



REPORT TO COUNCIL

City of Sacramento

16

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PUBLIC HEARING
April 1, 2010

**Honorable Mayor and
Members of the City Council**

Title: Curtis Park Village (P04-109)

Location/Council District: Old Western Pacific Railyard: North of Sutterville Road, south of Portola Way, east of the Union Pacific Railroad/Regional Transit South Line, and west of the existing Curtis Park neighborhood/24th Street; APN: 013-0010-008 & -009, 013-0010-021 through -028, and 013-0062-001 & -002. (District 5)

Recommendation: Conduct a public hearing and upon conclusion 1) Adopt a) a **Resolution** certifying the Environmental Impact Report; and b) a **Resolution** adopting Policy Direction For Curtis Park Village Neighborhood Park and Detention Basin and the Amendment to the 1995 Remedial Action Plan, and 2) Continue to a future date a) a Resolution amending the General Plan Land Use and Urban Form Diagram from Traditional Neighborhood Low to Traditional Neighborhood Medium; b) an Ordinance rezoning from Heavy Industrial (M-2) and Standard Single Family Residential (R-1) to Shopping Center (SC-PUD), Single Family Alternative (R-1A-PUD), Multi-Family (R-2B-PUD), and Multi-Family (R-4A-PUD); c) a Resolution approving the Curtis Park Village Inclusionary Housing Plan; d) a Resolution approving the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan; and e) a Resolution approving the Curtis Park Village project entitlements including a Large Lot Tentative Subdivision Map, Tentative Subdivision Map, and Subdivision Modifications.

Contact: Heather Forest, Associate Planner, (916) 808-5508; Lindsey Alagozian, Senior Planner, (916) 808-2659

Presenter: Heather Forest, Associate Planner

Department: Community Development

Division: Current Planning

Organization No.: 21001010

Description/Analysis:

Issue: The Curtis Park Village Planned Unit Development (PUD) is a request by the applicant, Petrovich Development Company, for the necessary entitlements

to allow the future development of a master planned mixed use community to be known as Curtis Park Village. Future development of the site may include the following components:

- 259,000 square feet of commercial/retail/office space;
- 129 single family residences;
- 45 brownstone residences;
- 15 cottage residences;
- 248 multi-family residences;
- 90 senior multi-family residences; and
- a 6.8 acre neighborhood park.

Staff finds that the proposal is compatible with the adjacent uses and is consistent with adopted applicable policies and goals of the City's General Plan, and the Zoning Code.

The applicant is requesting that the Council only adopt the Resolution to certify the Environmental Impact Report (as set forth in Attachment 4) at this time; returning at a yet undetermined date in the future to adopt CEQA findings and to take action on the remaining Resolutions and Ordinance. Staff has no objection to this request to certify the Environmental Impact Report only at this time, but also requests that the Council adopt the Resolution for the Park and Detention Basin (Attachment 11), which is discussed further in project background/summary (Attachment 3).

Applicant: Petrovich Development Company, Paul Petrovich

Policy Considerations: The project site is designated as Traditional Center, Traditional Neighborhood High Density Residential, and Traditional Neighborhood Low Density Residential. Staff supports the request to amend a portion of site from the General Plan designation of Traditional Neighborhood Low Density Residential to Traditional Neighborhood Medium Density Residential because the development will be consistent with the General Plan's Vision and Guiding Principles and the area will be consistent with the proposed project using the appropriate designations in the Land Use and Urban Design Element. Staff supports the rezones because the existing zoning is antiquated and the proposed zoning will bring the site into compliance with the General Plan designations and allow development of the site as depicted on the Schematic Plan.

Environmental Considerations:

California Environmental Quality Act (CEQA): In accordance with CEQA Guidelines Section 15081, the City as Lead Agency, determined that an Environmental Impact Report (EIR) should be prepared for the proposed project. The EIR analyzed two components of the project: (1) an update to

the Remedial Action Plan (RAP) to allow for additional methods of disposal of the contaminated soils and (2) approval of the Curtis Park Village project. The issues analyzed were transportation and circulation, air quality, biological resources, cultural resources, geology and soils, public health and hazards, hydrology, public services and utilities, noise and vibration, and parks. Land use, aesthetics, and population, employment, and housing were discussed. The Mitigation Monitoring Plan (MMP) that lists all of the mitigation measures and implementing actions was prepared and is attached to Attachment 5 as Exhibit B.

Attachment 22 provides the full text of Section 5.2 of Chapter 2 of the Final EIR. Included is additional revisions to the Traffic and Circulation chapter of the Draft EIR that were inadvertently left out of the Final EIR.

Attachment 22 also includes the two letters from Caltrans in response to the Final EIR and a memorandum from a City traffic engineer regarding the responses.

No other responses to the Final EIR have been received to date.

The environmental analyses for the potential remedies for inclusion in an update to the 1995 RAP resulted in determinations that, with mitigation, all impacts would be less than significant.

With mitigation, the development and operation of the Curtis Park Village project would result in less-than-significant impacts in all issue areas, with the exception of the following project-level Significant and Unavoidable impacts:

- impacts to freeway ramp under baseline plus project conditions (southbound 12th Avenue off-ramp)
- impacts to Sutterville Road, 24th Street, and Freeport Boulevard
- impacts related to long-term increases of criteria air pollutants. (ozone precursors: ROG and NO_x)

The following impacts associated with the cumulative impacts of the Curtis Park Village project were determined to be Significant and Unavoidable:

- Cumulative impacts to Sutterville Road, 24th Street, and Freeport Boulevard.
- Cumulative impacts to freeway ramps (southbound 12th Avenue off-ramp).

- Cumulative contribution to regional air quality conditions. (ozone precursors: ROG and NO_x)

The City received comments on the Draft EIR. The predominant issues raised by the public were increased traffic, concerns about the environmental analysis of the update to the 1995 RAP, and concerns about the findings of General Plan consistency in the Draft EIR. The responses to these comments are found in the Final EIR which is posted on the City's website at:

<http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/>

A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on April 1, 2009 (SCH#2004082020). The official 45-day public comment period for the Draft EIR, as established by the Office of Planning and Research, was extended by the City to 60-days, at the request of the public. The public comment period began on April 1, 2009 and originally ended on May 15, 2009. The comment period was extended to end on May 30, 2009.

A public notice was placed in the Daily Recorder on April 1, 2009 which stated that the Draft EIR was available for public review and comment.

A public notice was posted in the office of the Sacramento County Clerk on April 1, 2009.

Following closure of the public comment period, all comments received on the Draft EIR, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

The City Planning Commission held a public hearing on February 25, 2010. The EIR was presented to the Planning Commission for their review. The Planning Commission forwarded a recommendation of approval of all project entitlements to the City Council.

Sustainability Considerations: This project is consistent with the goals of the Sustainability Master Plan in that the proposed project includes the development of a mixed use community providing a wide array of housing, shopping, and employment choices for residents of the City. In addition, the proposed project has been designed to provide the maximum vehicular and pedestrian connectivity internally and externally, to take advantage of the two adjacent transit stations, to ensure a walkable community, reducing dependence on the automobile.

Committee/Commission Action: On February 25, 2010, the City Planning Commission heard testimony both for and against the project and voted (8-0) to forward a recommendation of approval to the City Council for the development

known as the Curtis Park Village PUD.

Rationale for Recommendation: The Curtis Park Village project supports policies contained in the General Plan and is consistent with the zoning code. The project promotes pedestrian friendly development, supports alternative modes of transportation, and establishes a well-designed mixture of land uses for existing and future residents of the area. In addition, the creation of the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan will ensure that the infill site is developed in harmony with the existing neighborhood in layout, materials, and character.

As previously noted, the applicant is requesting that Council only adopt the Resolution to certify the Environmental Impact Report at this time; returning at a yet undetermined date in the future to adopt CEQA findings and to take action on the remaining Resolutions and Ordinance. Staff has reviewed this request and does not object, with the caveat that Council also adopts the Resolution for the Park and Detention Basin.

The EIR certification will allow the Project applicant to proceed with its request to DTSC to amend the 1995 RAP prior to final approval of the Project entitlements, which may result in approval of encapsulation of contaminated soil under the park-portion of the proposed park/detention basin parcel. The City is concerned that, unless properly conditioned, approval of that remedy may be inconsistent with what the City ultimately approves for the Project, including the park master plan as well as the detention basin plan, resulting in the amendment to the 1995 RAP being inconsistent with the Project approvals. City staff wish to ensure that the applicant and DTSC are aware of the proposed conditions of approval of the Project entitlements relating to the park site and detention basin, so that the applicant and DTSC can take these conditions into consideration as they take action on the requested 1995 RAP amendment, to ensure that its approval conforms to what is anticipated to be the land use plan for the Project site.

Financial Considerations: There are no financial considerations associated within this report.

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

Respectfully submitted by: 
David Kwong
Planning Director

Approved by: 
David Kwong
Acting Director of Community Development

Recommendation Approved:

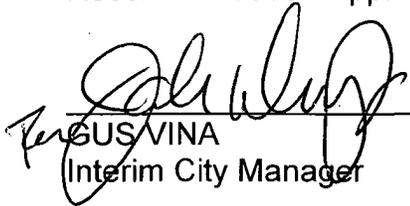
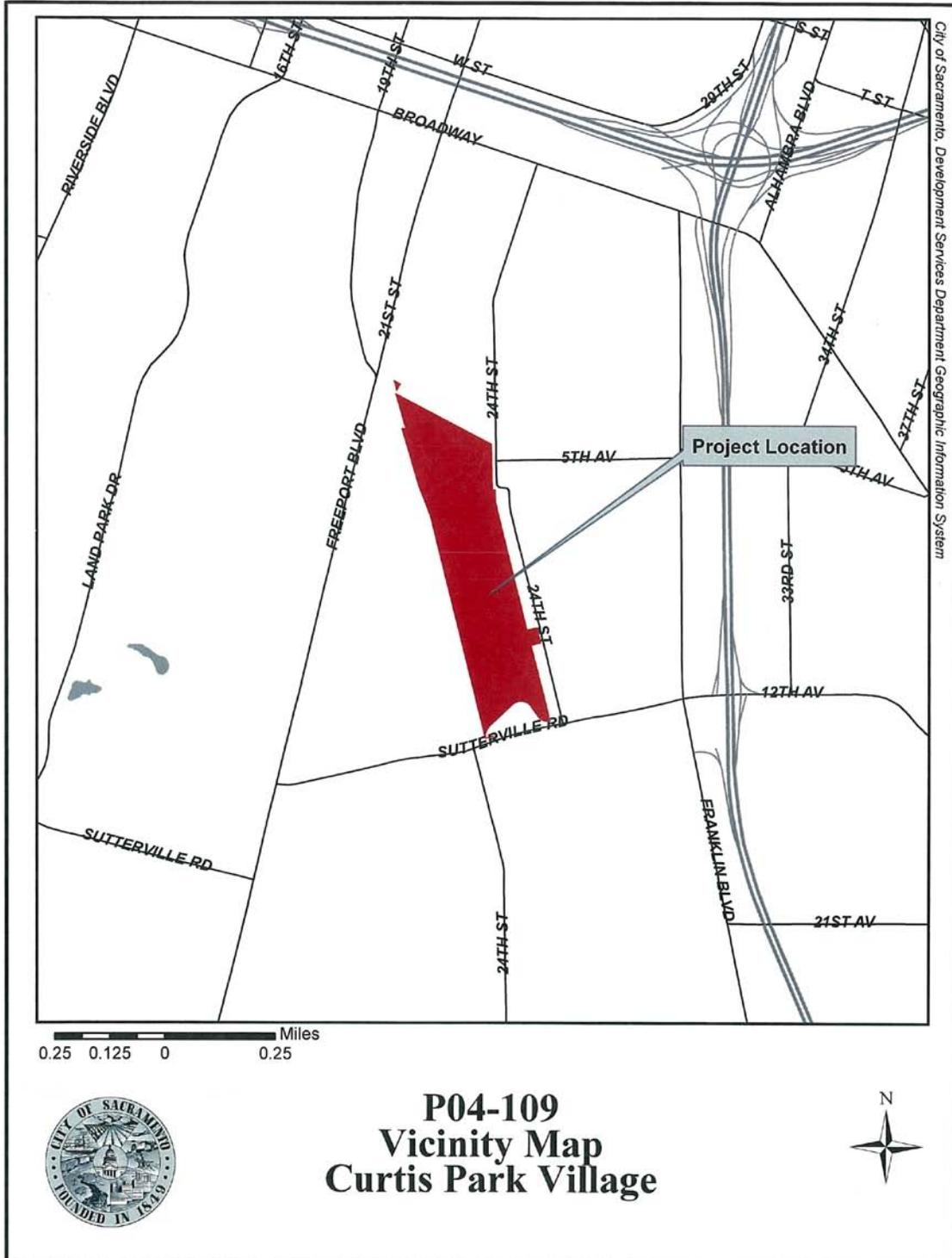

GUS VINA
Interim City Manager

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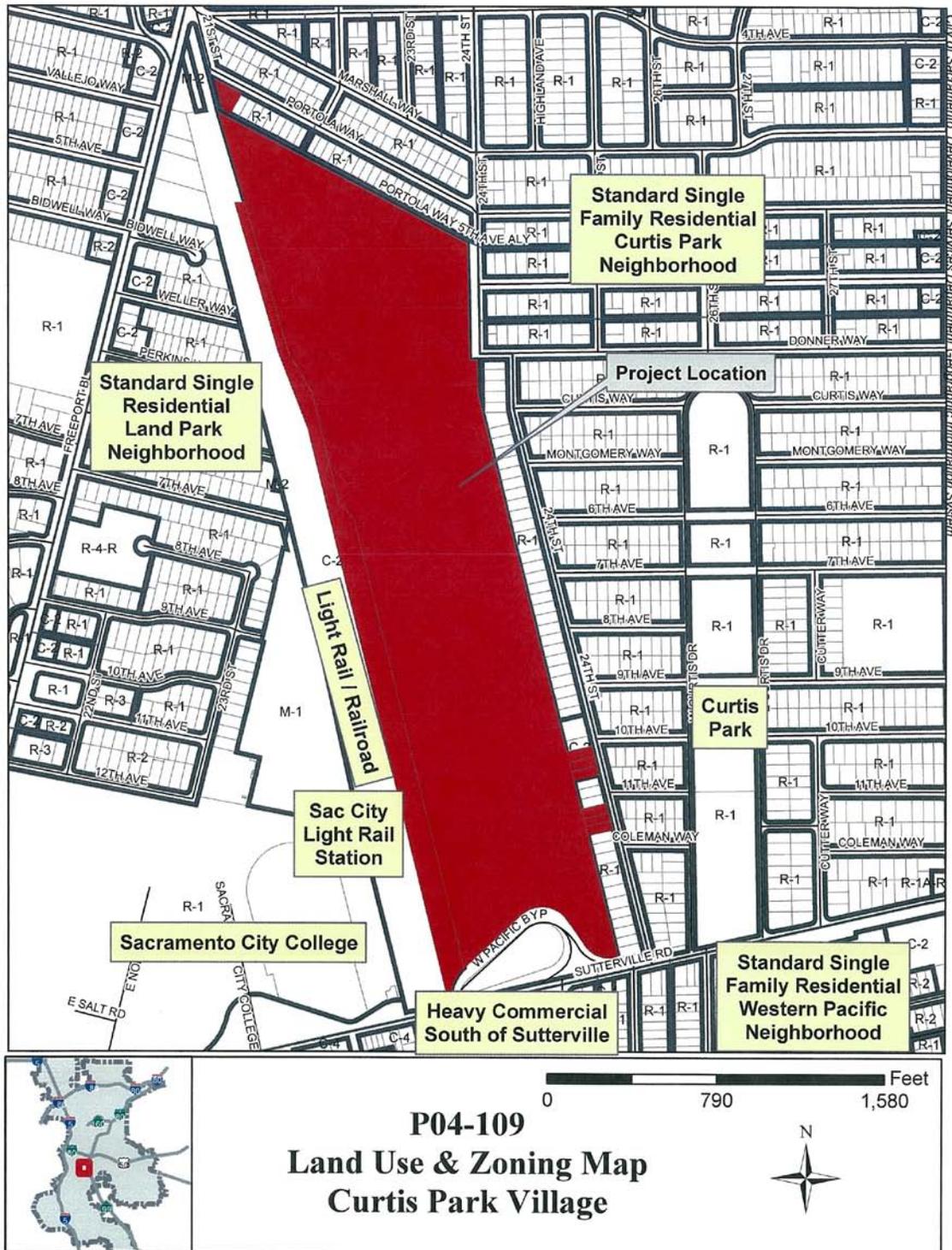
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Attachment 1 – Vicinity Map



Attachment 2 – Land Use & Zoning Map



Attachment 3 – Project Background/Summary

Applicant: Petrovich Development Company, Philip J. Harvey, AIA, 5046 Sunrise Boulevard, Suite One, Fair Oaks, CA 95628, (916) 966-4600

Owner: Calvine & Elk Grove-Florin, LLC, 5036 Sunrise Boulevard, Suite One, Fair Oaks, CA 95628, (916) 966-4600; Calvine & Elk Grove-Florin, LLC consists of Paul & Cheryl Petrovich

Background:

The Curtis Park Village site once housed the railyard operations center for the Western Pacific Railroad (WP) in Sacramento. With the purchase of the WP by Southern Pacific Railroad (SP) in the early 1980's, the site became surplus and was subsequently closed by SP. A short time after, the SP was acquired by the Union Pacific Railroad (UP). Union Pacific Railroad owned the property until 2003, when the applicant purchased the property.

