfaction of the Traffic Engineering Division of the City's Department of Transportation. The site would be required as a condition of approval by the Fire Department to provide adequate access for emergency vehicles, which will include a Fire Truck Access. Upon project completion, the proposed project would not impair access by emergency vehicles or access to nearby uses. Therefore, the proposed project would have a less than significant impact to public safety and emergency access.

QUESTION D

City of Sacramento Zoning Code (Chapter 17.64) requires the following off-street parking for a project at this location in the Central City:

- Commercial, under 5,200 square feet— zero.
- Multi-Family—1 space per dwelling unit plus 1 guest space per 15 units.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

- Multi-Family—1 space per dwelling unit plus 1 guest space per 15 units.

The proposed project consists of 18 townhouse units, 63 residential dwelling units, and the City Code would require 87 parking spaces. The proposed project includes 90 off-street parking spaces.

QUESTIONS E AND F

The proposed project would result in the addition of residents, employees, patrons, and/or visitors to the site, some of whom would travel by bicycle. The proposed project would not result in any substantial changes to the existing or future bikeway system. The proposed project is not anticipated to hinder or eliminate an existing designated bikeway, or interfere with implementation of a proposed bikeway. On-street bikeways would be maintained along D and E Streets. The project is not anticipated to result in unsafe conditions for bicyclists, including unsafe bicycle / pedestrian or bicycle / motor vehicle conflicts.

The project would not result in unsafe conditions for pedestrians, including unsafe bicycle / pedestrian or pedestrian / motor vehicle conflicts. Pedestrian travel between the project site and parking and transit facilities can be accomplished utilizing existing sidewalks and crosswalks. Bicycle and pedestrian impacts are less than significant.

QUESTION G

The project is near by Regional Transit's light rail line, but is not adjacent to any waterway or airport, and would not result in uses that would generate significant rail, waterborne or air traffic that exceed thresholds. Therefore, the proposed project would result in a less than significant impact to these modes of transportation.

MITIGATION MEASURES

1. The project applicant shall construct roadway medians at D Street and E Street to the satisfaction of the City's Department of Transportation.
2. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor.

FINDINGS

With the incorporation of mitigation measures listed above, the proposed project would not result in significant impacts to transportation and circulation.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
7. BIOLOGICAL RESOURCES Would the proposal result in impacts to:			
A) Endangered, threatened or rare species or their habitats (including, but not limited to plants, fish, insects, animals and birds)?			✓
B) Locally designated species (e.g., heritage or City street trees)?			✓
C) Wetland habitat (e.g., marsh, riparian and vernal pool)?			✓

ENVIRONMENTAL SETTING

The project site consists of "Urban Lands" habitat as identified in the SGPU EIR (SGPU DEIR, Pg. U-14). Urban Land habitat is associated with all the residential and commercial developments of the SGPU area. This includes buildings, associated landscapes, urban parks, schools, and similar areas (SGPU DEIR, U-14). Much of this habitat is not vegetated. When present, the dominant vegetation consists of artificially irrigated ornamental plantings. Turf-forming lawns, herbaceous flower beds, and scattered or aggregated trees and shrubs characterize this habitat. Native trees and shrubs are occasionally interspersed in native landscapes or where they have volunteered.

The proposed project site is approximately 1.27 acres in size and is surrounded by developed residential and commercial uses. The site was previously was left vacant and recently demolished. Although there is no special status species habitat on the project site, there are several ornamental trees along D Street and throughout the site. Trees along D Street are in the City right of way, and are approximately 18 - 24" diameter at breast height (dbh).

REGULATORY SETTING

Definitions of Special-Status Species

Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized in some fashion by federal, state, or other agencies as deserving special consideration. Some of these species receive specific legal protection pursuant to federal or state endangered species legislation. Others lack such legal protection, but have been characterized as "sensitive" on the basis of adopted policies and expertise of state resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as "special status species" in this report, following a convention that has developed

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

in practice but has no official sanction. The various categories encompassed by the term are presented below:

- plants or animals listed or proposed for listing as threatened or endangered under the federal ESA (50 Code of Federal regulations [CFR] 17.12 [listed plants], 17.11 [listed animals] and various notices in the Federal Register [FR] [proposed species]).
- plants or animals that are candidates for possible future listing as threatened or endangered under the federal ESA (61 FR 40, February 28, 1996);
- plants or animals designated as "special concern" (former C2 candidates) by Region 1 of the U.S. Fish and Wildlife Service (USFWS);
- plants or animals listed or proposed for listing by the State of California as threatened or endangered under the California ESA (14 California Code of Regulations [CCR] 670.5);
- plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.);
- plants that meet the definitions of rare and endangered under CEQA (State CEQA Guidelines, Section 15380);
- plants considered under the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B, and 2 in CNPS 2001);
- plants listed by CNPS as plants about which more information is needed to determine their status and plants of limited distribution (Lists 3 and 4 in CNPS 2001), which may be included as special-status species on the basis of local significance or recent biological information;
- animal species of special concern to CDFG; and
- animals fully protected in California (California Fish and Game Code, Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

Wetlands and Waters of the United States

The U.S. Army Corps of Engineers (Corps) has primary federal responsibility for administering regulations that concern "waters of the United States," including wetlands, within the Project Area. The Corps requires that a permit be obtained if a project proposes placing structures within, over, or under navigable waters and/or discharging dredged or fill material into waters of the U.S. below the ordinary high-water mark in non-tidal waters. The Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Services (NMFS), and other state and local regulatory agencies may provide comment on Corps permit applications.

The state's authority in regulating activities in waters of the U.S. resides primarily with the CDFG and the State Water Resources Control Board (SWRCB). CDFG may provide comments on Corps permit actions under the Fish and Wildlife Coordination Act. CDFG is also authorized under the California Fish and Game Code Sections 1600-1607 to develop mitigation measures and enter into Streambed Alteration Agreements (SAA) with applicants who propose projects that would obstruct the flow of, or alter the bed, channel, or bank of a river or stream in which there is a fish or wildlife resource, including intermittent and ephemeral streams. The SWRCB, acting through the Regional Water Quality Control Board (RWQCB), must certify that a Corps permit action meets state water quality objectives (Section 401, Clean Water Act). California Fish and Game Code Sections 1600-1607 require the notification of CDFG for any activity that

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

could affect the bank or bed of any stream that has value to fish and wildlife. Upon notification, the CDFG has the responsibility to prepare a SAA, in consultation with the project proponent.

In a jurisdictional sense, there are two definitions of a wetland: one definition adopted by the Corps and a separate definition adopted by the state of California. Under normal circumstances, the federal definition of wetlands requires three wetland identification parameters (hydrology, soils, and vegetation) to be met, whereas the state adopted definition requires the presence of at least one of these parameters. For this reason, identification of wetlands by the CDFG consists of the union of all areas that are periodically inundated or saturated, or in which at least seasonal dominance by hydrophytes may be documented, or in which hydric soils are present. The CDFG does not normally have direct jurisdiction over wetlands unless they are subject to jurisdiction under an SAA or they support state-listed endangered species; however, the CDFG has trust responsibility for wildlife and habitats pursuant to California law.

City and Heritage Trees

The City of Sacramento's tree ordinance (City Code Chapter 12.64) defines a City tree as any tree growing in a public street right-of-way. Any impacts to City trees require a permit from the Parks and Recreation Director. Heritage trees are defined as trees meeting any of the following conditions: any species with a trunk circumference of one hundred inches or more, which is of good quality in terms of health, vigor of growth, and conformity to generally accepted horticultural standards of shape and location for its species; any oak (*Quercus* species), California buckeye (*Aesculus californica*), or California Sycamore (*Platanus racemosa*) having a circumference of 36 inches or greater when a single trunk, or a cumulative circumference of 36 inches or greater when a multi-trunk; any tree 36 inches or greater in circumference or greater in a riparian zone; any tree, grove of trees, or woodland trees designated by resolution of the City Council to be of special historical or environmental value, or of significant community benefit. The riparian zone is measured from the centerline of the watercourse to 30 feet beyond the high water mark.

The City of Sacramento tree ordinance also states that none of the following activities shall be performed unless a permit therefore is first applied for by the property owner or person authorized by the property owner and granted by the Director of the Parks and Recreation Department, subject to appeal provisions.

- (1) The removal of any heritage tree.
- (2) Pruning of any heritage tree segment greater than twelve inches in circumference or the placement of any chemical or other deleterious substance by spray or otherwise on any heritage tree.
- (3) Disturbing the soil or placing any chemical or other deleterious substance or material on the soil within the drip line area of any heritage tree.

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact would be significant if any of the following conditions or potential thereof, would result with implementation of the proposed project:

- Creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- Substantial degradation of the quality of the environment, reduction of the habitat, reduction

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

of population below self-sustaining levels of threatened or endangered species of plant or animal;

- Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands); or
- Violate the Heritage Tree Ordinance (City Code 12:64.040).

ANSWERS TO CHECKLIST QUESTIONS

QUESTION A

The site has been previously disturbed and has remained vacant. There are several trees located on the site that are proposed for removal and would require a City tree removal permit. Because the project is located in a developed, urbanized area, these trees are unlikely to provide nesting habitat for special status species or raptors. Therefore, impacts to these biological resources would be less than significant.

QUESTION B

The proposed project site contains several existing trees along the street frontages, including trees in the City right of way. The existing trees are planned for removal. These trees are not considered a special habitat or resource, and are not protected by any City policies. Impacts to City and Heritage trees would be less than significant.

QUESTION C

The proposed project does not contain any wetlands, or any soils or vegetation that indicate the presence of wetlands or waters of the US on the site. Impacts to these resources would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

Impacts of the proposed project on biological resources would be less than significant.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
8. ENERGY			
Would the proposal result in impacts to:			
A) Power or natural gas?			✓
B) Use non-renewable resources in a wasteful and inefficient manner?			✓
C) Substantial increase in demand of existing sources of energy or require the development of new sources of energy?			✓

ENVIRONMENTAL SETTING

Gas. Gas service is supplied to the City of Sacramento and the project site by Pacific Gas and Electric (PG&E). PG&E gas transmission pipelines are concentrated north of the City of Sacramento. Distribution pipelines are located throughout the City, usually underground along City and County public utility easements (PUEs).

Electricity. Electricity is supplied to the City of Sacramento and the project site by the Sacramento Municipal Utility District (SMUD). SMUD operates a variety of hydroelectric, photovoltaic, geothermal and co-generation powerplants. SMUD also purchases power from PG&E and the Western Area Power Administration. Major electrical transmission lines are located in the northeastern portion of the City of Sacramento.

Underground Service Alert (USA). The City of Sacramento is a member of the USA one-call program. Under this program, the Contractor is required to notify the USA 48 hours in advance of performing excavation work. The developer has the responsibility for timely removal, relocation, or protection of any existing utility services located on the site of any construction project.

STANDARDS OF SIGNIFICANCE

Gas Service. A significant environmental impact would result if a project would require PG&E to secure a new gas source beyond their current supplies.

Electrical Services. A significant environmental impact would occur if a project resulted in the need for a new electrical source (e.g., hydroelectric and geothermal plants).

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS**QUESTIONS A THROUGH C**

The SGPU DEIR anticipated that SMUD's existing facilities would generally be adequate to serve the electrical demand created by infill development (SGPU DEIR, R-8). In addition, PG&E anticipates no major problems in providing natural gas service to the SGPU area (SGPU DEIR, R-7). Therefore, operation of the project once completed would not represent a significant impact on power supplies, as it is consistent with planned uses in the adopted General Plan. No additional sources of gas or electricity would be required to serve the project site beyond what is currently available to SMUD and PG&E.

The proposed project is also required to meet State Building Energy Efficient Standards (Title 24) and will have energy conservation measures built into the project.

Therefore, the project's impact to energy sources is expected to be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less than significant impacts to energy resources.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
9. HAZARDS			
<i>Would the proposal involve:</i>			
A) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?			✓
B) Possible interference with an emergency evacuation plan?			✓
C) The creation of any health hazard or potential health hazard?			✓
D) Exposure of people to existing sources of potential health hazards?			✓
E) Increased fire hazard in areas with flammable brush, grass, or trees?			✓

ENVIRONMENTAL SETTING

Phase I and Phase II Environmental Site Assessments (ESA) were prepared by Secor International, Inc. in September 2005 and November 2005 specifically for the proposed project site, which identified a number of petroleum and automobile repair-related businesses were in operation at the site from the 1930s to the 1950s. A previous soil sampling at the site, conducted by Lush Geosciences in 2000, indicated total lead concentrations in the soil in excess of US EPA guidelines.

Currently no aboveground storage tanks or underground storage tanks have occurred at the site. No structures containing lead or asbestos, or any other hazardous materials are known to occur on the project site.

Two high-voltage, pole mounted transformers are located on the site; however, they are in good condition with no evidence of staining or leakage.

STANDARD REGULATORY REQUIREMENTS

Federal Regulations

The principal federal regulatory agency responsible for ensuring the safe use and handling of hazardous materials is EPA. Key federal legislation pertaining to hazardous wastes is described below. Other applicable federal regulations are contained primarily in 29, 40, and 49 CFR.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Resource Conservation and Recovery Act. The Resource Conservation and Recovery Act enables EPA to administer a regulatory program that extends from the manufacture of hazardous materials to their disposal, thus regulating the generation, transportation, treatment, storage, and disposal of hazardous waste at all facilities and sites in the nation.

Comprehensive Environmental Response, Compensation, and Liability Act. The Comprehensive Environmental Response, Compensation, and Liability Act (also known as Superfund) was passed to facilitate the cleanup of the nation's toxic waste sites. In 1986, the act was amended by the Superfund Amendment and Reauthorization Act Title III (community right-to-know laws). Title III states that past and present owners of land contaminated with hazardous substances can be held liable for the entire cost of the cleanup, even if the material was dumped illegally when the property was under different ownership.

State Regulations

California regulations are equal to or more stringent than federal regulations. EPA has granted California primary oversight responsibility for administering and enforcing hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored, and disposed of properly to reduce risks to human and environmental health. Several key laws pertaining to hazardous wastes are discussed below.

Hazardous Materials Release Response Plans and Inventory Act of 1985. The Hazardous Materials Release Response Plans and Inventory Act, also known as the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Hazardous materials are defined as raw or unused hazardous materials that are part of a process or manufacturing step. They are not considered hazardous waste. Health concerns pertaining to the release of hazardous materials, however, are similar to those relating to hazardous waste.