Railroad operations continue and will continue for the foreseeable future immediately west of the Curtis Park Village site, as that land is still under the ownership of the UP. The railroad operations that exist on the UP land consist of north/south rail mainlines and a switch area of eleven (11) tracks operated by the UP. A dual track light rail transit facility and two stations operated by Sacramento Regional Transit (RT) lie on the western side of the UP's railyard operation area.

In 1995, the California State Department of Toxic Substances Control (DTSC) identified the Curtis Park Village site as contaminated with hazardous wastes from the railroad era operations. The hazardous wastes identified are common to former railroad operation areas and include, but are not limited to: Arsenic, Lead, Chromium, Nickel, Petroleum Hydrocarbons, and Chlorinated Volatile Compounds. The site was characterized as a Superfund site and as part of the State Superfund process a Remedial Action Plan (RAP) and associated Mitigated Negative Declaration (MND) were approved by the DTSC in 1995. Subsequent to these approvals, the Final Remedial Design and Implementation Plan (RDIP) was approved in 2004, which presented the design and implementation process for the remediation methods. The RDIP assumes that at completion of the process, no further soil remediation is needed for the CPV site.

The 1995 RAP included the removal of 0.5 acres of asbestos-impacted soil, removal of 14,500 tons of slag, and the installation of a groundwater treatment system. Remedial measures implemented between 1995 and 1997 included on and off-site groundwater remediation and excavation and off-site disposal of over 111,568 tons of soil. The 1995 RAP also approved alternate cleanup levels for lead and arsenic that would be suitable for "restricted"-use development. The terms "restricted" or "unrestricted" refer to a parcel having or not having a deed restriction placed upon it. If contaminated soil remains following the clean-up, then the deed to the parcel is restricted with appropriate language describing the restrictions on use. If the parcel is cleaned up to the level

required in the RAP for unrestricted uses, then the deed does not have a restriction on use related to the soil. Restrictions placed upon a parcel are specific to land uses and are oriented toward precluding sensitive uses (i.e. single family residences and/or a daycare) if clean up is not to standards protective of those uses. The remediation of the site per the 1995 RAP is ongoing.

On November 18, 1995 the City Council approved a Memorandum of Understanding (MOU) with Union Pacific Railroad. The MOU outlined the pre-application planning process and future planning entitlements that could be sought in order to develop the site. The MOU also included the formation of a "working group" and a public process to participate in the planning process for development of a master land use plan for the site. The appointed 24 member "working group" was to act as the advisory and constituent outreach body in the neighborhood. During development of the master land use plan, newsletters were distributed to residents and businesses in Curtis Park and nearby residential neighborhoods to inform the public of neighborhood workshops, Commission, and Council hearings and project development activities. Public workshops and several neighborhood meetings were held to keep the neighbors informed of the ongoing progress for the master plan and receive input. The public process with the "working group" lasted 18 months and was dissolved once the formal development application by Union Pacific was submitted to the City.

In 1997 the project known as Curtis Park West (File # P97-120) was submitted to the City by Union Pacific Railroad and included the entitlements of a General Plan Amendment, Rezone, establishment of a Planned Unit Development Schematic Plan and Development Guidelines, for a mixed use residential/commercial development. The City determined that the Curtis Park West project met the conditions of the MOU, and began to process the development application which included the preparation of an Environmental Impact Report.

On October 13, 1998, the City Council adopted Resolution No. 98-514 to address an on-going concern regarding the 1995 RAP and the City's land use planning efforts for the site. According to the recitals in the resolution, the 1995 RAP was inconsistent with the residential and open space priorities reflected in the land use plan that was under consideration, as it placed significant restrictions on future residential uses over two-thirds of the site. While the City objected to DTSC approving the RAP without a final City-approved land use plan in place, DTSC refused to delay its final approach. In response, State Senator Ortiz introduced Senate Bill (SB) 120 (Chapter 395 Statutes 1999) that prohibits DTSC from determining response action on the site ("no further action letter") to be complete or from entering into any settlement or release of liability until the City has adopted a general plan amendment and has rezoned the property, and all response action necessary to conform to that general plan amendment, and rezoning are complete. (see Attachment 12, City Council Resolution 98-517 and SB 120 (Chapter 395 Statutes 1999).)

Due to the discovery of new and greater amounts of toxic materials, the Curtis Park West application was withdrawn by the applicant in early 1999, in order to continue with site clean up.

In 2004, Petrovich Development submitted the Curtis Park Village project for the site. The application included a General Plan Amendment, Rezone, establishment of the Curtis Park Village Schematic Plan and Development Guidelines, Tentative Map, and Inclusionary Housing Plan. Development of the site according to the originally submitted application would have resulted in:

- 225 to 250 single family residences;
- 310 multi-family residences
- 50,000 square feet of mixed-use commercial development with multi-family units located above;
- 150,000 square feet of retail/commercial space; and
- 5 to 6 acres of park/open space.

The City began processing the 2004 application, including the preparation of an Environmental Impact Report. Due to changing market conditions, the applicant revised various components of the Curtis Park Village plans four times.

In the summer of 2008, samplings of the Curtis Park Village site indicated that additional remediation would be required because a substantially larger amount of contaminated soil exists on the site than was originally anticipated in the 1995 RAP. To continue the process of cleaning the site, the applicant is working with DTSC to revise the 1995 RAP. Revisions to the RAP may include the identification of a location on the project site for a containment "cell" that would enable contaminated soils to be encapsulated on site. Potential locations for the cell include the area under the proposed park and the area under the shopping center. While onsite containment and encapsulation was not included in the original RAP, the remedy is consistent with other remediation efforts in California, and is one of the methods proposed for the Downtown Railyards clean up.

The environmental impacts associated with the proposed remedies that could be included in the revision of the RAP are examined in the Curtis Park Village Draft Environmental Impact Report (DEIR). The Curtis Park Village EIR, if certified by the City Council, will be reviewed by the DTSC to ensure that all of the environmental impacts were adequately addressed, as they pertain to the remediation remedies proposed in the updated RAP. The remediation of the Curtis Park Village site, pursuant to the revised RAP, must be complete prior to development of the Curtis Park Village project.

In light of the potential update of the RAP, the City's Department of Parks and Recreation and Department of Utilities, want to ensure that the future development of the proposed park and detention basin are not jeopardized, and are constructed to the satisfaction of the departments. Therefore, the Department of Parks and Recreation and the Department of Utilities have drafted a Resolution for City Council approval which provides policy direction for the Curtis Park Village neighborhood park and detention basin for the amendment to the RAP; see Attachment 11, Resolution for the Park and Detention Basin.

In December of 2009, the applicant submitted the current version of the Curtis Park Village project, as previously described in the Council report.

Public Outreach and Comments:

Since the project was submitted to the City in 2004, numerous notices and neighborhood meetings have been held to present and discuss the various Curtis Park Village project plans. The majority of the public outreach and meetings have been held at the Sierra 2 Community Center, with attendance by the Curtis Park residents and the Sierra Curtis Neighborhood Association (SCNA). The proposed Curtis Park Village project is within the boundaries of the Sierra Curtis Neighborhood Association. An official comment letter on the project from the SCNA is attached, Attachment 15, SCNA Letter.

All project applications and numerous project revisions were routed to the Land Park Community Association (LPCA), Upper Land Park Neighborhood Association, Sierra Curtis Neighborhood Association (SCNA), South of Sutterville Improvement Association, Western Pacific Neighborhood Association, North Franklin District, College Plaza Neighborhood Association, Hollywood Park Neighborhood Association, Sacramento Housing Alliance, WALK Sacramento, and the Sacramento Area Council of Governments (SACOG).

In addition to the comment letter written by SCNA, City staff received comment letters from LPCA (Attachment 16), South of Sutterville Improvement Association (Attachment 17), North Franklin District (Attachment 18), WALK Sacramento (Attachment 19), and SACOG (Attachment 20).

Summary:

Sacramento 2030 General Plan: The Sacramento 2030 General Plan (General Plan) was adopted by City Council on March 3, 2009. The General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The General Plan land use designations for the Curtis Park Village site are: Traditional Center, Traditional Neighborhood High Density, and Traditional Neighborhood Low Density, as shown on Attachment 13, General Plan Land Use Designations. In addition, the applicant is requesting a General Plan Amendment to redesignate approximately 8.0 acres from Traditional Neighborhood Low to Traditional Neighborhood Medium.

1. Traditional Center

As stated in the General Plan, the Traditional Center designation provides for predominantly nonresidential, moderate intensity, single-use commercial development or horizontal and vertical mixed-use development that includes the following:

- Retail, service, office, and/or residential uses
- Central public gathering places

- Compatible public, quasi-public, and special uses.

The General Plan also lists key urban form characteristics envisioned for traditional centers, which include:

- Small, rectangular blocks, allowing for convenient pedestrian access from adjacent areas; and
- Relatively small and narrow lots, providing a fine-grained development pattern.

The Curtis Park Village site is constrained due to the lack of existing opportunities to connect with the existing neighborhood, as the Curtis Park neighborhood is built-out. In addition, the layout is further constrained due to the railroad operations at the west and the Sutterville Road overcrossing to the south. The proposed Curtis Park Village layout has maximized potential roadway and pedestrian connections in order to keep a similar block-pattern to that which surrounds the site. In addition, the ultimate layout for the Traditional Center or Shopping Center designated areas have not been finalized, but is anticipated to include the refining of the areas to ensure that compliance with the above characteristics are met.

Additional urban form characteristics envisioned for traditional centers are site plan specific and include such details as:

- Building heights generally ranging from one to four stories;
- Buildings sited at or near the sidewalk and typically abut one another with limited side yard setbacks; and
- Transparent building frontages with pedestrian-scaled articulation and detailing.

As stated previously, the applicant has not applied for entitlements (e.g., Planning Director Plan Review, Special Permit) for development upon individual parcels. The review for General Plan consistency of individual site plans and building elevations will take place when those applications come in at a future date. Furthermore, the General Plan development standards relating to density and Floor Area Ratios (FARs) will also be reviewed for General Plan consistency once applications for entitlements for individual sites/parcels are submitted to the City. As proposed, the size and shape of the commercially zoned parcels allow for all General Plan development standards to be met under future entitlements.

The Curtis Park Village project will provide a Traditional Center in an area of the City well served by transit, higher density housing, and an existing established neighborhood, and therefore, is consistent with the intent of a Traditional Center use as laid out in the General Plan.

The General Plan contains many Goals and Policies related to the Traditional Center land use designation, which the Curtis Park Village Planned Unit Development project furthers; including the following:

Goal LU 5.1: Centers. Promote the development throughout the city of distinct, well-

designed mixed-use centers that are efficiently served by transit, provide higher-density, urban housing opportunities and serve as centers of civic, cultural, and economic life for Sacramento's neighborhoods and the region.

- **Policy LU 5.1.1: Diverse Centers.** The City shall encourage development of local, citywide, and regional mixed-use centers that address different community needs and market sectors, and complement and are well integrated with the surrounding neighborhoods.
- **Policy LU 5.1.2: Centers Served by Transit.** The City shall promote the development of commercial mixed-use centers that are located on existing or planned transit stops in order to facilitate and take advantage of transit service, reduce vehicle trips, and enhance community access.

Goal LU 5.3: Traditional Centers. Promote traditional centers where people can shop and socialize within walking distance to surrounding neighborhoods.

- **Policy LU 5.3.1: Development Standards.** The City shall continue to support development and operation of centers in traditional neighborhoods by providing flexibility development standards, consistent with public health and safety, in response to constraints inherent in retrofitting older structures and in creating infill development in established neighborhoods.

2. Traditional Neighborhood High Density Residential

As stated in the General Plan the Traditional Neighborhood High Density Residential designation provides for single-use multi-family housing and predominantly residential mixed use development in areas served by major transportation routes and facilities, and near shopping areas, including the following:

- Small-lot single family dwellings
- Small-lot single family attached dwellings (e.g., duplexes, triplexes, townhomes)
- Accessory second units
- Multifamily dwellings (e.g., apartments and condominiums)
- Mixed-use neighborhood-serving commercial uses
- Compatible public, quasi-public, and special uses

The General Plan key urban form characteristics envisioned for high-density residential development in traditional neighborhoods includes, but is not limited to:

- Apartments;
- Building heights generally ranging from one to three stories;
- A highly interconnected street system facilitating flow of traffic, connectivity, and route flexibility; and
- Neighborhood services. Transit, parks and schools within walking distance of local residents.

The Curtis Park Village project identifies three separate parcels for high density residential development. The individual site plans and layouts will be reviewed for General Plan consistency to ensure that they are developed and considered as a whole, in order to provide for maximum connectivity and integration.

The General Plan also stipulates that in the Traditional Neighborhood High Density land use designation, density shall be between eighteen (18) and thirty-six (36) dwelling units per net acre (du/na). Two of the three high density residential parcels in the Traditional Neighborhood High Density designation exceed the maximum of thirty-six dwelling units per net acre, but the General Plan allows for such instances as stated in the Policy below:

Policy LU 2.1.4: General Plan Density Regulations for Mixed-Density Development Projects. Where a developer proposes a multi-parcel development project with more than one residential density or FAR, the applicable density or FAR range of the General Plan Land Use Designation shall be applied to the net developable area of the entire project site rather than individual parcels within the site. Some parcels may be zoned for densities/intensities that exceed the maximum allowed density/intensity of the project site's Land Use Designation, provided that the net density or the project as a whole is within the allowed range.