Hazardous Waste Control Act. The Hazardous Waste Control Act created the state hazardous waste management program, which is similar to, but more stringent than, the federal Resource Conservation and Recovery Act program. The act is implemented by regulations contained in 26 CCR, which describes the following required aspects for the proper management of hazardous waste:

- identification and classification;
- generation and transportation;
- design and permitting of recycling, treatment, storage, and disposal facilities;
- treatment standards;
- operation of facilities and staff training; and
- closure of facilities and liability requirements.

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and 26 CCR, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the California Department of Toxic Substances Control.

Emergency Services Act. Under the Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by federal, state, and

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, administered by the California Office of Emergency Services. The office coordinates the responses of other agencies, including EPA, the California Highway Patrol (CHP), RWQCBs, air quality management districts, and county disaster response offices.

STANDARD REGULATORY REQUIREMENTS

Hazardous or contaminated materials may only be removed and disposed from the project site in accordance with the following provisions:

- A. All work is to be completed in accordance with the following regulations and requirements:
 1. Chapter 6.5, Division 20, California Health and Safety Code.
 2. California Administration Code, Title 22, relating to Handling, Storage, and Treatment of Hazardous Materials.
 3. City of Sacramento Building Code and the Uniform Building Code, 1994 edition.
- B. Coordination shall be made with the County of Sacramento Environmental Management Department, Hazardous Materials Division, and the necessary applications shall be filed.
- C. All hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The Contractor shall identify by name and address the site where toxic substances shall be disposed of. No payment for removal and disposal services shall be made without a valid certificate from the approved disposal site that the material was delivered.
- D. None of the aforementioned provisions shall be construed to relieve the Contractor from the Contractor's responsibility for the health and safety of all persons (including employees) and from the protection of property during the performance of the work. This requirement shall be applied continuously and not be limited to normal working hours.

STANDARDS OF SIGNIFICANCE

For the purposes of this document, an impact is considered significant if the proposed project would:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS**QUESTIONS A AND C**

The proposed project involves the development of 18 townhouse units, 63 residential units, 7 live-work units, and 2,500 square feet of commercial uses. No hazardous substances or noxious uses would be permitted on the site outside of standard cleaning supplies. Construction of the proposed project may involve minor amounts of hazardous substances; however required compliance with Standard Regulatory Requirements indicated above would reduce any impacts to a less than significant level.

QUESTION B

The proposed project would not interfere with any established or adopted emergency evacuation plan. The project design would be required as a condition of approval by the City's Department, Development of Transportation and the Fire Department, to include adequate ingress and egress access, and all curbs, sidewalk and gutters will be required to meet the specifications of the City's design manual for public improvements. Therefore, the project would have less than significant impacts to emergency evacuation plans.

QUESTION D

As stated in the setting, the site previously contained petroleum and automobile repair-related businesses. Soil sampling and analysis was performed at four locations at 20 feet below ground surface. Motor oil was detected in only one soil boring and at a concentration below regulatory clean up levels. Tetrachloroethene, a Volatile Organic Compound (VOC), was detected in two of the boring samples, at a concentration below their respective remediation goals. At the date of the soil sampling, lead was found in the upper one foot of soil across the site, and above the U.S. EPA standards. The extent of contamination, cleanup requirements and specific procedures to be followed would not be known until additional testing and excavation is completed. Any contamination cleanup would be within the jurisdiction of the County of Sacramento, Department of Environmental Health, which administers state laws and regulations relating to such efforts. Mitigation Measure Hazards 1 requires additional testing, with the results to be submitted for review and determination of specific procedures for cleanup that will be required and implemented. With the inclusion of Mitigation Measures Hazards 1 and Hazards 2, impacts from exposure to existing sources of potential health hazards would be less than significant.

QUESTION E

The 1.27 acres proposed project site was previously developed, but has remained vacant in the recent past. The site is in an urban corridor bordered by urban development. The site does not contain concentrations of dry grass, brush or other flammable vegetation or materials. Impacts due to increased fire hazard would be less than significant.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MITIGATION MEASURES

Hazards 1: The November 2005 Phase II Environmental Site Assessment shall be submitted to the County of Sacramento, Department of Environmental Health (DEH) for review. The applicant shall comply with all requirements for cleanup identify by DEH.

Hazards 2: Prior to approval of any building permit, the applicant shall submit documentation that confirms that DEH has approved the applicant's plan for cleanup and that all cleanup efforts have been completed.

FINDINGS

The proposed project would result in less-than-significant impacts regarding hazards with the incorporation of Mitigation Measures Hazards 1 and Hazards 2.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>10. NOISE</p> <p><i>Would the proposal result in:</i></p> <p>A) Increases in existing noise or vibration levels?</p> <p style="padding-left: 40px;">Short-term</p> <p style="padding-left: 40px;">Long Term</p>			<p align="center">✓</p> <p align="center">✓</p>
<p>B) Exposure of people to severe noise or vibration levels?</p> <p style="padding-left: 40px;">Short-term</p> <p style="padding-left: 40px;">Long Term</p>			<p align="center">✓</p> <p align="center">✓</p>

ENVIRONMENTAL SETTING

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB) with 0 dB being the threshold of hearing. Decibel levels range from 0 to 140. Typical examples of decibel levels would be a low decibel level of 50 dB for light traffic to a high decibel level of 120 dB for a jet takeoff at 200 feet. Sound intensity decreases in proportion with the square of the distance from the source. Generally, sound levels for a point source will decrease by 6 dB(A) for each doubling of distance. Sound levels for a line source, such as a roadway, decrease by approximately 3 dB(A) for each doubling of distance. Soft surfaces, such as grass, result in a 4.5 dB(A)-decrease per doubling of distance.

The decibel scale can be adjusted for community noise impact assessment to consider the additional sensitivity to different pitches (through the A-weighting mechanism) and to consider the sensitivity during evening and nighttime hours (through the Community Noise Equivalent Level and Day-Night Average). The day-night average sound level (L_{dn}) represents sound exposure averaged over a 24-hour period. L_{dn} values are calculated using hourly L_{eq} values, with the L_{eq} values for the nighttime period (10:00 P.M.-7:00 A.M.) increased by 10 dB to reflect the greater disturbance potential from nighttime noises.

The project is located in the Midtown area of the City of Sacramento within the Alhambra Corridor Special Planning District. Adjacent areas include Sutter's Fort State Historic Park and a mix of professional office buildings. The project also has nearby uses that would be considered "sensitive noise receptors". Sensitive receptors are those uses that may be more affected by high noise levels. These uses usually are those where people sleep, or those where activities occur that require quiet environments.

The noise environment within the project area is defined primarily by roadway traffic on local Streets and light rail along 12th Street. In addition, background noise levels due to school uses, ambulance and police sirens, and general neighborhood activities also contribute to the overall noise environment.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

STANDARDS OF SIGNIFICANCE

Thresholds of significance are those established by Chapter 8.28 of the City Code and by the City's General Plan Noise Element and the City Noise Ordinance. Noise and vibration impacts resulting from the implementation of the proposed project would be considered significant if they cause any of the following results:

- Exterior noise levels at the proposed project which are above the upper value of the normally acceptable Community Noise Equivalent (CNEL) sound level category for various land uses (SGPU DEIR AA-27) caused by noise level increases due to the project. The maximum normally acceptable exterior community noise exposure for office buildings is 65L_{dn}.
- Construction noise levels not in compliance with the City of Sacramento Noise Ordinance;
- Occupied existing and project residential and commercial areas are exposed to vibration peak particle velocities greater than 0.5 inches per second due to project construction;
- Project residential and commercial areas are exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; and
- Historic buildings and archaeological sites are exposed to vibration peak particle velocities greater than 0.25 inches per second due to project construction, highway traffic, and rail operations.

ANSWERS TO CHECKLIST QUESTIONS

QUESTION A

Short-term Construction Noise and Vibration Impacts. Temporary increases in noise and vibration levels would occur during construction of the proposed facility. Construction activities would require heavy equipment for site preparation, grading, and paving, as well as typical equipment used in the construction of new residential and commercial structures. Generally, noise levels at construction sites can vary from 65 dBA to a maximum of nearly 90 dBA when heavy equipment is used nearby. Construction noise and vibration would be intermittent, and such levels would vary depending on the type of construction activity. Construction noise and vibration would be perceptible to nearby residents. However, construction noise is exempt from the City of Sacramento Noise Ordinance, provided that construction is limited to the hours between 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sundays.

City ordinances require that notation must be placed on the construction plans, which indicates that the operation of construction equipment shall be restricted to the hours listed above. All internal combustion engines in use on the project must be equipped with original manufacturers' silencers or their after market equivalents, in good working order (as required by City Ordinance). Therefore, short-term noise and vibration impacts from the proposed project would be less than significant.

Long-term Operational Noise and Vibration Impacts. New residential and commercial uses would increase noise and vibration levels in the vicinity consistent with other similar residential and commercial uses already developed in the area. Allowed land uses include a mixture of retail, service, office and residential uses. Noise generating activities associated with the project

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

operation would be similar to noise from adjacent uses and are consistent with noise levels predicted by the land use designation. In addition, operation of the proposed project would be required to comply with the City's Noise Control Ordinance, which sets limits for exterior noise levels generated by existing uses. Therefore, the long-term noise impact from the proposed project on adjacent uses would be less than significant.

QUESTION B

The site is located within the "Midtown Commercial Corridors" Growth Opportunity Area and was designated for high density mixed use development (20-110 du/acre). As stated above, the dominant source of noise and vibration is that generated by vehicular traffic on these roadways.

The proposed project includes the development of 18 townhouse units, 63 residential units, 7 live-work units, and 2,500 square feet of commercial uses on an approximately 1.27 acres site. The applicable CNEL guideline for exterior areas, in this case, is 65 dB Ldn (SGPU DEIR, Exhibit AA-27), and a conditionally acceptable range of 65 to 80 dB Ldn. The site plan does not show any exterior uses associate with the project, and the commercial portion will be built according to standard construction practices providing significant interior noise reduction. While the City has adopted no standards for interior noise levels for office uses, the proposed project is consistent with General Plan designations.

Noise levels at the project site would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant impacts to the community noise environment.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
11. PUBLIC SERVICES Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:			
A) Fire protection?			✓
B) Police protection?			✓
C) Schools?			✓
D) Maintenance of public facilities, including roads?			✓
E) Other governmental services?			✓

Environmental Setting

Fire Protection. The Sacramento Fire Department operates approximately 21 stations in the City of Sacramento. Fire stations are located so as to provide a maximum effective service radius of two miles (SGPU DEIR, M-1). This service radius virtually assures blanket coverage of the City.

Police Protection. The City Police Dept provides police protection. The project site is within the service area of the William J. Kinney Police Station at Marysville Boulevard and South Avenue.

Schools. The proposed project site is within the Sacramento City Unified School District.

STANDARDS OF SIGNIFICANCE

For the purposes of this report, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

The proposed project would be constructed in an urban area of midtown Sacramento. The City of Sacramento Police and Fire Departments currently provide emergency services to the project area. These departments would continue to provide emergency services to the project area.

Although the proposed project would construct a multi-story structure, the maximum height would be less than 75 feet, and would be served by usual fire protection methods. The project is consistent with zoning and General Plan designations; therefore, the project would not create

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

a new demand for fire and police services that would be significant enough to warrant construction of new facilities. Impacts to police and fire services would be less than significant.

QUESTION C

The proposed project would construct residential and commercial uses consistent with the Residential Mixed Use zoning. The project has the potential to generate new students in the area; however, because the use is consistent with all applicable plans and zoning, impacts related to schools would be less than significant.

QUESTIONS D AND E

Because the proposed project is consistent with allowable development within the SGPU land use designation and the existing zoning, any impacts to public services have been already considered in planning for City services. The proposed commercial office building would not require the construction of new parks or public facilities, and impacts to other public facilities and governmental services are considered less than significant.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would result in less-than-significant impacts to public services.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
12. UTILITIES			
<i>Would the proposal result in the need for new systems or supplies, or substantial alterations to the following utilities:</i>			
A) Communication systems?			✓
B) Local or regional water supplies?			✓
C) Local or regional water treatment or distribution facilities?			✓
D) Sewer or septic tanks?			✓
E) Storm water drainage?			✓
F) Solid waste disposal?			✓

ENVIRONMENTAL SETTING

Water Supply/Treatment. The City provides water service from a combination of surface and groundwater sources. The area south of the American River is served by surface water from the American and Sacramento Rivers. The City's average water demand is 135 million gallons per day (mgd). The maximum day demand is 240 mgd. The City wholesales water to the California American Water and the County of Sacramento, in water year 2004-2005 this was roughly 7,700 acre feet (AF). The total water demand for the year 2004 was 143,784 AFY (approximately 128 mgd); therefore, based upon 2005 entitlements of 205,000 AFY, the City has an additional supply of 61,216 AFY of water (Utilities, 2004/2005).

Annually the City of Sacramento provides more than 45 billion gallons of water for drinking, household use, fire suppression, landscaping, and commercial and industrial use. The Department of Utilities operates and maintains the City's two water treatment plants, eight pump stations, thousands of hydrants, and more than 1,400 miles of pipeline necessary to distribute water to homes and businesses throughout the City. The City's water infrastructure includes one pressure zone with two active water treatment plants, 10 storage reservoirs, 33 municipal water wells, and approximately 1,400 miles of water mains ranging from 4 to 60 inches in diameter (Utilities 2004/2005). Within the project vicinity, there is a 8-inch line in a public utility easement

Sanitary and Storm Sewers. The proposed project site is within a combined sewer system (CSS) maintained by the City of Sacramento, Department of Utilities. Existing combined sewer system lines are located in portions of the adjacent rights of way, including a 8-inch line in a PUE located on the project site.

Solid Waste. Solid waste transport within the City of Sacramento is generally provided by private contractors consequently, disposal of solid waste occurs at a number of locations. However, typically, disposal of solid waste occurs either at Kiefer Landfill, operated by the County of

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Sacramento Public Works Department, or it is sent to the Sacramento Recycling and Transfer Station, which then transfers the solid waste to the Lockwood Regional Landfill in Sparks, Nevada. According to Doug Kobold, Solid Waste Planner for Sacramento Region Solid Waste Authority, Kiefer Landfill has capacity until 2035 at the current throughput. According to City's Solid Waste Division, the Lockwood landfill has capacity for the next 250 to 300 years. Consequently, these two landfills are not capacity constrained.