Therefore, in calculating the maximum density of the Traditional Neighborhood High Density residential areas, the multi-parcels used are the three identified as residential and Lot B, as they make up the overall multi-parcel development within the Traditional Neighborhood High Density designation. Together, these parcels propose a density of approximately twenty-five (25) dwelling units per net acre, within the allowed range as stated in the General Plan.

General Plan Policies related to the Traditional Neighborhood High Density residential land use designation, which the Curtis Park Village Planned Unit Development project furthers, include the following:

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

Policy LU 4.1.10: Balanced Neighborhoods. The City shall require new major residential development to provide a balanced housing mix that includes a range of housing types and densities.

Policy LU 4.1.11: Senior Housing Development. The City shall encourage the development of senior housing in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.

The proposed high density residential areas in Curtis Park Village are adjacent to

commercial areas, bus routes, and transit, therefore consistent with a sustainable development pattern. In addition, the three separate high density residential areas in Curtis Park Village will ensure a range of apartment options for residents, which includes a 90-unit senior affordable housing component, thus meeting General Plan policies.

3. *Traditional Neighborhood Low Density Residential*

As stated in the General Plan, the Traditional Neighborhood Low Density Residential designation provides for moderate-intensity housing and neighborhood-support uses including the following:

- Single-family detached dwellings
- Single-family attached dwellings (e.g., duplexes, triplexes, townhomes)
- Accessory second units
- Limited neighborhood-serving commercial on lots two acres or less
- Compatible public, quasi-public, and special uses

The key urban form characteristics envisioned for traditional neighborhood low density residential areas include the following:

- Predominantly single-family residential scale and including a mix of single-family units, second units, duplexes, triplexes, four-plexes, and apartments;
- Lot coverage generally not exceeding 70 percent; and
- Limited garages and curb cuts along the street frontage with rear, alley, and side garage access.

The Curtis Park Village project proposes the creation of approximately 129 single family residential parcels, ranging in size from 40' in width by 100' in depth, to 50' in width by 195' in depth. The Curtis Park Village project also contains standard front loaded parcels and rear loaded private drive parcels, throughout the site. Within the traditional neighborhood low density residential land use designation, density between 3.0 du/na and 8.0 du/na is allowed, with the proposed project providing a density of approximately 7.0 du/na.

As part of the PUD Guidelines, a Pattern Book outlining development standards for the single family residences (including duplexes, second units, and garages) is proposed. Development of the house plans will be in accordance with the Zoning Code, through the approval of a Planning Director's Plan Review.

The proposed Curtis Park Village project is consistent with General Plan policies that reinforce a pedestrian friendly neighborhood of short residential blocks, create rear private drives for many of the residential parcels, and provide for future development of housing for all sizes of families, with convenient access to the proposed park.

General Plan Policies relating to the traditional neighborhood low density residential land use designation, which are furthered by the proposed Curtis Park Village project

include:

Policy LU 4.1.3: Walkable Neighborhoods. The City shall require that design and development of neighborhoods that are pedestrian friendly and include features such as short blocks, broad and well-appointed sidewalks (e.g., lighting, landscaping, adequate width), tree-shaded streets, buildings that define and are oriented to adjacent streets and public spaces, limited driveway curb cuts, paseos and pedestrian lanes, alleys, traffic-calming features, convenient pedestrian street crossings, and access to transit.

Policy LU 4.1.4: Alley Access. The City shall encourage the use of well-designed and safe alleys to access individual parcels in neighborhoods in order to reduce the number of curb cuts, driveways, garage doors, and associated pedestrian/automobile conflicts along street frontages.

Policy LU 4.1.12: Family Friendly Neighborhoods. The City shall promote the development of family-friendly neighborhoods throughout the city that provide housing that accommodates families of all sizes and provides safe and convenient access to schools, parks, and other family-oriented amenities and services.

4. Traditional Neighborhood Medium Density Residential

The General Plan designates a large area of the Curtis Park Village site as Traditional Neighborhood Low Density residential. The applicant is requesting a General Plan Amendment to re-designate approximately 8.0 net acres to Traditional Neighborhood Medium Density residential, as the lot sizes are smaller, thus creating a proposed overall (all individual residential parcels, Villages 1,2, & 3) density of approximately 8.25 du/na, or .25 du/na above that as allowed within the Traditional Neighborhood Low Density residential designation.

As stated in the General Plan, the Traditional Neighborhood Medium Density residential designation includes but is not limited to:

- Small-lot single family dwellings; and
- Small-lot single-family attached dwellings (e.g., duplexes, triplexes, townhomes)

The key urban form characteristics of the Traditional Neighborhood Medium Density residential designation mirror that of the Traditional Neighborhood Low Density designation, and include:

- Predominantly single-family residential scale and including a mix of single-family units, second units, duplexes, triplexes, four-plexes, and apartments;
- Lot coverage generally not exceeding 70 percent; and
- Limited garages and curb cuts along the street frontage with rear, alley, and side garage access.

City staff supports the proposed General Plan Amendment as the Traditional

Neighborhood Medium Density residential designation will provide a slightly higher density closer to the commercial areas and public transit. In addition, it will provide for a transition between the commercial areas at the west to the existing Curtis Park neighborhood to the east. Furthermore, the smaller lot, higher density parcels will result in the creation of an intermediate housing type between the standard single family residences and the multi-family communities.

Allowing the General Plan Amendment in order to achieve a slightly higher density and housing type, would be compatible with the following General Plan Goals and Policies:

Policy LU 2.1.3: Complete and Well Structured Neighborhoods. The City shall promote the design of complete and well-structured neighborhoods whose physical layout and land use mix promote walking to services, biking, and transit use; foster community pride; enhance neighborhood identity; ensure public safety; are family friendly and address the needs of all ages and abilities.

Policy LU 4.1.6: Neighborhood Transitions. The City shall provide for appropriate transitions between different land use and urban form designations along the alignment of alleys or rear lot lines and along street centerlines, in order to maintain consistent scale, form, and character on both sides of public streetscapes.

Policy LU 4.1.10: Balanced Neighborhoods. The City shall require new major residential development to provide a balanced housing mix that includes a range of housing types and densities.

Neighborhood Park

A 6.8 net acre park is proposed within the Traditional Neighborhood Low Density Residential area of the Curtis Park Village project. The park will be bordered by city streets, with residential land uses facing it. Specific park amenities will be identified through the Park Master Plan process, which has been initiated by the applicant and the City's Department of Parks and Recreation. As noted previously, in order to ensure that the park is developed as a standard neighborhood park and the proposed detention basin is not jeopardized, the Department of Parks and Recreation and the Department of Utilities have drafted a Resolution for City Council approval which provides policy direction for the Curtis Park Village neighborhood park and detention basin as they relate to the amendment to the RAP (see Attachment 11). The proposed park would be considered a public use, which is a key urban form characteristic of the Traditional Neighborhood Low Density residential land use designation.

The proposed Curtis Park Village project is consistent with the General Plan policies relating to parks as it will provide a new neighborhood park to new residents and existing residents, and be centrally located within the project site, easily accessible to all residents.

The General Plan policies related to the park which are supported by the proposed project include, but are not limited to:

- **Policy LU 4.1.7: Connections to Open Space.** The City shall ensure that new and existing neighborhoods contain a diverse mix of parks and open spaces that are connected by trails, bikeways, and other open space networks and are within easy walking distance to residents;
- **Policy LU 9.1.2: New Parks and Open Spaces.** The City shall ensure that sufficient parks, open space, water corridor parkways, and trails are planned throughout the city, to ensure adequate facilities are available to existing and future residents.

Zoning: The Curtis Park Village site is currently zoned Heavy Industrial (M-2), with a few parcels zoned Standard Single Family Residential (R-1). The existing zoning reflects the prior use of the site for railroad operations. The applicant is requesting to rezone the site consistent with the proposed Curtis Park Village Planned Unit Development plan: Shopping Center (SC-PUD), Single Family Alternative (R-1A-PUD), Multi-Family (R-2B-PUD), and Multi-Family (R-4A-PUD). The current and proposed zoning designations are shown in the following table, and on Attachment 7, Ordinance for the Rezone:

Table 2: Zoning Summary		
Zoning Designation	Existing (ac)	Proposed (ac)
M-2	71.5	0
R-1	.2	0
R-1A-PUD	0	36.2
R-2B-PUD	0	5.9
R-4A-PUD	0	9.3
SC-PUD	0	20.3
Total	71.7	71.7

Single Family Alternative Zone (R-1A-PUD)

The Zoning Code defines the Single Family Alternative zone as a low to medium density residential zone intended to permit the establishment of single-family, individually owned, attached or detached residences where lot sizes, height, area and/or setback requirements vary from standard single family. Maximum density in the R-1A zone is fifteen (15) dwelling units per net acre. For the proposed project, the Single Family Alternative (R-1A-PUD) area may be developed in the future by approval of a Planning Director's Plan Review. As discussed later in this report, the single family residential house plans will be reviewed to ensure compliance with the PUD Guidelines Appendix A: Curtis Park Village Single Family Home Design Guidelines.

Multi-Family Zone (R-2B-PUD)

The Zoning Code defines the Multi-Family (R-2B) zone as a multi-family zone which offers broader density flexibility as a transition from the garden apartment setting to a more traditional apartment setting. Maximum density for the R-2B zone is twenty-one (21) units per net acre. For the proposed project, the Multi-Family (R-2B-PUD) area may be developed in the future by approval of a Planning Commission Special Permit to ensure compliance with the PUD Guidelines, in order to allow individually owned attached/detached brownstone or cottage residences.

Multi-Family Zone (R-4A-PUD)

The Zoning Code defines the Multi-Family (R-4A) zone as a multi-family zone located generally in urban neighborhoods, corridors, and centers in the Central City or near major transit stops. Maximum density for the R-4A zone is one hundred ten (110) units per net acre. For the proposed project, the Multi-Family (R-4A-PUD) areas may be developed in the future by approval of a Planning Director's Plan Review to ensure compliance with the PUD Guidelines, in order to allow apartments.

Shopping Center (SC-PUD)

The Zoning Code defines the Shopping Center (SC) zone as a general shopping center zone which provides a wide range of goods and services to the community. This zone, however, prohibits general commercial uses which are not compatible with a retail shopping center, and is therefore, more restrictive than the General Commercial (C-2) zone. In addition, the SC zone requires the approval of a Planning Director's Plan Review or Planning Commission Special Permit for certain uses that would otherwise be allowed within the General Commercial (C-2) zone, such as: a hotel, restaurant, medical offices, and athletic club. For the proposed project, the Shopping Center (SC-PUD) areas may be developed in the future by approval of a Planning Director's Plan Review or Planning Commission Special permit to ensure compliance with the PUD Guidelines, in order to allow retail and/or offices uses.

The proposed Zoning designations will bring the Curtis Park Village site into compliance with the existing General Plan designation and proposed General Plan Amendment.

The PUD Designation will require that future development requests conform to the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan. Staff supports the proposed rezones and specific zoning designations as they are appropriate in order to develop the site with the proposed project, while maintaining compatibility with the existing neighborhood.

Inclusionary Housing Plan: The Curtis Park Village site is subject to the Mixed Income Housing chapter of the City Zoning Code Section 17.190, which is intended to ensure that residential projects in new growth areas contain a defined percentage of housing affordable to low income and very low income households. In coordination with the Sacramento Housing and Redevelopment Agency (SHRA), the applicant has prepared an Inclusionary Housing Plan (Attachment 8, Resolution for the Inclusionary Housing Plan). Based upon the project proposal of 527 residential units, the project's inclusionary obligation is 79 units. Five percent (5%) of the inclusionary units, or 26 units, must be affordable to low income households, and ten percent (10%) of the inclusionary units, or 53 units, must be affordable to very low income households. The applicant proposes to partner with a builder that specializes in affordable housing projects and to provide all of the inclusionary housing units as rental units, within the proposed 90-unit senior multi-family housing community (Tentative Subdivision Map, Village 4). City and SHRA staff support the Inclusionary Housing Plan as proposed as it is consistent with the Zoning Code requirements.

Curtis Park Village Planned Unit Development Schematic Plan & Guidelines: The applicant is requesting to create the Curtis Park Village Planned Unit Development (PUD) with associated development guidelines and schematic plan. The purpose of the PUD Guidelines is to provide regulations and standards to guide development on the project site, so that the overall development is harmonious and the result is a coordinated site. The proposed Schematic Plan establishes allowed land uses and intensities for each designation. Future development upon an individual parcel or group of parcels will be evaluated through the Planning Director plan review process, Special Permit process, or other appropriate entitlement, requiring consistency with the General Plan policies and development standards, Schematic Plan, PUD Development Guidelines, and the procedural requirements of the Sacramento Zoning Code. Please refer to the Resolution for the PUD Guidelines and Schematic Plan, Attachment 9.

PUD Schematic Plan:

The proposed Curtis Park Village Schematic Plan illustrates development in a general sense, without showing specific site plans or layouts. The Schematic Plan works in conjunction with the PUD Guidelines; any future development will require an appropriate application for entitlement(s) that is accompanied by specific site plans, floor plans, and elevations for the proposed project. The Schematic Plan is consistent with the proposed General Plan land use designations, and zoning classifications for the Curtis Park Village site.

PUD Guidelines:

The proposed Curtis Park Village PUD Guidelines lay forth a vision for how the project

site will be developed:

“The vision for Curtis Park is a vibrant mixed-use neighborhood developed at a pedestrian scale. Uses of the site include: detached brownstones, cluster-housing, single family detached homes, affordable seniors and market-rate multi-family housing, a community shopping and retail/commercial development area, and a neighborhood park.”

The PUD Guidelines are organized into the following sections: Introduction, Land Use Development Standards, Land Use Design Standards, Circulation and Parking, Landscape and Streetscape, Signage and Graphics, and Lighting. Each section of the guidelines stipulates how future development will occur, in order to ensure the vision for Curtis Park Village is achieved.

The PUD Guidelines also contain a separate portion addressing the future development of the single family residences, in the “Single Family – Traditional” portions of the Schematic Plan (Appendix A: Curtis Park Village Single Family Home Design Guidelines). These guidelines are proposed with the intent that the single-family residences in the Standard Single Family Alternative (R-1A) zone, within Curtis Park Village will reflect the quality and design of the existing Curtis Park neighborhood. The Single Family Home Design Guidelines address development details such as: setbacks, orientation, scale, garage location, exterior roof pitch, and exterior building materials. As stated previously, future review of the “Single Family – Traditional” residential house plans will be in accordance with the Zoning Code, through the approval of a Planning Director’s Plan Review (17.24.050.17.b).

City staff recommends approval of the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan as they will refine future development of the project site, ensuring that future development will be traditional and keeping with the existing Curtis Park neighborhood. Furthermore, the approval of the PUD Guidelines and Schematic Plan will guarantee that future development of the site will not result in the creation of a suburban development upon an infill site.