In 1989, the California Legislature passed California State Assembly Bill 939 (AB 939) requiring California cities to implement plans designed to reduce waste deposited in landfills by 50 percent per person by December 31, 2000. AB 939 requires counties to prepare Solid Waste Master Plans to implement the goals of the bill. As part of AB 939, cities and counties were required to develop a Source Reduction and Recycling Element (SRRE) of their General Plan. This element is designed to develop programs to achieve the landfill diversion goals, to stimulate local recycling in manufacturing and the purchase of recycled products. AB 939 requires all cities to achieve a minimum diversion of 25 percent of the City's waste stream from landfilling by the year 1995 and 50 percent diversion by the year 2000. The City of Sacramento's Final Draft SRRE, approved in 1995, pledges to exceed the requirements of AB 939, where feasible, in an effort to achieve a 70 percent landfill avoidance goal adopted by City Council in August 1989. In order to achieve this goal, the City has implemented a number of programs, including curbside recycling, drop-off and buy-back centers, and compost programs.

The project is required to meet the City's Recycling and Solid Waste Disposal Regulations (Chapter 17.72 of the Zoning Ordinance). The purpose of the ordinance is to regulate the location, size, and design of features of recycling and trash enclosures in order to provide adequate, convenient space for the collection, storage, and loading of recyclable and solid waste material for existing and new development; increase recycling of used materials; and reduce litter.

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a detriment to microwave, radar, or radio transmissions;
- Create an increase in water demand of more than 10 million gallons per day;
- Substantially degrade water quality;
- Generate more than 500 tons of solid waste per year; or
- Generate stormwater that would exceed the capacity of the stormwater system.

ANSWERS TO CHECKLIST QUESTIONS

QUESTION A

The project would not result in the need for new communications systems or result in a detriment to existing microwave, radar or radio transmissions. The project site is serviced by SBC, Comcast and other local telecommunication networks. Development of the project would not adversely affect the functionality of any critical communication systems involving microwave, radar or radio transmissions, or any other telecommunication systems. Therefore, a less than significant impact to communication systems is expected.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

QUESTIONS B AND C

The proposed project is consistent with the general residential and commercial uses identified and allowed in the Central City. The project would develop 63 apartment units, 7 live-work units, and 2,500 square feet of commercial uses, which would not create an increase in water demand of 10 million gallons per day. The SGPU DEIR estimates the average maximum daily water demand for residential and commercial uses at 8,000 and 4,000 gallons per acre, respectively. The project site is approximately 0.87 acres. Therefore, the proposed project's impact on water supply and treatment is less than significant.

QUESTIONS D AND E

The proposed project site is within the combined sewer service area and could require new connections to the combined system. Existing combined sewer system lines are located in portions of the adjacent rights of way, including a 6-inch line along 12th street. The City of Sacramento, Department of Utilities will require a sewer study to determine what improvements to the existing combined sewer system will be required of the project and to determine the size of new facilities to be extended to the site. The Central Valley Regional Water Quality Control Board (CVRWQCB) has issued the City Department of Utilities (DOU) a National Pollution Discharge and Elimination System (NPDES) Permit, which prohibits the bypass or overflow of the combined wastewater collection system except at permitted discharge points to the Sacramento River under specific conditions. The Permit requires technical reports to be submitted within identified timeframes and implementation of the remedial action thereafter.

Any required sewer or drainage infrastructure to connect the site to existing public utilities would be designed and installed per the City's standards for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). The proposed project may have a project-specific impact on the environment in that an increase of flow is being added to a system that occasionally encounters failure and in its exposure of more people to the possible harmful effects of exposure to overflows. However, the Department of Utilities requires as a condition of approval that new development within this area pay fees to off-set impacts to the combined sewer. The wastewater generation factor for residential and commercial uses is 0.2 ESD/1000 square feet, where ESD is one equivalent single family dwelling unit and has a wastewater generation rate of 400 gallons/day. Therefore, the proposed 63 residential units, 7 live-work units, and 2,500 square feet of commercial use would generate approximately 28,200 gallons/day of wastewater.

Currently, the SRWTP treats an average of 165 million gallons per day (mgd). The overall capacity of the SRWTP is 380 mgd, of which 60 mgd is dedicated to receiving flows from the City of Sacramento's CSS. During wet weather, when wastewater flows exceed maximum levels accepted by the SRWTP (60 mgd), the City diverts flows to the CWTP (130 mgd), resulting in a combined total capacity of 190 mgd. The additional 4,400 gallons per day (0.0044 mgd) generated by the project could be adequately treated by existing infrastructure during dry weather conditions. However, the CSS presently experiences CSO's under existing conditions during severe storm events. Any increase in flows to the CSS during these conditions could result in a significant impact.

In order to reduce combined sewer overflow events, the City identified a long-term control plan (Combined Sewer System (CSS) Improvement Program), which includes system improvements. The RWQCB issued a new NPDES permit (Order Number 96-090) that includes a schedule for implementing phase I of the CSS Improvement Program, which consisted of \$84.5 million in improvements during the first is near completion (City Hall EIR, Pg. 6.9-2). The project will be conditioned to pay the Combined Sewer System (CSS) Development Fee prior to issuance of any

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

building permit. This fee will be used for improvements to the CSS. Therefore, the project's impacts are considered less than significant.

QUESTION F

According to the 2030 General Plan Draft MEIR, solid waste generation rate for residential development is estimated to be 1.1 tons/unit/year, and 10.8 lbs./employee/day. At this rate, the proposed 18 townhouse units, 63 residential units, 7 live-work units, and 2,500 square feet of commercial units, would generate approximately 96.8 tons of waste a year for residential and 39.42 tons of waste a year for commercial, estimating 20 employees for 2,500 square feet of commercial, totaling 136.22 tons of waste a year. This is below the City's threshold of 500 tons per year. In addition, as indicated above, the two primary landfills, which receive the majority of solid waste generated by the City of Sacramento, are not anticipated to be capacity constrained. Kiefer Landfill has capacity until 2035 at the current throughput, and the Lockwood landfill has capacity for the next 250 to 300 years. Consequently, the 136.22 tons per year of solid waste generated by the project would not adversely affect capacity at these landfills. Compliance with AB 939 and the City's SRRE (discussed in the setting, above) will further reduce the project's generated solid waste.

Prior to issuance of a building permit by the Building Division the applicant would be required to comply with the City's Zoning Ordinance (Title 17.72 of the City Code). This section addresses recycling and solid waste disposal requirements for new and existing developments, which are designed to reduce impacts from the disposal of solid waste. Because the proposed project will be required to comply with this ordinance, it would result in less-than-significant impacts from solid waste.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would result in less-than-significant impacts to utilities.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
13. AESTHETICS, LIGHT AND GLARE			
Would the proposal:			
A) Affect a scenic vista or adopted view corridor?			✓
B) Have a demonstrable negative aesthetic effect?			✓
C) Create light or glare?			✓

ENVIRONMENTAL SETTING

The visual environment surrounding the proposed project site is characterized by typical views of urban streets and surrounding residential and commercial uses within the Central City.

STANDARDS OF SIGNIFICANCE

Glare. Glare is considered to be significant if it would be cast in such a way as to cause public hazard or annoyance for a sustained period of time.

Light. Light is considered significant if it would be cast onto oncoming traffic or residential uses.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

The proposed project would not obstruct views from any scenic highway or roadway, and the project site is not located within the viewshed of a federal or state scenic highway. The project site does not have rock outcroppings, historic buildings, or any other protected scenic resources.