Large Lot Tentative Map & Tentative Subdivision Map: The applicant is proposing to subdivide the 71.7± acre site with a Large Lot Tentative Map (Large Lot Map) and Tentative Subdivision Map (TSM). The Large Lot Map creates large parcels that are final parcels, such as Parcel 6 Multi-Family Residential, and other parcels, such as Parcel 1 Single Family Residential, that requires further subdivision for single family lots consistent with the PUD. Along with creating lots for future development, the Large Lot Map provides dedications and easements for backbone infrastructure such as roads, sidewalks, and a detention basin. The Tentative Subdivision Map creates similar parcels as that of the Large Lot Map, but further subdivides many parcels, for future development of the single family residential parcels.

Vehicular Circulation:

Both maps have a modified grid system, due to the fact that the Curtis Park Village site

is a unique infill site, predominantly surrounded by existing development, providing only a few opportunities to connect to the existing neighborhood. The Curtis Park Village site connects to the existing neighborhood, in the following locations, some of which are discussed in greater detail further below:

- 24th Street, both southbound and northbound;
- 5th Avenue, both westbound and eastbound, with an optional street alignment as shown in “Detail A” as a cul-de-sac;
- Donner Way, both westbound and eastbound;
- 10th Avenue, both westbound and eastbound;
- Road A/Sutterville Road, southbound and northbound;
- Road C/Pacific Avenue Bypass, southbound and northbound; and
- Road J, southbound into Curtis Park Village.

24th Street

The proposed Curtis Park Village map connects to 24th Street at roughly the location of the existing dog-leg where 24th Street and Donner Way intersect. As proposed on the map, beginning at 5th Avenue, 24th Street will veer slightly to the south and west onto the Curtis Park Village site, creating a new north/south minor collector street. The existing 24th Street will be abandoned in between 5th Avenue and Donner Way. The traffic study undertaken as part of the proposed project anticipated that through traffic will utilize the newly created minor collector through the Curtis Park Village site, easing use on the section of 24th Street just east of the site.

5th Avenue/“Detail A”

As part of the Tentative Subdivision Map, Road J will connect to Donner Way in the existing Curtis Park neighborhood. However, at the request of some of the residents of Curtis Park, the applicant has also provided “Detail A,” which creates a cul-de-sac at the eastern end of Road J, rather than a connection. The Planning Commission recommended approval on the connection of Donner Way as proposed, and the City Council will have final action on which street layout is final. City staff recommends that Road J connect to Donner Way, in order to maximize connectivity of the Curtis Park Village site with the existing neighborhood, in keeping with the traditional neighborhood grid pattern.

Road C/Pacific Avenue Bypass

The existing Curtis Park Village site contains the Sutterville Bypass loop, which is an antiquated road providing westbound Sutterville Road traffic to loop under the bridge in order to get to the Western Pacific Neighborhood area south of Sutterville Road. This neighborhood contains many heavy commercial/industrial uses. As the bypass loop is old and was not constructed to City engineering standards, the applicant has eliminated the loop, and re-routed the traffic onto the internal Curtis Park Village Street.

Road J

Due to safety concerns expressed by the City's Department of Transportation, Road J has been detailed to provide access via southbound traffic from Portola Way into the Curtis Park Village site. Northbound traffic out of the site will be blocked from exiting by use of a bulb-out, with a turn around area provided at the northern end of Road J.

Road D/Street Section G

On-street angled parking is proposed along Road D (see Street Section G), allowing for drive-up access to future commercial tenants of either Lot A or Lot B.

Pedestrian/Bicycle Circulation:

On-site pedestrian access is proposed via attached and detached sidewalks connecting the existing neighborhood to the Curtis Park Village neighborhood, and connecting internally throughout the site. Additional pedestrian access will be reviewed through future entitlement processes. A dedicated bicycle lane will be provided along both sides of the main southbound/northbound street within Curtis Park Village, "Road A."

Future Pedestrian Bridge to/from Sacramento City College

Although not a part of the project or shown on the Curtis Park Village maps, a pedestrian bridge connecting Sacramento City College to the Curtis Park Village site may be constructed in the future. The landing for the pedestrian bridge would be located at the northwestern area of Lot A, Commercial, either on the parcel itself or within City right-of-way. The map has been conditioned so that an easement for the pedestrian landing will be provided, to the satisfaction of the City's Department of Transportation.

Lot D/Parkway:

Lot D is a sixty-foot (60') wide open parkway area created to accommodate a detention basin (the Donner Trunk) for sewer and storm water from the existing Curtis Park neighborhood. The applicant has stated that his intent of this area is to look and operate like the neighborhood on T Street between 39th Street and 53rd Street

Subdivision Modifications: The applicant is requesting Subdivision Modifications for the street sections which are proposed to navigate Lot D, the Parkway area, and the creation of private drives (similar to alleys). The Department of Transportation has reviewed the requested modifications and has found the modifications acceptable, subject to conditions of the tentative maps.

Planning Commission Hearing: As stated previously, the Planning Commission unanimously voted (8-0) to forward a recommendation of approval to the City Council, with the addition of the following revisions/recommendations:

Planning Commission Recommendation:

- 1) City staff and the applicant should assist DTSC with notification regarding the public comment period and the public meeting related to the revision of the RAP.

Staff's Analysis:

City staff and the applicant will assist with future public notifications of the RAP process, public comment periods, and public meetings. City staff and/or the applicant will make mailing lists and address databases available to DTSC. In addition, City staff will post information related to the Curtis Park Village RAP on the City's website.

Planning Commission Recommendation:

- 2) The PUD Guidelines need to emphasize that usable building entrances shall be oriented toward the street.

Staff's Analysis:

The PUD Guidelines sufficiently address active building entrances in the following sections:

3.2.12(B) Orient building main entrances to streets or public spaces wherever possible or practical.

3.2.12(C) Multiple entrances or corner entrances are encouraged at street corners to activate both street frontages.

3.2.12(D) Locate sidewalk entrances to accommodate ease of pedestrian movement.

3.2.12(F) Locate service entrances away from pedestrian entrances.

Planning Commission Recommendation:

- 3) 10th Avenue should be converted from vehicular, bicycle and pedestrian accessible to bicycle and pedestrian accessible only.

Staff's Analysis:

As noted previously, the existing infill site is limited in the number of street connections available with the existing neighborhood, and the applicant has proposed a street grid pattern with the maximum potential number of connections. General Plan Policy M 1.3.1 specifically emphasizes the following:

Grid Network. The City shall require all new residential, commercial, or mixed-

use development that proposes or is required to construct or extend streets to develop a transportation network that provides for a well-connected, walkable community, preferably as a grid or modified grid.

Eliminating a street/vehicular connection would affect the grid pattern, severing the existing neighborhood from the new neighborhood. City staff does not support the conversion of 10th Avenue to limit connectivity to pedestrian/bike access for this reason, as it is contrary to the General Plan.

Planning Commission Recommendation:

- 4) The senior housing location (Village 4) should be swapped with the multi-family housing location (Village 5), so that the senior housing will be located further from the railroad, closer to the park and closer to public transit service located on "Road A."

Staff's Analysis:

The proposed senior housing, located in Village 4, was deliberately placed in the specified location as it would be a transitional land use separating the lower density multi-family residential land uses with the higher intensity commercial land uses. In addition, the Village 4 location provides a shorter path of travel for the residents to the future pedestrian bridge and RT Lightrail Station. As stated previously, all future site plans and layouts will be reviewed to ensure that they are developed and considered as a whole, in order to provide for maximum connectivity and integration. Furthermore, the senior housing development will be approximately four to five stories in height, which when placed directly across from the single family residences along the eastern side of "Road A," creates an abrupt change in land use and incompatibility between the two uses. Therefore, City staff does not support the swapping of the Village 4 and Village 5 land uses.

Notice of Hearing: As required by sections 17.200.010(C)(2), 16.24.097, 17.204.020 (C), 17.208.020 (C), and 17.180.050 (D) of the City Code, a ten day notice of the April 1, 2010 public hearing has been given by publication, posting and mail (500').

Attachment 4 – Resolution Certifying the Environmental Impact Report

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

**CERTIFYING THE ENVIRONMENTAL IMPACT REPORT
FOR THE CURTIS PARK VILLAGE PROJECT (P04-109)**

BACKGROUND

- A. On February 25, 2010, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Curtis Park Village Project.
- B. On April 1, 2010, 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 feet) and received and considered evidence concerning the Curtis Park Village Project.

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

- Section 1. The City Council finds that the Environmental Impact Report for Curtis Park Village Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the “EIR”) has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council’s independent judgment and analysis.

Attachment 5 – Resolution for the Environmental Impact Report

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

**CERTIFYING THE ENVIRONMENTAL IMPACT REPORT
AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE CURTIS PARK
VILLAGE PROJECT (P04-109)**

BACKGROUND

- A. On February 25, 2010 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Curtis Park Village Project
- B. On April 1, 2010 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 feet) and received and considered evidence concerning the Curtis Park Village Project.

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- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council’s independent judgment and analysis.
- Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of

its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the 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 as set forth in Exhibit B of this Resolution.

Section 6. The City Council directs that, upon approval of the Project, the City's Community Development Department shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

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.

Section 8. Exhibit A and Exhibit B are a part of this Resolution.

Table of Contents:

Exhibit A - CEQA Findings of Fact and Statement of Overriding Considerations for the Curtis Park Village Project.

Exhibit B – Mitigation Monitoring Plan

Exhibit A – CEQA Findings of Fact and Statement of Overriding Considerations for the Curtis Park Village Project

Description of the Project

The proposed project would convert the existing 72-acre project site into a mixed-use, urban infill development. Curtis Park Village, as proposed, would be one of Sacramento City's largest infill projects. The intent of the project is to create a neighborhood consisting of single-family home sites, multi-family and senior multi-family residential complexes, a neighborhood park area, and neighborhood-serving retail and commercial development areas. The proposed project includes approximately 259,000 square feet of commercial retail, 189 single-family home sites, a 90-unit senior multi-family housing complex, a 117-unit multi-family residential housing complex, a 131-unit multi-family residential housing complex, and an 8.7-acre (6.8 net acres) park.

The proposed project site is currently contaminated with hazardous wastes from the rail yard era and remediation of the site is continuing to occur, pursuant to a Remedial Action Plan (RAP) approved by the DTSC in 1995. However, subsequent discovery of additional volumes of contaminants in 2008 resulted in the need to update the approved 1995 RAP. The proposed update to the 1995 RAP will address only the disposition of contaminated soils and would allow the soils to remain on site. Therefore, the EIR analyzes potential environmental impacts that may be associated with proposed remedies that will be contained in the update to the previously approved RAP. All potential remedies that could be used to address the additional volume of contaminants on-site are examined in this EIR for use by DTSC in their approval process. The remediation of the site, pursuant to the 1995 RAP and the updated RAP, will be completed prior to development of the proposed project, although ongoing groundwater monitoring, as required by the current RAP, could still be performed. Once DTS determines remediation of the site to be complete and compliant with all applicable standards and laws, development of the proposed project could begin.

Findings Required Under CEQA

1. Procedural Findings

The City Council of the City of Sacramento finds as follows:

Based on the initial study conducted for Curtis Park Village Project, SCH # 2004082020 (herein after the Project), the City of Sacramento's Community Development Department determined, on substantial evidence, that the Project may have a significant effect on the environment and prepared an environmental impact report ("EIR") on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA")), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency August 4, 2004 and was circulated for public comments from August 4, 2004 through September 3, 2004. A revised Notice of Preparation was filed on May 12, 2008 for a 30-day comment period, due to changes to the project description; a second revised NOP was released on November 12, 2008 for a 30-day comment period due to additional project description changes.
- b. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on April 1, 2009, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- c. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on April 1, 2009 and originally ended on May 15, 2009. The comment period was extended 15 days to end on May 30, 2009.
- d. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on April 1, 2009. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Community Development Department, New City Hall, 915 I Street, Third Floor, Sacramento, California 95814. The letter also indicated that the official 45-day public review period for the Draft EIR would end on May 15, 2009. In response to public requests, a revised NOA was mailed, extending the comment period to a total of 60 days and ending on May 30, 2009.
- e. A public notice was placed in the Daily Recorder on April 1, 2009 which stated that the Draft EIR was available for public review and comment.
- f. A public notice was posted in the office of the Sacramento County Clerk on April 1, 2009.
- g. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

2. Record of Proceedings

The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR and all documents relied upon or incorporated by reference;
- b. The City of Sacramento 2030 General Plan adopted March 3, 2009, and all updates;
- c. The Master Environmental Impact Report for the City of Sacramento 2030 General Plan certified on March 3, 2009, and all updates;
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2030 General Plan adopted March 3, 2009, and all updates;
- e. Zoning Ordinance of the City of Sacramento;
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December 2004;
- g. Land Park Community Plan;
- h. Curtis Park Village PUD Guidelines and PUD Schematic Plan;
- i. Applications materials, including application information;
- j. The Mitigation Monitoring Program for the Project;
- k. 1995 Remedial Action Plan for the project site; and
- l. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a) (b).)

With respect to a project for which significant impacts are not avoided or substantially

lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California ("Laurel Heights I")* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); see also, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines:

A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

Transportation and Circulation

5.2-1 Impacts to study intersections under baseline plus project conditions. Without mitigation, this is a *significant impact*.

The Proposed Project and all access scenarios would increase traffic volumes at study area intersections and would cause **potentially significant** impacts under baseline plus project conditions at the following intersections:

- Freeport Boulevard / 2nd Avenue
- Sutterville Road / Road A
- Sutterville Road / SR 99 Southbound Ramps
- Road A / Area 3

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.2-1(a) *At the Freeport Boulevard / 2nd Avenue intersection, provide protected left-turn phasing for the northbound and southbound approaches. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

5.2-1(b) *At the Sutterville Road / Road A intersection, provide overlap signal phasing to allow the southbound Road A right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and prohibit U-turns for the eastbound left turning movement; add a southbound left-right lane to provide one left-turn lane, one left-right lane, and one right turn lane, and provide a dedicated right turn lane for the westbound Sutterville Road approach to the intersection. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

5.2-1(c) *Modify the southbound approach to the Sutterville Road / SR99 SB Ramps intersection to provide a left-turn lane, a combination left-through-*

*right lane, and two right-turn lanes. This change would consist of adding bring the right-turning movements to the existing combination left-through lane and allow that movement to occur under traffic signal control. This mitigation measure is required at five percent of development based on trip generation. The design of the mitigation is subject to the approval of the City Department of Transportation and Caltrans. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a **less than significant** level during the p.m. and Saturday peak hours.*

5.2-1(d) *At the Road A / Area 3 intersection, provide separate right-turn and left-turn lanes on the eastbound approach. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

Finding: Prior to issuance of first building permit, the project applicant shall install or cause to be installed the traffic improvements at affected intersections. According to the traffic study, after implementation of traffic improvements, the affected intersections would operate at acceptable levels.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.2-7 Impacts to on-site traffic circulation and safety under baseline plus project conditions. Without mitigation, this is a *significant impact*.

The site plan appears to show Road J as a two-way street between Road H and the narrow alley at the north edge of the project site and the project description states that the alley will be widened to full residential street standard and extended to link with Portola Way. Northbound left-turn from Portola Way is currently prohibited at the intersection of Portola Way, Marshall Way and 4th Avenue because of potential safety issue due to its close proximity to the 21st Street intersection; however, illegal turns can still be made. The project would potentially add traffic to this intersection and increase the number of illegal movements. This would be considered a **potentially significant impact**.