The project site is vacant. The project site is subject to the Central City Neighborhood Design Guidelines, as well as Design Commission and Design Director approval to ensure that aesthetic impacts are less than significant.

No demonstrable negative aesthetic effect would occur due to the project, and any aesthetic impacts would be less than significant.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

QUESTIONS C AND D

Any required street lighting on City rights-of-way would be installed in accordance with City standards and cut-off luminaries to avoid potential spillover, skyglow or glare impacts. The new structures would not create significant new sources of light or glare. Therefore, any impacts due to light or glare are considered to be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant impacts to aesthetics, light and glare.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
14. CULTURAL RESOURCES			
<i>Would the proposal:</i>			
A) Disturb paleontological resources?			✓
B) Disturb archaeological resources?		✓	
C) Affect historical resources?		✓	
D) Have the potential to cause a physical change which would affect unique ethnic cultural values?		✓	
E) Restrict existing religious or sacred uses within the potential impact area?			✓

ENVIRONMENTAL SETTING

The project site is not within a Primary Impact Area for cultural resources according to the SGPU (SGPU DEIR, pg V-5). The project site is already developed and is located within an established residential neighborhood. No documented archaeological sites have been recorded in or adjacent to the project study area.

STANDARDS OF SIGNIFICANCE

Cultural resource impacts may be considered significant if the proposed project would result in one or more of the following:

1. Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5 or
2. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS**QUESTION A THROUGH E**

The project site is not within a Primary Impact Area for cultural resources by the SGPU (SGPU DEIR, pg V-5). However, there is a possibility that grading activities or excavation during construction could disturb unknown archaeological or paleontological resources beneath the surface. The following mitigation measures will ensure that impacts to cultural resources are less than significant.

MITIGATION MEASURES

CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist 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.

CR-2 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

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.

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.

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.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

FINDINGS

With the incorporation of the above mitigation measures, the project is determined to have a less than significant impact on cultural resources.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
15. RECREATION <i>Would the proposal:</i> A) Increase the demand for neighborhood or regional parks or other recreational facilities?			✓
B) Affect existing recreational opportunities?			✓

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ENVIRONMENTAL SETTING

The proposed project site is located within the Central City Community Plan, Design district, and Historic district. Neely Johnson Park is a community park located between E and F Streets at 11th Street. Other local nearby parks include Zapata Park at 9th and E Streets, Muir Park at 15th and C Streets, and Washington Park at 17th and E Streets, all of which are less than five blocks of the project site.

REGULATORY SETTING

Quimby Act

California Government Code section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The required dedication and/or fee are based upon the residential density, parkland cost, and other factors. Land dedication and fees collected pursuant to the Quimby Act may be used for acquisition, improvement, and expansion of park, playground, and recreational facilities or the development of public school grounds.
 Chapter 16.64 Parks and Recreational Facilities

Chapter 16.64 of the Municipal Code provides standards and formulas for the dedication of parkland and in-lieu fees. These policies help the City acquire new parkland. This chapter sets forth the standard that five acres of property for each 1,000 persons residing within the city be devoted to local recreation and park purposes. Where a recreational or park facility has been designated in the general plan or a specific plan, and is to be located in whole or in part within a proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for a local recreation or park facility sufficient in size and topography to serve the residents of the subdivision. The amount of land to be provided shall be determined pursuant to the appropriate standards and formula contained within the chapter. Under the appropriate circumstances, the subdivider shall, in lieu of dedication of land, pay a fee equal to the value of the land prescribed for dedication to be used for recreational and park facilities which will serve the residents of the area being subdivided.

Chapter 18.44 Park Development Impact Fee

Chapter 18.44 of the City's Code imposes a park development fee on residential and non-residential development within the city. Fees collected pursuant to Chapter 18.44 are primarily used to finance the construction of park facilities and reimburse the City for existing facilities. The park fees are assessed upon landowners developing property in order to provide all or a portion of the funds which will be necessary to provide neighborhood or community parks required to meet the needs of and address the impacts caused by the additional persons residing or employed on the property as a result of the development.

STANDARDS OF SIGNIFICANCE

Impacts to recreational resources are considered significant if the proposed project would do either of the following:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the General or Community Plan.

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

ANSWERS TO CHECKLIST QUESTIONS**QUESTIONS A AND B**

The project proposes to develop a mixed-use development comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the general commercial (C-2) zone and the proposed Multi-Family (R-5) zone. This project is consistent with the General Plan and Community Plan designations of the site and would not result in a substantial alteration of the designated land use; however, a rezone is requested to increase the density. The proposed project includes new residential uses. The proposed project includes Quimby fees and Park Development Impact Fees, Title 16.64 and 18.44 of the City Code. As such, the proposed project would not generate significant additional users of parks and recreational facilities in the area or create the need for new parks and recreational facilities.

No existing recreational opportunities would be adversely affected by the project, nor would the project accelerate substantial physical deterioration of existing area parks or recreational facilities.

Therefore, impacts to recreational resources are considered to be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed project would result in less-than-significant impacts to recreational resources.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>16. MANDATORY FINDINGS OF SIGNIFICANCE</p>			
<p>A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, including archaeological or paleontological resources?</p>		✓	
<p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?</p>			✓
<p>C. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>			✓
<p>D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			✓

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Answers to Checklist Questions**Question A**

The proposed project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. The project would not impact any rare or endangered wildlife species, or eliminate important examples of the major periods of California history or prehistory. Mitigation measures have been included to ensure that historical and archaeological resources known to exist in the area are not significantly impacted by the proposed project. Additional language has been included in the case than previously unidentified cultural or paleontological resources are uncovered during construction.

Question B & C

The project will not contribute to any significant cumulative impacts, since the project is consistent with City of Sacramento General Plan Update (SGPU) (CEQA Guidelines, Section 15130).

Question D

With implementation of the mitigation measures described in this document, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

LA VALENTINA STATION (P08-106)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project.

	Land Use and Planning	✓	Hazards
	Population and Housing		Noise
	Seismicity, Soils and Geology		Public Services
	Water		Utilities and Service Systems
	Air Quality		Aesthetics
✓	Transportation/Circulation	✓	Cultural Resources
	Biological Resources		Recreation
	Energy and Mineral Resources	✓	Mandatory Findings of Significance
	None Identified		

LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

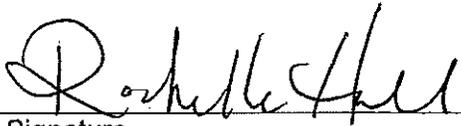
SECTION V - DETERMINATION

On the basis of the initial evaluation:

I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the project-specific mitigation measures described in Section III have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.