The site plan shows angle parking along Road B that would require vehicles leaving some of the parking stalls to back across pedestrian crosswalks. This type of design would not comply with City design standards or normal traffic engineering practices and would be considered a **potentially significant impact**.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.2-7(a) *The design plans for the project shall be consistent with City standards. Any deviations are subject to the approval of the City Department of Transportation, Traffic Engineering Division. The horizontal curvatures*

shall be realigned or design elements such as “knuckles” shall be installed in compliance with City standards.

5.2-7(b) The site design shall be modified to reduce the potential for vehicles leaving parking stalls to back across pedestrian crosswalks. This change may require the elimination of some angle parking spaces.

Finding: The project site design, including potential circulation is required to conform to City standards. In addition, the site designs will be modified to reduce the potential of parking vehicles backing across pedestrian crosswalks. According to the traffic study, after implementation of the site design, the project impact to on-site traffic and safety under baseline plus project conditions would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.2-9 Impacts during construction. Without mitigation, this is a *significant impact*.

The project would be constructed over a multi-year period. Construction could include disruptions to the transportation system in and around the project area, including temporary street closures and sidewalk closures. Heavy vehicles would access the project area and would need to be staged for construction. Short-term construction activities and staging of construction vehicles and equipment could result in degraded roadway operations.

Project construction activities including the import of the clean fill material could result in impacts to vehicle and pedestrian access in and around the project area, resulting in a ***potentially significant*** impact.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.2-9(a) Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:

- *The number of truck trips, time, and day of street closures;*
- *Time of day of arrival and departure of trucks;*
- *Limitations on the size and type of trucks and provision of a staging area with a limitation on the number of trucks that can be waiting;*
- *Provision of a truck circulation pattern;*

- *Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);*
- *Safe and efficient access routes for emergency vehicles;*
- *Efficient and convenient transit routes;*
- *Manual traffic control when necessary;*
- *Proper advance warning and posted signage concerning street closures;*
- *Provisions for pedestrian safety; and*
- *Provisions for temporary bus stops, if necessary.*

A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

Finding: The project applicant is required to submit a Traffic Management Plan that would ensure maintenance of acceptable operating conditions on local roadways and transit routes. The Traffic Management Plan would be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments to ensure the traffic related impacts during construction would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.2-10 Cumulative impacts to study intersections. Without mitigation, this is a *significant impact*.

The Proposed Project would add traffic to study intersections and cause significant impacts for cumulative conditions at the following intersections:

- (a) 24th Street / 2nd Avenue
- (b) 24th Street / Portola Way
- (c) Sutterville Road / Freeport Boulevard (north)
- (d) Sutterville Road / City College Drive
- (e) Sutterville Road / Road A
- (g) Sutterville Road / Franklin Boulevard
- (h) Sutterville Road / SR 99 Northbound Ramps
- (i) Road A / Area 1

The Proposed Project would cause traffic operations at all of the intersections listed to drop from LOS C or better to LOS D or worse, or would increase the delay by 5 seconds or more for intersections that would operate below LOS C without the

project. This is considered a **potentially significant** impact.

Access Scenario 2 (two northeast connections) and Access Scenario 3 (10th Avenue connection) would have **potentially significant** impacts for cumulative conditions at the same locations as the Proposed Project.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

- 5.2-10(a) 24th Street / 2nd Avenue – *The project applicant shall pay a fair share contribution to install a traffic signal at this intersection. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a **less than significant** level.*
- 5.2-10(b) 24th Street / Portola Way – *The project applicant shall pay a fair share contribution to install a traffic signal at this intersection. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a **less than significant** level.*
- 5.2-10(c) Sutterville Road / Freeport Boulevard (north) – *the applicant shall pay a fair share contribution to provide protected-permitted left turn phasing and install proper signage for southbound Freeport Boulevard. This mitigation measure would reduce the impact of the Proposed Project, Access Scenario 2 and Access Scenario 3 to a **less than significant** level.*
- 5.2-10(d) Sutterville Road / City College Drive – *The applicant shall pay a fair share contribution to provide overlap signal phasing to allow the northbound right turn traffic on City College Drive to proceed on a green arrow simultaneously with the westbound left turning movement, and prohibit U-turns for the westbound Sutterville Road approach to the intersection. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a **less than significant** level.*
- 5.2-10(e) Sutterville Road / Road A – *apply Mitigation Measure 5.2-1(b) which would provide overlap signal phasing to allow the southbound Road A Right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and prohibit U-turns for the eastbound left turning movement; provide one left-turn lane, one left-right lane, and one right-turn lane on the southbound approach; provide a dedicated right turn lane for the westbound Sutterville Road approach to the intersection; provide an actuated exclusive pedestrian phase to serve pedestrians crossing Sutterville Road; and optimize signal timing. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

5.2-10(g) *Sutterville Road / Franklin Boulevard – The project applicant shall pay a fair share contribution to add an eastbound right-turn lane that would mitigate the Saturday peak hour impact of the Proposed Project and Access Scenario 2 and Access Scenario 3 to a **less than significant** level. For a.m. and p.m. peak hour impacts, the cycle length would increase to 110 seconds. These mitigation measures would reduce the impact of the Proposed Project and Access Scenario 2 and Access Scenario 3 to a **less than significant** level.*

5.2-10(h) *Sutterville Road / SR 99 Northbound Ramps – The project applicant shall pay a fair share contribution to modify signal timing to provide split phase for all approaches and re-strip the eastbound lanes to provide one left-turn, one left-through, and one through lane. Construct two receiving lanes on the on-ramp for the turning movement from eastbound 12th Avenue to the northbound SR 99 ramp. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a **less than significant** level.*

5.2-10(i) *Road A / Area 1 – The project applicant shall pay a fair share contribution to modify the signal phasing to provide overlaps for the eastbound right-turn movement; provide protected-permitted phasing for the northbound left-turn movement; prohibit U-turn movement at this intersection; and increase the cycle length to 95 seconds. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a **less than significant** level.*

Finding: The project applicant is required pay fair share contributions to intersection improvements at the affected intersections and construct the improvements at Sutterville Road and Road A. According to the traffic study, after implementation of the intersection improvements, the affected intersections would operate at acceptable levels.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Air Quality

5.3-1 Impacts related to the update of the Remedial Action Plan. Without mitigation, this is a *significant impact*.

Implementation of the revised RAP would result in nearly 100 trucks passing the residences along Sutterville Road. While emissions during soil export and import would not exceed the SMAQMD construction threshold of significance and the impact would be temporary (approximately three months in length), the SMAQMD considers substantial and constant diesel truck activity near homes a **potentially significant** impact.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

- 5.3-1 *Prior to import of clean soil associated with the ongoing remediation activities in excess of the volume anticipated in the existing RAP, contracts for soil hauling shall specify that all haul trucks shall be model year 2007 or newer, or be retrofitted to meet model year 2007 emission standards, for the review and approval of the DTSC and the SMAQMD.*

Finding: All haul trucks associated with ongoing remediation activities shall be model 2007 or newer. According to the air quality report and review and approval of DTSC and the SMAQMD, the use of 2007 or newer haul trucks would result in a less than significant air quality impact related to the update of the Remedial Action Plan.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

- 5.3-2 Impacts related to exhaust emissions and fugitive particulate matter emissions from project-associated construction activities. Without mitigation, this is a *significant impact*.

Controlled dust emissions during construction would exceed 80 pounds per day during the grading of the site. These controlled emissions could potentially result in localized exceedances of the particulate matter ambient air quality standards which is a significance threshold; therefore, a ***potentially significant*** impact could result.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

- 5.3-2(a) *The project applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.*

- 5.3-2(b) *Prior to the approval of any grading permit, the project proponent shall*

submit a dust-control plan to the City of Sacramento Community Development Department. The dust-control plan shall stipulate grading schedules associated with the project phase, as well as the dust-control measures to be implemented. Grading of proposed project phases shall be scheduled so that the total area of disturbance would not exceed 15 acres on any given day. The dust control plan shall be incorporated into all construction contracts issued as part of the proposed project development. The dust-control plan shall, at a minimum, incorporate the following measures:

- *Apply water, chemical stabilizer/suppressant, or vegetative cover to disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive for longer than 3 months;*
- *Water exposed surfaces sufficient to control fugitive dust emissions during demolition, clearing, grading, earth-moving, or excavation operations. Actively disturbed areas should be kept moist at all times;*
- *Cover all vehicles hauling dirt, sand, soil or other loose material or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114;*
- *Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when construction operations are occurring; and*
- *Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less.*

Finding: The project applicant is required to ensure that all off-road diesel powered equipment does not exceed 40 percent opacity for more than three minutes. In addition the applicant will submit a dust-control plan to the City of Sacramento Community Development Department. Measures within the dust-control plan would reduce fugitive particulate matter emissions to a less than significant level.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.3-3 Impacts related to a temporary increase in NO_x emissions. Without mitigation, this is a *significant impact*.

Vehicles and equipment associated with the construction of the proposed project would emit up to 105.88 pounds per day of NO_x. Therefore, construction emissions associated with buildout of the Curtis Park Village portion of the project would exceed the SMAQMD threshold of 85 pounds per day for NO_x. As a result, implementation of the proposed project would result in a ***potentially significant*** impact to air quality.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

- 5.3-3(a) *Prior to issuance of a grading permit, the applicant shall submit a SMAQMD-approved plan, which demonstrates that the heavy-duty (>50 horsepower) off-road vehicles to be used during construction of the project (including owned, leased, and subcontracted vehicles) will achieve a project-wide average of 20 percent NO_x reduction and 45 percent particulate matter reduction, based on the most recent CARB fleet average at the time of construction. In addition, the applicant shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment (>50 horsepower) that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and project hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project. Inventory shall not be required for any 30-day period in which construction activities do not occur. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the applicant shall provide SMAQMD with the anticipated construction timeline, including the start date and the name and phone number of the project manager and on-site foreman.*
- 5.3-3(b) *Prior to issuance of a grading permit, the applicant shall provide a construction mitigation fee to the SMAQMD sufficient to offset project emissions of NO_x above 85 pounds per day. The amount of the fee shall be based on updated construction scheduling and equipment lists, and shall be calculated using the SMAQMD method of estimating excess emissions. The current price of NO_x construction offsets calculated by SMAQMD is \$16,000 per ton.*

Finding: The project applicant is required to submit a plan and inventory which demonstrates that the heavy duty off-road vehicles used during construction will achieve project-wide emission reduction, based on the most recent CARB fleet average. In addition, the applicant is required to pay a construction mitigation fee to the SMAQMD sufficient to offset project emissions of NO_x above 85 pounds per day. A reduction of construction vehicle emissions and payment of mitigation fees would reduce the impact related to a temporary increase in NO_x emissions to a less than significant level.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Noise

5.4-2 Construction noise impacts to surrounding existing uses. Without mitigation, this is a *significant impact*.

Although the City of Sacramento Municipal Code Section 8.68.080 exempts construction activities from the noise standards specified in the Municipal Code, construction activities, such as the use of jackhammers and tractors, could expose occupants of nearby residences to high levels of noise during the day. Existing residences are located near the project site to the north, south, and east. Therefore, construction noise could exceed the City of Sacramento Noise Ordinance threshold of 70dB and could be a short-term ***potentially significant*** impact on sensitive receptors located near the project site.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.4-2 *Construction activities shall be limited to the hours set forth below, unless an exception is granted by the Community Development Department:*

- *Monday through Saturday*
7:00 a.m. to 6:00 p.m.
- *Sunday*
9:00 a.m. to 6:00 p.m.

These restricted hours shall be included on all grading and construction plans submitted for the review and approval of the Community Development Department prior to issuance of grading and construction permits.

Finding: Construction activities would be limited to the hours set by the Community Development Department. Construction related noise would not occur during prohibited hours and a less than significant impact would occur.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.4-7 Railroad noise levels at exterior noise spaces of proposed project residences. Without mitigation, this is a *significant impact*.

The 70 dB Ldn UPRR noise contour is approximately 144 feet from the railroad tracks. Figure 5.4-1 indicates that a portion of the project site proposed for single-family homes, multi-family dwellings, and senior housing units, are within that distance and would, therefore, be located within the 70 dB Ldn contour. Specifically, single-family residential lots are proposed approximately 75 to 100 feet from the UPRR tracks. At this distance, backyard noise levels are predicted to be approximately 74 dB Ldn due to railroad passages. Because railroad noise levels

are predicted to exceed 70 dB Ldn within the backyards of the residences proposed on the west side of the project site, without a noise barrier this impact is considered **potentially significant**.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.4-7 *Prior to the issuance of building permits, a noise barrier shall be shown on the plans along the western boundary of the project site, from the northern boundary of the CPV site to the southern end of any parcel with residences for the review and approval of the City Engineer. A barrier 10 feet in height (relative to nearest outdoor activity elevations) would intercept line of sight to railroad pass-bys, thereby reducing future UPRR noise levels to 70 dB Ldn or less at the nearest outdoor activity areas proposed adjacent to the tracks.*

Barriers can take the form of earthen berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other materials may be acceptable provide they have a surface density of approximately four pounds per square foot.

Finding: The project includes construction of a noise barrier 10 feet in height along the western boundary to the southern end of any parcel with residences. According to the Noise Report and supplemental memorandum, construction of the noise barrier would reduce railroad noise levels at the exteriors of residences to a less than significant level.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.4-8 Railroad noise levels at interior spaces of proposed residences on the project site. Without mitigation, this is a *significant impact*.

Single- and multi- family homes are proposed within the 60 dB Ldn UPRR noise contour. Typical residential construction methods are sufficient to reduce exterior noise levels by 15 dB Ldn. However, as the exterior noise level would exceed 60 dB Ldn, interior noise levels at project residences could exceed the City's 45 dB Ldn interior noise level standard. In addition, given the combination of interior SEL due to individual railroad passages and the number of such passages observed during nighttime hours, there is an unacceptably high probability of nighttime awakening at residences located nearest to the railroad tracks. However, with implementation of sound insulation features, SEL noise levels at residences within the noise contour would not exceed the threshold. Therefore, without noise reduction measures, this impact is considered *potentially significant*.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.4-8(a) *Prior to the issuance of building permits, all residential lots and residential buildings located within the 70 dB Ldn contour shall include noise insulation features such as the following:*

- *Sound-rated windows and doors with STC rating of 35; and*
- *Stucco exterior siding.*

5.4-8(b) *Prior to sale of any residential lots, statements shall be included in the title for all properties within the 65 dB Ldn contour that informs the buyer of elevated noise levels during train passages, and that train passages routinely occur during nighttime hours.*

Finding: All residential lots and buildings within the 70 dB Ldn contour shall include noise insulation features. In addition, the buyer of a residence within the 65 dB Ldn contour shall be informed of elevated noise levels during train passages. The noise report determined that with noise insulation and notification the impact related to railroad noise levels at interior spaces of proposed residences would be reduced to a less than significant level.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.4-9 Noise-producing commercial uses proposed within the project site. Without mitigation, this is a *significant impact*.

Because the distance between the truck unloading areas of the larger commercial buildings and existing and proposed residences is anticipated to be approximately 400 feet, a significant increase in ambient noise levels due to commercial operations is not expected, especially in light of the elevated ambient noise environment resulting from railroad activity to the west of the site. If, however, unshielded nighttime truck circulation or unloading occurs within 200 feet of an existing or proposed residential use, such action could result in unacceptable nighttime noise exposure to future residents within the development. Therefore, the potential exists for truck circulation and operation of mechanical equipment to create noise above the project standards of significance. As a result, a ***potentially significant*** impact to residences adjacent to the commercial portion of the proposed project would result.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.4-9(a) *Unshielded (i.e. unloading activities which are visible from any residential window) nighttime truck unloading shall be prohibited within 200 feet of any residential unit.*

5.4-9(b) *Prior to issuance of a building permit, the site plans shall indicate that a parapet wall shall be constructed along the edge of the roofs of the*

commercial buildings of sufficient height to intercept line of sight from rooftop mechanical equipment at the nearest residences to reduce noise levels at those nearby residences.

Finding: Unshielded nighttime truck unloading shall be prohibited within 200 feet of any residential unit. In addition, a parapet wall would be constructed along the edge of the roofs of commercial buildings to intercept the line of sight from rooftop mechanical equipment at the nearest residences. The noise reported determined that with restricted nighttime unloading and parapet walls, the noise producing commercial uses within the project site would be less than significant level.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.4-10 Park generated noise at residential uses proposed within the project site. Without mitigation, this is a *significant impact*.

Active use of the park after nightfall could generate noise levels in excess of the City of Sacramento Noise Element standards at the outdoor areas of nearby residences. As a result, park related noise would result in a ***potentially significant*** impact to nearby residences.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.4-10 Park activities shall be restricted to daytime hours, with exceptions allowed on a case-by-case basis subject to the approval of the Director of the Parks and Recreation.

Finding: Park activities would be restricted to daytime hours. Therefore, park-generated noise would not impact residential uses during evening hours and a less than significant impact would occur.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Biological Resources

5.5-2 Impacts to burrowing owl. Without mitigation, this is a *significant impact*.

Remediation activities are currently underway on the project site and would be expected to disrupt any nesting and foraging on-site. The continuation of the remediation activities in accordance with the proposed updated RAP would result in continued site disruption. However, the possibility exists that the project site could remain vacant for some time after the completion of the remediation activities and prior to initiation of grading for, and construction of, the proposed Curtis Park Village

project. Therefore, because burrowing owls could potentially forage or nest on-site after the completion of the reclamation activities but before the initiation of grading or construction of the proposed project, burrowing owl has the potential to occur on the project site, and impacts related to burrowing owls would be considered ***potentially significant***.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.5-2 *Prior to any ground disturbance associated with grading or construction, the applicant shall initiate a burrowing owl consultation with the California Department of Fish and Game (CDFG) and shall implement the following mitigation measures or equivalents, based on the results of the consultation.*

The developer shall arrange for burrowing owl surveys to be performed consistent with the CDFG's 1995 Staff Report on Burrowing Owl and the California Burrowing Owl Consortium's (CBOC) Survey Protocol (1997) not less than 30 days prior to ground disturbance for each phase of project grading. If burrowing owls are not detected, further mitigation is not necessary. However, if burrowing owls are detected the following steps shall be taken:

If site disturbance commences during the nesting season (between February 1 and August 31) and burrowing owls are detected, a fenced buffer shall be erected on the project site by the developer not less than 250 feet between the nest burrow(s) and construction activities. The 250-foot buffer shall be observed and the fence left intact until a qualified raptor biologist determines that the young are foraging independently, the nest has failed, or the owls are not using any burrows within the buffer.

If ground disturbance associated with grading or construction commences outside of the nesting season, and burrowing owl(s) are present on-site or within 160 feet of site disturbance, passive relocation consistent with the CDFG Staff Report (1995) and the CBOC Survey Protocol (1997) shall be performed. At least one or more weeks will be necessary to accomplish this and allow the owls to acclimate to off-site burrows. The pre-construction surveys shall be repeated if more than 30 days elapse between the last survey and the start of construction activities.

Finding: Prior to any ground disturbance, the applicant shall initiate a burrowing owl consultation with the CDFG. With Implementation of burrowing owl surveys and appropriate mitigation as recommended in consultation with CDFG, the impact to burrowing owls would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

5.5-3 Impacts to Swainson's hawk nesting and foraging habitat. Without mitigation, this is a *significant impact*.

The possibility exists that the project site could remain vacant for some time after the completion of the remediation activities and prior to the initiation of grading for, and construction of, the proposed Curtis Park Village project. Therefore, because Swainson's hawk could potentially forage or nest on the project site after the completion of the remediation activities but before the initiation of grading or construction of the proposed project, Swainson's hawk has the potential to occur on the project site. Therefore, the proposed project would result in a **potentially significant** impact to Swainson's hawk.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.5-3 *If site disturbance associated with grading or construction activities is proposed by the developer during breeding season (February to August), a pre-construction survey for Swainson's hawk nests shall be conducted within 30 days prior to site disturbance/construction activities by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFG and the Community Development Department. If active nests are not found during the pre-construction survey, further mitigation is not required. If active nests are found, pursuant to consultation with CDFG, a fenced buffer shall be erected by the developer on the project site not less than one-quarter mile (approximately 1,300 feet) around the active nest. Site disturbance associated with grading or construction activities that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March 1 and September 1. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January).*

Finding: Prior to site disturbance, during the Swainson's hawk breeding season, a pre-construction survey shall be conducted within 30 days prior to site disturbance/construction activities. With implementation of appropriate mitigation as recommend by CDFG, the impact to Swainson's Hawk would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.5-4 Impacts to raptors and migratory birds. Without mitigation, this is a *significant impact*.

Remediation activities are currently underway on the project site and would be expected to disrupt any habitat on-site. However, potential nesting trees could remain on the project site. Therefore, the possibility exists that raptors and/or migratory birds would occur on the project site post-remediation. Because construction of the project has the potential to result in “take” of ground-nesting, tree-nesting, shrub-nesting, or emergent vegetation-nesting raptors and/or migratory birds, a ***potentially significant*** impact could occur.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

- 5.5-4(a) *Prior to any grading or construction activities during the nesting season (February 1 to August 15), a preconstruction survey shall be conducted by a qualified wildlife biologist within 15 days of the start of project-related activities. If nests of migratory birds are detected on site, or within 75 feet (for migratory passerine birds) or 250 feet (for birds of prey) of the site, the developer shall consult with the CDFG to determine the size of a suitable buffer in which new site grading or construction disturbance is not permitted until August 15, or the qualified biologist determines that the young are foraging independently, or the nest has been abandoned.*
- 5.5.4(b) *Prior to any grading or construction activities from March 15 to May 15 within 100 feet of the overcrossing of the railroad tracks on Sutterville Road, adjacent to the project site, a preconstruction survey shall be conducted by a qualified biologist within 15 days of the start of project-related activities. If active nests are present in the overcrossing, no construction shall be conducted within 100 feet of the edge of the purple martin colony (as demarcated by the active nest hole closest to the construction activity) at the beginning of the purple martin breeding season from March 15 to May 15. The buffer area shall be avoided to prevent disturbance to the nest(s) until it is no longer active. The size of the buffer area may be adjusted if a qualified biologist and CDFG determine it would not be likely to have adverse effects on the purple martins. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest(s) is no longer active.*

Finding: Prior to any grading or construction activities during the nesting season, a pre-construction survey shall be conducted within 15 days prior to site disturbance/construction activities. With implementation of appropriate mitigation as recommend by CDFG, the impact to migratory birds would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Cultural Resources

5.6-1 Impacts related to the update of the Remedial Action Plan. Without mitigation, this is a *significant impact*.

Updates to the RAP to allow other potential remedies would include deeper excavation to capture the additional contaminated soils encountered in 2008. The additional excavation would result in the disturbance of soil beyond that included in the current RAP. The possibility exists that the additional excavation associated with the updated RAP activities could disturb previously unknown archaeological or unique paleontological resources. Therefore, implementation of the remedies included the update of the RAP could result in a ***potentially significant impact***.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.6-1(a) *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 earth-moving activities, all work within 100 feet of the resource shall be halted, and the City shall consult with a qualified archeologist, representatives of the City and a 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.*

5.6-1(b) *If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.*

If a Native American archeologist, ethnographic, or spiritual resources are discovered, 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 qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

5.6-1(c) *If a human bone or bone of unknown origin is found during earth-moving activities, all work shall stop within 100 feet 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.

Finding: In the event prehistoric subsurface archeological features or deposits, a Native American site, human bone or bone of unknown origin is found, work shall stop with 100 feet of the find and the appropriate personnel shall be contacted immediately and notified. With stopping of work until the appropriate actions have take place, the cultural resources impact related to the update of the Remedial Action Plan would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Geology and Soils

5.7-1 Impacts related to the update of the Remedial Action Plan. Without mitigation, this is a *significant impact*.

Due to the extent of contamination of the site, additional excavation, beyond that anticipated in the 1995 RAP, is necessary. The amount of clean fill assumed in the RAP would not be enough to return the project site to original grade. Therefore, additional fill is necessary. This could result in ***potentially significant*** impacts due to exposure of people or structures to geotechnical constraints.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

5.7-1(a) *At least 72 hours prior to the placement of imported fill, the applicant shall have the potential fill inspected by a qualified geotechnical consultant to ensure that all fill being used for fills less than five feet below design grade have a plasticity index of less than or equal to 12, and that all soils are clean and free of deleterious materials, organic materials, and shall not contain particles greater than six inches in size. The results of the geotechnical analysis shall be submitted to the City Engineer prior to placement of fill.*

5.7-1(b) *Prior to placement of imported fill, the applicant shall have the excavation surface inspected by a qualified geotechnical consultant to ensure the stability of the excavation bottom. Should the site be found to be unstable or contain loose or deleterious materials, the applicant shall perform required mitigation as identified by the geotechnical consultants and*

approved by the City Engineer. Mitigation for unstable fill could include, but is not limited to the following:

- *Restrict fill activities to occur when the excavation bottom is dry and stable during warm weather; or*
- *Require that the placement of geotextile fabric be placed prior to granular import fill. The geotextile fabric would be required to be Mirafi 600X or equivalent. Granular fill would consist of well-graded crushed materials, such as Class 2 aggregate base of Caltrans Standard Specifications, but may also consist of other granular imported materials. Uniform crushed rock may be used as a stabilizing layer provided that the crushed rock is completely wrapped in the geotextile fabric.*

Finding: Prior to the placement of imported fill, the applicant shall have the potential fill and excavation surface inspected by a qualified geotechnical consultant to ensure appropriate fill and stability. Prior to the placement of fill, the results of the geotechnical consultant shall be submitted to the City Engineer. With implementation of recommendations by the Geotechnical consultant and City Engineer, the Geology and Soils impact related to the update of the Remedial Action Plan would be less than significant by ensuring that the additional fill materials are properly placed.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

B. Significant or Potentially Significant Impacts for which Mitigation Measures Found To Be Infeasible.

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the Project have been identified. However, pursuant to section 21081(a)(3) of the Public Resources Code and section 15091(a)(3) of the CEQA Guidelines, as to each such impact and mitigation measure, the City Council, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible. The impact and mitigation measures and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the City Council elects to approve the Project due to the overriding considerations set forth below in Section F, the statement of overriding considerations.

Traffic

5.2-2 Impacts to study roadway segments under baseline plus project conditions. Without mitigation, this is a *significant impact*.

The Proposed Project and all access scenarios would add traffic to roadway segments. During the weekday, the Sutterville overcrossing roadway segment would

operate at LOS D without the project and the project would cause the v/c ratio to increase by more than 0.02. The project would also cause the level of service of the roadway segment on Sutterville Road between E. Curtis Drive and W. Curtis Drive to drop from LOS C to LOS E during the p.m. peak hour and from LOS A to LOS D during Saturday peak hour. These are considered **significant impacts**.

Mitigation Measure (From MMP): The following mitigation measure(s) have been identified to reduce the magnitude of this impact. In order to reduce the impact to a less than significant level, however, Sutterville Road would need to be widened. For the reasons set forth below, the widening of Sutterville Road was rejected as infeasible:

5.2-2 *The project developer shall work with the Regional Transit District to provide bus service or provide private shuttle service from 6:00 to 9:00 a.m. and from 4:00 to 7:00 p.m. between the commercial areas of the project site and the City College light rail station. As an alternative, the project developer shall coordinate with the City to reserve the required right of way needed to construct a pedestrian and bicycle bridge to provide access to the City College Station.*

Finding: The above mitigation measure would reduce the magnitude of the impact. However, no mitigation was identified to reduce the significant impact for baseline conditions on roadway segments to less than significant. To reduce the impact to a less than significant level would require widening Sutterville Road. Widening of Sutterville Road would impact existing development on both sides of Sutterville Road and would be against the City of Sacramento Smart Growth policy. The Sutterville Road widening mitigation is not considered to be feasible. The bus service and private shuttle mitigation measure is proposed to help reduce the impact on roadway segments.

For these reasons, the impact remains *significant and unavoidable*.

5.2-10 Cumulative impacts to study intersections. Without mitigation, this is a *significant impact*.

The Proposed Project would add traffic to study intersections and cause significant impacts for cumulative conditions at the following intersections:

(f) Sutterville Road / Curtis Drive West

The Proposed Project would cause traffic operations at all of the intersections listed to drop from LOS C or better to LOS D or worse, or would increase the delay by 5 seconds or more for intersections that would operate below LOS C without the project. This is considered a **potentially significant** impact.

Access Scenario 2 (two northeast connections) and Access Scenario 3 (10th Avenue connection) would have **potentially significant** impacts for cumulative conditions at the same locations as the Proposed Project.

Mitigation Measure (From MMP): The following mitigation measure(s) have been identified to reduce this impact to a less than significant level. However, for the reasons set forth below, the mitigation measure(s) are rejected as infeasible:

5.2-10(f) *Sutterville Road / Curtis Drive West - No feasible mitigation measure was identified for the Sutterville Road / Curtis Drive West intersection. Adding a southbound right turn lane to the intersection would mitigate the impact but was not considered to be feasible because of the need for demolishing several existing buildings to provide additional right-of-way. The cumulative impact for the Proposed Project and all access scenarios would remain **significant and unavoidable**.*

Finding: Mitigation was not considered feasible to reduce the significant impact for cumulative conditions at the intersection of *Sutterville Road / Curtis Drive West*. To reduce the impact to less than significant for the Proposed Project and all access scenarios, development of a southbound right turn lane to the intersection of *Sutterville Road / Curtis Drive* would be required. Addition of the turn lane would mitigate the impact but was not considered to be feasible because of the need for demolishing several existing buildings to provide additional right-of-way.

For these reasons, the impact remains *significant and unavoidable*.

C. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section F, the statement of overriding considerations.

Traffic

5.2-3 Impacts to freeway ramps under baseline plus project conditions. Without mitigation, this is a *significant impact*.

The Proposed Project and all access scenarios would cause the traffic queue from the traffic signal at the southbound 12th Avenue off-ramp to exceed the right-turn storage capacity of the ramp. This is considered a **significant impact**.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:

5.2-1(c) *Implementation of Mitigation Measure 5.2-1(c) would reduce the traffic queue at the southbound 12th Avenue off-ramp for baseline conditions for the Proposed Project and all access scenarios. However, the reduction*

*would not be sufficient to fully mitigate the project impacts and no other feasible mitigation measure was identified. Therefore, the impact shall remain **significant and unavoidable**.*

Finding: Implementation of Mitigation Measure 5.2-1(c) would reduce the traffic queue at the southbound 12th Avenue off-ramp for baseline conditions for the Proposed Project and all access scenarios. However, the reduction would not be sufficient to fully mitigate the project impacts and no other feasible mitigation measure was identified.

For these reasons, the impact remains *significant and unavoidable*.