Signature

Date 02/12/09

Rochelle Hall, Assistant Planner

Printed Name

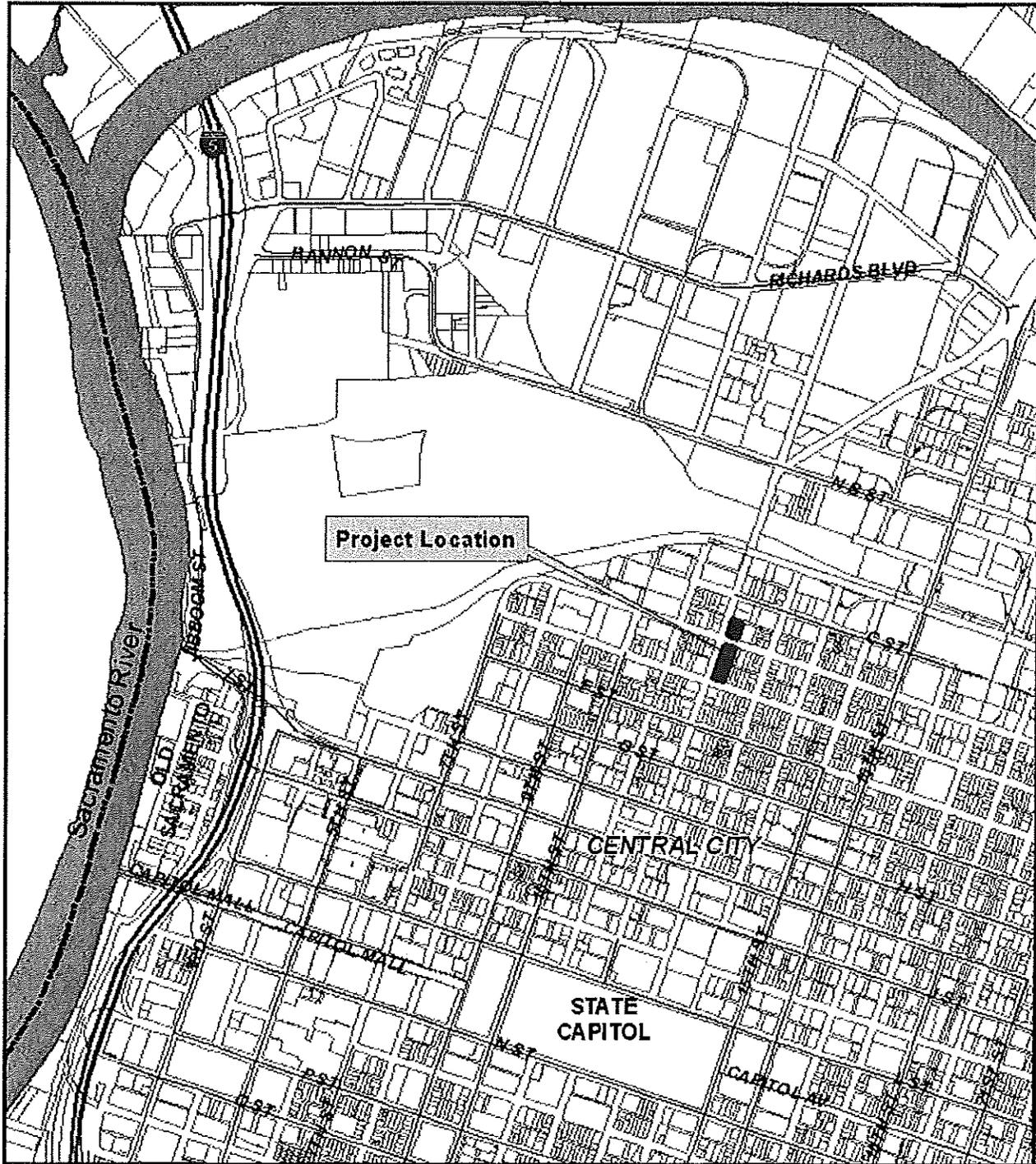
LA VALENTINA STATION (P08-106)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

REFERENCES CITED

- CA Department of Water Resources. "Groundwater Level Data, Well #08N05E06H001M", <http://wdl.water.ca.gov/gw/>, retrieved January 11, 2006.
- City of Sacramento. City Code, Title 17: Zoning, Chapter 17.1 04 Alhambra Corridor Special Planning District, Section 17.1 04.01 0.
- City of Sacramento. City of Sacramento General Plan. 1988.
- City of Sacramento. City of Sacramento 2030 General Plan. 2009.
- City of Sacramento. Sacramento General Plan Update DEIR (SGPU DEIR). 1988.
- City of Sacramento. Sacramento 2030 General Plan MEIR. 2009.
- City of Sacramento. Sutter Medical Center, Sacramento (SMCS) Project and the Trinity Cathedral Project DEIR. 2005.
- Sacramento Metropolitan Air Quality Management District. Guide to Air Quality Assessment. Sacramento, CA. July 2004.
- Secor International Incorporated. Phase I Environmental Site Assessment, La Valentina Station. September 2005.
- Secor International Incorporated. Phase II Environmental Site Assessment, La Valentina Station. November 2005.

ATTACHMENT A
Vicinity Map/Location Map/Site Plan

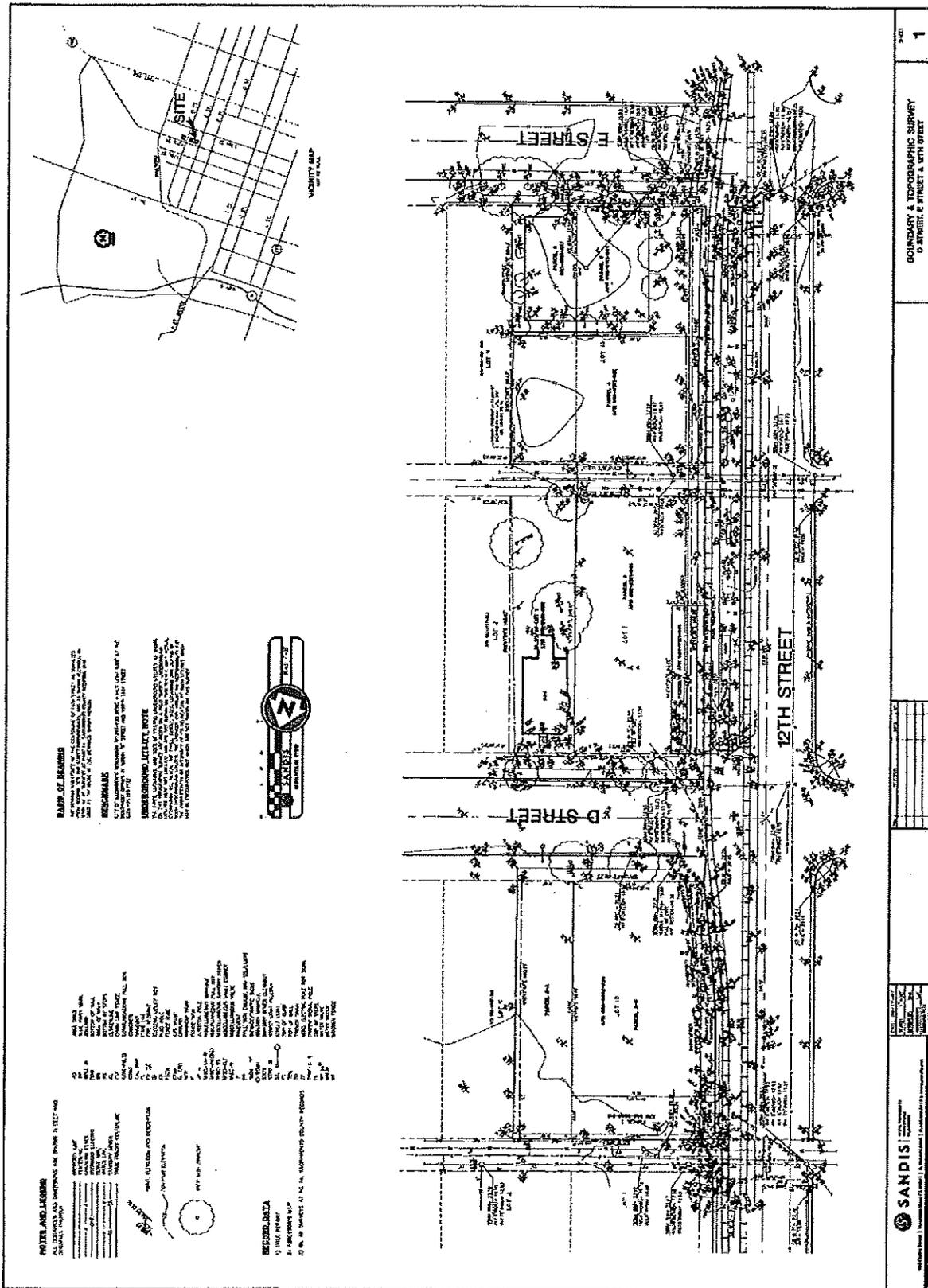
City of Sacramento Department Services Department Geographic Information System