5.2-11 Cumulative impacts to study roadway segments. Without mitigation, this is a *significant impact*.

The Proposed Project would add traffic to roadway segments in 2027 and cause significant impacts for cumulative conditions on the following roadway segments:

- (a) Sutterville Railroad Overcrossing
- (b) Sutterville Road between E. Curtis Drive and W. Curtis Drive
- (c) 24th Street between Portola Way and Marshall Way
- (d) Freeport Boulevard north of 21st Street
- (e) Road A north of Road G
- (f) Road A north of Road C
- (g) Road A north of Area 2
- (h) Road A north of Area 1

The Proposed Project and Access Scenario 2 would cause traffic operations at all of the roadway segments listed to drop from LOS C or better to LOS D or worse, or would increase the v/c ratio by 0.02 or more for roadway segments that would operate below LOS C without the project. This is considered a **significant impact**.

Access Scenario 3 (10th Avenue connection) would have **significant impacts** for cumulative conditions at the same locations as the Proposed Project except Road A north of Road C, where it would operate at acceptable level.

Finding: Mitigation was not identified to reduce the significant impact for cumulative conditions on roadway segments to less than significant. To reduce the impact to less than significant for the Proposed Project and all access scenarios, Sutterville Road, 24th Street and Freeport Boulevard would need to be widened. Roadway widening is not considered to be feasible.

While widening the on-site roadway of Road A would reduce the impact to less than significant for the Proposed Project and Access Scenarios 2 and 3, secondary impacts might arise as a result of the widening. A widened roadway would attract incremental traffic and contribute to higher speeds. Additional traffic, higher speeds, and the added roadway width would make

the roadway less friendly to pedestrians and bicycles. Because Road A is located in a commercial area where high pedestrian traffic is anticipated, a safe pedestrian-friendly street is desirable.

Mitigation Measure 5.2-2(a), which requires the developer to provide a transit or pedestrian connection between the commercial areas of the project site and the City College light rail station, would reduce the impact on roadway segments.

For these reasons, the impact remains *significant and unavoidable*.

5.2-12 Cumulative impacts to freeway ramps. Without mitigation, this is a *significant impact*.

The Proposed Project and all access scenarios would add traffic to the Sutterville Road 99 freeway ramps. The southbound 12th Avenue off-ramp would operate below standard during the p.m. and Saturday peak hours without the project. The project would increase the density in the area where the ramp diverges from the freeway. The freeway operates at LOS F in the southbound direction during the p.m. peak hour and LOS E during the Saturday peak hour. The project would cause the diverge area to be worse than the freeway level of service during the Saturday peak hour and the project would add significant traffic to the freeway mainline. This is considered a ***significant impact***.

Finding: Implementation of Mitigation Measure 5.2-8(j) would reduce the traffic queue at the northbound 12th Avenue off-ramp for the Proposed Project and all access scenarios to ***less than significant*** levels.

Implementation of Mitigation Measure 5.2-1(c) would reduce the traffic queue at the southbound 12th Avenue off-ramp for the Proposed Project and all access scenarios, but it will not fully mitigate the impact to the less than significant level. Other feasible mitigation measures were not identified; therefore the impact to the southbound 12th Avenue off ramp would remain ***significant and unavoidable***.

Feasible mitigation measures were not identified that would reduce the impact of the project on SR 99. Widening the freeway would reduce the impact but was not considered feasible.

For these reasons, the impact remains *significant and unavoidable*.

Air Quality

5.3-5 Impacts related to long-term increases of criteria air pollutants. Without mitigation, this is a *significant impact*.

Based on the modeling conducted, development of the proposed project would

result in total predicted emissions of ROG or NO_x that would exceed the corresponding SMAQMD threshold of 65 lbs/day. Because predicted increases in ozone-precursor pollutants (i.e., ROG and NO_x) would exceed SMAQMD significance thresholds at project buildout, this impact would be considered **significant**.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:

5.3-5(a) *Prior to the issuance of any grading permit, the project applicant shall coordinate with the SMAQMD and the City of Sacramento Community Development Department to develop a project Air Quality Mitigation Plan (AQMP). In accordance with SMAQMD recommendations, the AQMP shall achieve a minimum overall reduction of 15 percent in the project's anticipated operational emissions. SMAQMD-recommended measures and corresponding emissions-reduction benefits are identified in SMAQMD's Guidance for Land Use Emission Reductions, which can be found in Appendix E of the SMAQMD document. The AQMP shall be reviewed and endorsed by SMAQMD staff prior to project implementation. Available measures to be included in the AQMP include, but are not limited to, the following:*

- *Prohibit the installation of wood-burning fireplaces and stoves;*
- *Provide onsite bicycle storage and showers for employees that bike to work sufficient to meet peak season maximum demand;*
- *Provide preferential parking (e.g., near building entrance, sheltered area, etc.) for carpool and vanpool vehicles;*
- *Provide transit enhancing infrastructure that includes: transit shelters, benches, etc.; street lighting; route signs and displays; and/or bus turnouts/bulbs;*
- *Incorporate onsite transit facility improvements (e.g., pedestrian shelters, route information, benches, lighting) to coincide with existing or planned transit service;*
- *Incorporate landscaping and sun screens to reduce energy use. Deciduous trees should be utilized for building shading to increase solar heating during the winter months. Install sun-shading devices (e.g., screens) or recessed windows on newly proposed buildings;*
- *Install efficient lighting and lighting control systems;*
- *Install energy-efficient heating and cooling systems, appliances and equipment;*
- *Install light colored "cool" roofs and pavements (i.e., high reflectance, high emittance roof surfaces, or exceptionally high reflectance and low emittance surfaces) and strategically placed shade trees to the extent practical;*

- *Limit hours of operation of outdoor lighting to the extent practical; and*
- *Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30 percent of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; or, place a minimum of 50 percent of parking spaces underground or covered by structured parking; or, use an open-grid pavement system (less than 50 percent impervious) for a minimum of 50 percent of the parking lot area.*

5.3-5(b) *Documentation confirming implementation of the Air Quality Mitigation Plan shall be provided to the SMAQMD and City prior to issuance of occupancy permits.*

Finding: Implementation of the mitigation measures would reduce the project's impact related to increases in emissions of ROG and NO_x by a minimum of 15 percent. The proposed project would have a minimum of 15 percent reduction of ROG and NO_x emissions due to the implementation of the mitigation measure requiring an Air Quality Management Plan (AQMP) for the project, which requires a project to achieve a minimum overall reduction in operational emissions of 15 percent. However, the mitigation measure would not reduce the project's emissions of ROG and NO_x to levels below the SMAQMD thresholds of significance for ozone precursors.

For these reasons, the impact remains *significant and unavoidable*.

5.3-8 Cumulative contribution to regional air quality conditions. Without mitigation, this is a *significant impact*.

Because the SVAB is classified as non-attainment status for ozone and PM₁₀, if project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the long-term thresholds, then the cumulative impacts would be considered significant.

The proposed project's emissions of ROG and NO_x both exceed the SMAQMD's significance threshold of 65 pounds per day. Based on this criterion, the proposed project would have a **significant** cumulative impact to regional air quality conditions

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:

5.3-8 *Implement Mitigation Measures 5.3-2(a) and (b) and 5.3-4(a) and (b).*

Finding: Implementation of Mitigation Measure 5.4-2(a) and (b) and Mitigation Measure 5.3-5(a) and (b) would reduce short-term and long-term increases in emissions attributable to the proposed project by a minimum of 15

percent. However, as noted in Impact 5.3-5, long-term operational increases in emissions would still be anticipated to exceed SMAQMD's significance threshold.

For these reasons, the impact remains *significant and unavoidable*.

D. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the project's balancing of local short term uses of the environment and the maintenance of long term productivity:

- As the project is implemented, certain impacts would occur on a short-term level. Such short-term impacts are discussed above. Where feasible, measures have been incorporated in the project to mitigate these potential impacts.
- The project would result in the long-term commitment of resources to develop and operate the project including water, natural gas, fossil fuels, and electricity. The long-term implementation of the project would provide economic benefits to the City. The project would be developed within an existing urban area and not contribute to urban sprawl. Notwithstanding the foregoing, some long-term impacts would result.

Although there are short-term and long-term adverse impacts from the project, the short-term and long-term benefits of the project justify implementation.

E. Project Alternatives.

The City Council has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration

Off-Site Alternative

The updated RAP is site specific and would not be applicable for an off-site alternative.

Section 15126.6(f)(2)(B) of the CEQA Guidelines states, "If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reason in the EIR." A feasible alternative location for the proposed project that would result in substantially reduced impacts does not exist.

The CEQA Guidelines (Section 15126.6[b]) requires that only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR. The Off-Site Alternative would involve the construction of the proposed project on an alternative location. The Off-Site Alternative would have the same type and intensity of uses as the proposed project. However, the Applicant does not own an alternative location in which to construct the proposed project. Furthermore, although other vacant properties are located in the City of Sacramento, infill parcels of substantial size like the project site are limited. It should also be noted that, by definition, CEQA states that an alternative should avoid or substantially lessen one or more of the environmental effects of the project. Alternative locations within the City would generally contain similar characteristics as the project site, and the development of greenfield sites located outside the City would likely result in greater impacts than the proposed project. Therefore, development of the project on an alternative location would be expected to result in at least the same level of impacts as the proposed project. As a result, an environmentally feasible off-site location that would meet the requirements of CEQA, as well as meet the basic objectives of the proposed project, does not exist.

Village Green Alternative

The Village Green Alternative was proposed with consultation with the community.

The stated purpose of the Alternative is to create a more human scale environment with activities centered on a village green as a means of reducing the emphasis on the automobile and the visual impacts of parking lots. Overall, the Village Green Alternative would result in the construction of 126,000 square feet of commercial space and 602 residential units. By comparison, the proposed project includes approximately 259,000 square feet of commercial uses and 527 residential units.

As shown in Table 5.2-10 in the Transportation and Circulation chapter of this Draft EIR, the mix of commercial uses included in the proposed project would result in traffic throughout the day, whereas residential traffic typically is concentrated at the peak morning and evening commute hours. Therefore, the substantial number of additional residential units included in the Village Green Alternative would result in greater impacts to traffic. In addition, due to the increased population associated with the additional residential units, this Alternative would increase the demand for police and fire protection services, as well as park and school facilities, beyond what is anticipated for the proposed project.

With respect to the other alternatives included in this DEIR, the Village Green Alternative uses are substantially similar to Reduced Commercial Alternative A (see below), though Reduced Commercial Alternative A would have slightly more commercial space and fewer residential units. In addition, Reduced Commercial Alternative B would contain less commercial space than the Village Green Alternative, and has fewer residential units. The Multi-Family Alternative assesses a similar number of residential units, 545 versus 602 for the Village Green Alternative, while including a larger commercial area. In addition, the Village Green Alternative would require additional park space based on an increase in the number of units. The alternatives included in the discussions below include a range of commercial square footages with the lowest total being lower than the Village Green Alternative. None of the alternatives would include as many residential units as the Village Green Alternative. Therefore, the Village Green Alternative would not reduce impacts to a greater extent than the alternatives included in the analysis, and may increase impacts as a result of the high number of residential units included in the Alternative. Furthermore, the Village Green Alternative is not anticipated to reduce any environmental impacts that would result from implementation of the proposed project. Therefore, because the Village Green Alternative would increase some environmental impacts and would not reduce any impacts, the Alternative is dismissed from further consideration.

Existing Zoning Alternative

Under the Existing Zoning Alternative, the project site would be built out pursuant to the existing zoning designation for the site. The site is currently zoned Heavy Industrial (M-2), which allows for the “manufacture or treatment of goods from raw materials.” It should be noted that the proposed changes to the RAP would also occur under this alternative. The Existing Zoning Alternative is not a feasible alternative for the project because the existing M-2 zoning for the project site is not consistent with the 2030 General Plan land use designations (Traditional Neighborhood Low Density, Traditional Neighborhood High Density, and Traditional Center) for the site and buildout of the project site with industrial uses would not meet any of the proposed project’s objectives.

Summary of Alternatives Considered

No Project/No Build Alternative

Section 15126.6 (e)(1) of the State CEQA Guidelines requires that a “no project alternative” be evaluated in comparison to the proposed project. The No Project/No Build Alternative is defined in this section as the continuation of the existing condition of the project site. The No Project/No Build Alternative would allow the project site to continue in the existing undeveloped vacant state and would meet only one of the project objectives.

The remediation of the site to DTSC standards, pursuant to the updated Remedial Action Plan (RAP), will be completed with or without the development of the Curtis Park Village project. Therefore, all the activities associated with the remedies contemplated for potential inclusion in the updated RAP would not change from what was analyzed in the in EIR. Thus, the impacts identified for the remedies to be included in the update of the RAP would

remain for this alternative, resulting in equal impacts as compared to the proposed project analyzed in this EIR. In addition, the No Project/No Build Alternative would result in equal impacts as the proposed project for Biological Resources; Cultural Resources; Public Health and Hazards; and Recreation. The No Project/No Build Alternative would result in fewer impacts than the proposed project related to Aesthetics; Transportation and Circulation; Air Quality; Noise; Geology and Soils; Hydrology and Water Quality; Population, Employment, and Housing; and Public Services and Utilities.

It should be noted that the 1995 RAP assumed cleanup of the site to unrestricted land use levels in the northeastern portion of the project site and restricted to commercial and mixed-use land uses in the southern and central portions of the site. Senate Bill 120 (1998) prohibits DTSC from making any determination that any response action at the Curtis Park Village site is complete until after the City completes a land use planning process and all response actions necessary to conform to the approved land use plan are complete.

Facts in Support of Finding of Infeasibility

DTSC can not issue a No Further Action letter certifying the site as clean until the City has approved a land use plan on the project site. In addition the No Project/No Build Alternative would not meet any of the project objectives.

Reduced Commercial Alternative A

The Reduced Commercial Alternative A would include a reduction in the commercial land use area from approximately 259,000 square feet to 100,000 square feet. The other 159,000 square feet would instead be developed as single-family residential lots. This would result in the development of 252 single-family residential units on the project site, as opposed to 189 single-family units under the proposed project. In addition, the Alternative would include 310 multi-family residential units, which would be 62 more than included in the proposed project. It should be noted that the proposed changes to the RAP would also occur under this alternative.

Compared to the analysis of the proposed project in this EIR, the Reduced Commercial Alternative A would result in equal impacts related to the Remedial Action Plan; Aesthetics; Noise; Biological Resources; Cultural Resources; Geology and Soils; Public Health and Hazards; and Recreation. The Reduced Commercial Alternative A would result in fewer impact related to Transportation and Circulation; Air Quality; and Hydrology and Water Quality. The Reduced Commercial Alternative A would result in greater impacts than the proposed project related to Population, Employment, and Housing; and Public Services and Utilities. It should be noted that the additional residential uses included in this alternative would result in the remediation of more acres of the site to be cleaned to unrestricted standards (under the residential and commercial areas), pursuant to SB 120. However, all remedies would still be viable options.

Facts in Support of Finding of Infeasibility

The Reduced Commercial Alternative A would develop additional residential units that would generate additional demand for public services and utilities, as well as impact the jobs/housing balance. In addition, the Reduced Commercial Alternative A would not meet Objective 4, as the project would have limited neighborhood serving commercial and retail uses, and entertainment opportunities.