P08-106 Vicinity Map La Valentina Station



D.Hung | Feb 2009



RANGE OF BEARINGS
 ALL BEARINGS ARE TRUE BEARINGS EXCEPT WHERE SHOWN OTHERWISE.
 ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 ALL CURVES ARE TO BE RUN BY THE METHOD OF ANGLES AND CHORDS.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.

REMARKS
 THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN HEREON INTO LOTS AND ALLEYS.
 THE SURVEY WAS MADE BY THE METHOD OF ANGLES AND CHORDS.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.

UNDERSTANDING INTEREST NOTE
 THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN HEREON INTO LOTS AND ALLEYS.
 THE SURVEY WAS MADE BY THE METHOD OF ANGLES AND CHORDS.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.



NOTES AND LEGEND
 1. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 2. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 3. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 5. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 6. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 7. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 8. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 9. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 10. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.

RECORD DATA
 1. THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN HEREON INTO LOTS AND ALLEYS.
 2. THE SURVEY WAS MADE BY THE METHOD OF ANGLES AND CHORDS.
 3. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.
 4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD UNLESS OTHERWISE SPECIFIED.

SANDIS SURVEYING & ENGINEERING, INC.
 2007116

BOUNDARY & TOPOGRAPHIC SURVEY
 OF STREET & STREET A WITH STREET

DATE: 12/2/08

SCALE: AS SHOWN

PROJECT: P08-106

1

P08-106
 12/2/08

ATTACHMENT B
URBEMIS Report

Page: 1
2/10/2009 2:44:19 PM

Urbemis 2007 Version 9.2.4
Combined Annual Emissions Reports (Tons/Year)

File Name:
Project Name: revised La Valentina Station
Project Location: Sacramento County AQMD
On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006
Off-Road Vehicle Emissions Based on: OFFROAD2007

Page: 2

2/10/2009 2:44:19 PM

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2007 TOTALS (tons/year unmitigated)	0.04	0.34	0.18	0.00	0.17	0.02	0.19	0.04	0.02	0.05	27.20
2008 TOTALS (tons/year unmitigated)	1.28	1.21	1.34	0.00	0.07	0.07	0.15	0.02	0.07	0.08	175.02

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	1.21	0.23	3.46	0.01	0.48	0.47	284.42

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	3.46	4.49	43.27	0.03	5.70	1.10	3,330.76

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	4.67	4.72	46.73	0.04	6.18	1.57	3,615.18

ATTACHMENT C
Mitigation Monitoring Plan

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: La Valentina Station / P08-106
Owner/Developer- Name: Meea kang – Domus Development, Inc.
Address: 594 Howard Street, Suite 204
 San Francisco, CA 94105

Project Location / Legal Description of Property (if recorded):
 The proposed project site is located on 12th Street between C and E Streets in the Central City.

Assessor's Parcel Number (APN) 002-0082-016, 002-0082-024, 002-0121-002, 002-0121-027, 002-0121-032, 002-0121-034, 002-0121-036, and 002-0121-038.

Project Description:

A mixed-use development comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the general commercial (C-3) zone and the proposed Multi-Family (R-5) zone. Specific entitlements include:

- A. **Rezone** RMX to R-5 to increase the allowable density from 36 to 94 du/na;
- B. **Special Permit** to allow gated development;
- C. **Special Permit – Height** to allow structures to exceed the maximum allowable height;
- D. **Special Permit – Parking** to reduce required parking;
- E. **Variance** to reduce the interior side setback;
- F. **Variance** to allow a roof structure to exceed the maximum allowable height;
- G. **Variance** to allow compact stalls to exceed a maximum of forty percent; and a
- H. **Tentative Map**

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Cultural Resources, Hazards, and Traffic. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN
MITIGATION AGREEMENT**

PROJECT NAME / FILE NUMBER: La Valentina Station (P08-106)

OWNER/DEVELOPER/APPLICANT: Amelia Dotan MEEA KANG (MR)
DOMUS - Demas Development, Inc. LLC
594 Howard Street, Suite 204
San Francisco, CA 94105

I, Meea Kang (owner/developer/applicant), agree to amend the project application P08-106 to incorporate the attached mitigation measures as identified in the Initial Study for the project. I understand that by agreeing to these mitigation measures, all identified potentially significant environmental impacts should be reduced to below a level of significance, thereby enabling the Environmental Coordinator to prepare a Mitigated Negative Declaration of environmental impact for the above referenced project.

I also understand that the City of Sacramento will adopt a Mitigation Monitoring Plan (Plan) for this project. This Plan will be prepared by the Development Services Department, pursuant to the California Environmental Quality Act Guidelines Section 21081.6 and pursuant to Article III of the City's Local Administrative Procedures for the Preparation of Environmental Documents.

I acknowledge that this project, P08-106, would be subject to this Plan at the time the Plan is adopted. This Plan will establish responsibilities for the monitoring of my project by various City Departments and by other public agencies under the terms of the agreed upon mitigation measures. I understand that the mitigation measures adopted for my project may require the expenditure of owner/developer funds where necessary to comply with the provisions of said mitigation measures.

Meea Kang
Signature (Owner/Developer/Applicant)

President
Title

2/12/09
Date

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<p align="center">Cultural Resources</p>	<p>Cultural Resources</p> <p>CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist 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> <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>Development Service Department, City of Sacramento</p> <p>Native American Heritage Commission</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
	<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> <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-internment 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>		

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<p align="center">Hazards</p>	<p>Hazards Hazards 1: The November 2005 Phase II Environmental Site Assessment shall be submitted to the County of Sacramento, Department of Environmental Health (DEH) for review. The applicant shall comply with all requirements for cleanup identify by DEH. Hazards 2: Prior to approval of any building permit, the applicant shall submit documentation that confirms that DEH has approved the applicant's plan for cleanup and that all cleanup efforts have been completed.</p>	<p>Development Service Department, City of Sacramento Department of Environmental Health, County of Sacramento</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>
<p align="center">Traffic</p>	<p>Traffic Traffic 1: The project applicant shall construct a roadway medians at D Street and E Street to the satisfaction of the City's Department of Transportation. Traffic 2: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor.</p>	<p>Department of Transportation Development Services Department</p>	<p>The Department of Transportation and the Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