Reduced Commercial Alternative B

The Reduced Commercial Alternative B would include a reduction of square footage in the commercial land use area from the proposed plan of 259,000 square feet to 100,000 square feet. In addition, the Reduced Commercial Alternative B would result in the development of 108 more single-family residential units and 90 units fewer multi-family residential units than the proposed project. The same number of multi-family units is proposed; however, this Alternative does not include the 90-unit multi-family for senior housing. The reduction in square footage in the commercial land-use area from the proposed project alternative would instead be developed as single-family residential lots. It should be noted that the proposed changes to the RAP would also occur under this alternative.

Compared to the analysis of the proposed project in this EIR, the Reduced Commercial Alternative B would result in equal impacts related to the Remedial Action Plan; Aesthetics; Noise; Biological Resources; Cultural Resources; Geology and Soils; Public Health and Hazards; and Recreation. The Reduced Commercial Alternative B would result in fewer impact related to Transportation and Circulation; Air Quality; and Hydrology and Water Quality. The Reduced Commercial Alternative B would result in greater impacts than the proposed project related to Population, Employment, and Housing; and Public Services and Utilities. It should be noted that the additional residential uses included in this alternative would result in the remediation of more acres of the site to be cleaned to unrestricted standards (under the residential and commercial areas), pursuant to SB 120. However, all remedies would still be viable options.

Facts in Support of Finding of Infeasibility

The Reduced Commercial Alternative B would develop additional residential units that would generate additional demand for public services and utilities, as well as impact the jobs/housing balance. In addition, the Reduced Commercial Alternative B would not meet Objective 4, as the project would have limited neighborhood-serving commercial and retail uses, and entertainment opportunities.

Single-Family Alternative

The Single-Family Alternative would include development of single-family homes over the entire 72-acre site at a density of nine dwelling units per acre.

Compared to the analysis of the proposed project in this EIR, the Single-Family Alternative

would result in equal impacts related to the Remedial Action Plan; Biological Resources; Cultural Resources; Geology and Soils; and Recreation. The Single-Family Alternative would result in fewer impacts related to Aesthetics; Transportation and Circulation; Air Quality; Noise; Hydrology and Water Quality; and Public Services and Utilities. The Single-Family Alternative would result in greater impacts than the proposed project related to Public Health and Hazards; and Population, Employment, and Housing. It should be noted that the residential use included in this alternative would result in the remediation of the entire site to unrestricted standards, pursuant to SB 120. However, all remedies would still be viable options. The capped soils, if chosen as a remedy in the RAP update, would be restricted to placement under the park area.

Facts in Support of Finding of Infeasibility

The Single-Family Alternative would develop additional residential units that would generate additional demand for public services and utilities, as well as impact the jobs/housing balance. In addition, the Single-Family Alternative would result in the development of additional sensitive receptors near the railroad. The Single-Family Alternative would not meet Objective 4, as the project would not include multifamily-housing, neighborhood serving commercial and retail uses, and entertainment opportunities.

Multi-Family Alternative (2004 Proposed Project)

The Multi-Family Alternative would include a reduction of the total commercial land use area of the proposed project from approximately 259,000 square feet to 200,000 square feet (See Table 7-10 and Figure 7-5 in Chapter 7, Project Alternatives, of the Draft EIR)

Compared to the analysis of the proposed project in this EIR, the Multi-Family Alternative would result in equal impacts related to the Remedial Action Plan; Aesthetics; Biological Resources; Cultural Resources; Geology and Soils; Public Health and Hazards; and Recreation. The Multi-Family Alternative would result in fewer impacts related to Transportation and Circulation; Air Quality; Noise; and Hydrology and Water Quality. The Multi-Family Alternative would result in greater impacts than the proposed project related to and Population, Employment, and Housing; and Public Services and Utilities.

It should be noted that the additional residential uses included in this alternative would result in the remediation of more acres of the site to be cleaned to unrestricted standards (under the residential areas), pursuant to SB 120. However, all remedies would still be viable options.

Facts in Support of Finding of Infeasibility

The Multi-Family Alternative would develop additional residential units that would generate additional demand for public services and utilities, as well as impact the jobs/housing balance. The Multi-Family Alternative would not meet Objective 4, as the project would include limited neighborhood serving commercial and retail uses, and entertainment opportunities.

Environmentally Superior Alternative

Of the alternatives analyzed, the Single-Family Alternative provides the greatest reduction in the level of environmental impacts while meeting some of the overall objectives of the project, such as completing the environmental cleanup the project site, locating new single-family residences adjacent to existing single-family residences, and minimizing traffic impacts. By eliminating the commercial uses, the Single-Family Alternative would reduce impacts to the following areas: aesthetics; transportation and circulation; air quality; noise; hydrology, water quality, and drainage; and public services and utilities. Although impacts related to population, employment, and housing would increase under this Alternative, the Single-Family Alternative meets some of the project's objectives while reducing some environmental impacts. Therefore, the Single-Family Alternative is the Environmentally Superior Alternative.

F. Statement of Overriding Considerations:

Pursuant to CEQA Guidelines Section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections 5.0 through 5.6 of the EIR. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

The project would provide a range of residential uses and retail services that would serve the Curtis Park Village neighborhood. The project would construction approximately 259,000 square feet of retail uses, including a two-story building with 38,000 square feet per floor for athletic club and recreation/entertainment uses. The project would generate sales tax revenue for the City, which can be used to support City services and programs.

The project site is a former industrial railroad site and a superfund site. The project site is currently undergoing remediation and the project includes analysis of alternative remediation methods for further cleanup.

The project provides a range of residential uses, including single-family, multi-family, and senior housing, near the Sacramento light rail stations.

The City Council has considered these benefits and considerations and has considered the potentially significant unavoidable environmental effects of the project. The City Council has determined that the economic, legal, social, technological and other benefits of the Project outweigh the identified impacts. The City Council has determined that the project benefits set forth above override the significant and unavoidable environmental costs associated with the project.

The City Council adopts the mitigation measures in the final Mitigation Monitoring and Reporting Program, incorporated, by reference into these Findings, and finds that any residual or remaining effects on the environment resulting from the project, identified as significant and unavoidable in the Findings of Fact, are acceptable due to the benefits set forth in this Statement of Overriding Considerations. The City Council makes this statement of overriding considerations in accordance with Section 15093 of the CEQA Guidelines in supporting approval of the project.

Exhibit B – Mitigation Monitoring Plan

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
5.2 Transportation and Circulation					
5.2-1	Impacts to study intersections under baseline plus project conditions.	<p>5.2-1(a) At the Freeport Boulevard / 2nd Avenue intersection, provide protected left-turn phasing for the northbound and southbound approaches. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a less than significant level.</p> <p>5.2-1(b) At the Sutterville Road / Road A intersection, provide overlap signal phasing to allow the southbound Road A right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and prohibit U-turns for the eastbound left turning movement; add a southbound left-right lane to provide one left-turn lane, one left-right lane, and one right turn lane, and provide a dedicated Sutterville Road approach to the intersection. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a less than significant level.</p>	<p>Department of Transportation</p> <p>Department of Transportation</p>	<p>Implement improvements prior to the first building permit</p> <p>Show improvements on improvement plans and construct prior to the first building permit</p>	

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		5.2-1(c) <i>Modify the southbound approach to the Sutterville Road / SR99 SB Ramps intersection to provide a left-turn lane, a combination left-through-right lane, and a two right-turn lanes. This change would consist of adding bring the right-turning movements to the existing combination left-through lane and allow that movement to occur under traffic signal control. This mitigation measure is required at five percent of development based on trip generation. The design of the mitigation is subject to the approval of the City Department of Transportation and Caltrans. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a less than significant level during the p.m. and Saturday peak hours.</i>	Department of Transportation	Improvements shall be constructed at five percent of development based on trip generation	
		5.2-1(d) <i>At the Road A / Area 3 intersection, provide separate right-turn and left-turn lanes on the eastbound approach. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a less than significant level.</i>	Department of Transportation	Show improvements on improvements plans and constructed prior to the first building permit in Area 3	
5.2-2	Impacts to study roadway segments	5.2-2 <i>The project developer shall work with the Regional Transit District to</i>	Regional Transit District	Prior to occupancy	

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5.2-3	Impacts to freeway ramp under baseline plus project conditions.	<p>provide bus service or provide private shuttle service from 6:00 to 9:00 a.m. and from 4:00 to 7:00 p.m. between the commercial areas of the project site and the City College light rail station. As an alternative, the project developer shall coordinate with the City to reserve the required right of way needed to construct a pedestrian and bicycle bridge to provide access to the City College Station.</p> <p>Implementation of Mitigation Measure 5.2-1(c) would reduce the traffic queue at the southbound 12th Avenue off-ramp for baseline conditions for the Proposed Project and all access scenarios. However, the reduction would not be sufficient to fully mitigate the project impacts and no other feasible mitigation measure was identified. Therefore, the impact shall remain significant and unavoidable.</p>	Department of Transportation	See 5.2-1(c)	
5.2-7	Impacts to on-site traffic circulation and safety under baseline plus project conditions.	<p>5.2-3</p> <p>5.2-7(a)</p> <p>The design plans for the project shall be consistent with City standards. Any deviations are subject to the approval of the City Department of Transportation, Traffic Engineering Division. The horizontal curvatures shall be realigned or design elements such as "knuckles" shall be installed in compliance with City standards.</p>	Department of Transportation	Prior to approval of improvement plans	

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5.2-9	Impacts during construction.	<p>5.2-7(b) The site design shall be modified to reduce the potential for vehicles leaving parking stalls to back across pedestrian crosswalks. This change may require the elimination of some angle parking spaces.</p> <p>5.2-9(a) Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:</p> <ul style="list-style-type: none"> • The number of truck trips, time, and day of street closures; • Time of day of arrival and departure of trucks; • Limitations on the size and type of trucks and provision of a staging area with a limitation on the number of trucks that can be waiting; 	<p>Department of Transportation</p> <p>Department of Transportation Regional Transit City of Sacramento Fire and Police Departments</p>	<p>Prior to approval of improvement plans</p> <p>Prior to issuance of grading permits</p>	

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		<ul style="list-style-type: none"> • Provision of a truck circulation pattern; • Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas); • Safe and efficient access routes for emergency vehicles; • Efficient and convenient transit routes; • Manual traffic control when necessary; • Proper advance warning and posted signage concerning street closures; • Provisions for pedestrian safety; and • Provisions for temporary bus stops, if necessary. <p>A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that</p>			

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5.2-10	Cumulative impacts to study intersections.	would partially or fully obstruct roadways.				
		5.2-10(a)	24 th Street / 2nd Avenue – The project applicant shall pay a fair share contribution to install a traffic signal at this intersection. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a less than significant level.	Department of Transportation	Prior to issuance of building permits	
		5.2-10(b)	24th Street / Portola Way – The project applicant shall pay a fair share contribution to install a traffic signal at this intersection. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a less than significant level.	Department of Transportation	Prior to issuance of building permits	
5.2-10(c)	Sutterville Road / Freeport Boulevard (north) – the applicant shall pay a fair share contribution to provide protected-permitted left turn phasing and install proper signage for southbound Freeport Boulevard. This mitigation measure would reduce the impact of the Proposed Project, Access Scenario 2 and Access Scenario 3 to a less than significant level.	Department of Transportation	Prior to issuance of building permits			

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5.2-10(d)		<p>Sutterville Road / City College Drive – The applicant shall pay a fair share contribution to provide overlap signal phasing to allow the northbound right turn traffic on City College Drive to proceed on a green arrow simultaneously with the westbound left turning movement, and prohibit U-turns for the westbound Sutterville Road approach to the intersection. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a less than significant level.</p>	Department of Transportation	Prior to issuance of building permits	
5.2-10(e)		<p>Sutterville Road / Road A – apply Mitigation Measure 5.2-1(b) which would provide overlap signal phasing to allow the southbound Road A Right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and prohibit U-turns for the eastbound left turning movement; provide one left-turn lane, one left-right lane, and one right-turn lane on the southbound approach; provide a dedicated right turn lane for the westbound Sutterville Road approach to the intersection; provide an actuated exclusive pedestrian phase to serve pedestrians</p>	Department of Transportation	Prior to issuance of the first building permit	

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		crossing Sutterville Road; and optimize signal timing. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a less than significant level.			
5.2-10(f)		Sutterville Road / Curtis Drive West - No feasible mitigation measure was identified for the Sutterville Road / Curtis Drive West intersection. Adding a southbound right turn lane to the intersection would mitigate the impact but was not considered to be feasible because of the need for demolishing several existing buildings to provide additional right-of-way. The cumulative impact for the Proposed Project and all access scenarios would remain significant and unavoidable .	Department of Transportation	Prior to issuance of building permits	
5.2-10(g)		Sutterville Road / Franklin Boulevard -The project applicant shall pay a fair share contribution to add an eastbound right-turn lane that would mitigate the Saturday peak hour impact of the Proposed Project and Access Scenario 2 and Access Scenario 3 to a less than significant level. For a.m. and p.m. peak hour	Department of Transportation	Prior to issuance of building permits	

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		<p>impacts, the cycle length would increase to 110 seconds. These mitigation measures would reduce the impact of the Proposed Project and Access Scenario 2 and Access Scenario 3 to a less than significant level.</p>			
5.2-10(h)		<p>Sutterville Road / SR 99 Northbound Ramps – The project applicant shall pay a fair share contribution to modify signal timing to provide split phase for all approaches and re-strip the eastbound lanes to provide one left-turn, one left-through, and one through lane. Construct two receiving lanes on the on-ramp for the turning movement from eastbound 12th Avenue to the northbound SR 99 ramp. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a less than significant level.</p>	Department of Transportation	Prior to issuance of building permits	
5.2-10(i)		<p>Road A / Area 1 – The project applicant shall pay a fair share contribution to modify the signal phasing to provide overlaps for the eastbound right-turn movement; provide protected-permitted phasing for the northbound left-turn</p>	Department of Transportation	Prior to issuance of building permits	

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		<i>movement; prohibit U-turn movement at this intersection; and increase the cycle length to 95 seconds. This mitigation measure would reduce the impact of the Proposed Project and Access Scenario 2 and 3 to a less than significant level.</i>			
5.3 Air Quality					
5.3-1	Impacts related to the update of the Remedial Action Plan.	<i>Prior to import of clean soil associated with the ongoing remediation activities in excess of the volume anticipated in the existing RAP, contracts for soil hauling shall specify that all haul trucks shall be model year 2007 or newer, or be retrofitted to meet model year 2007 emission standards, for the review and approval of the DTSC and the SMAQMD.</i>	DTSC SMAQMD	Prior to import of soils in excess of volume in existing RAP	
5.3-2	Impacts related to exhaust emissions and fugitive particulate matter emissions from project-associated construction activities.	<i>The project applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and SMAQMD shall be notified within 48 hours of identification of non-compliant</i>	SMAQMD	Prior to and during construction	

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		<p><i>equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</i></p>			
		<p>5.3-2(b)</p>	Community Development Department	Prior to approval of grading permit	
		<p><i>Prior to the approval of any grading permit, the project proponent shall submit a dust-control plan to the City of Sacramento Community Development Department. The dust-control plan shall stipulate grading schedules associated with the project phase, as well as the dust-control measures to be implemented. Grading of proposed project phases shall be scheduled so that the total area of disturbance would not exceed 15 acres</i></p>			

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		<p>on any given day. The dust control plan shall be incorporated into all construction contracts issued as part of the proposed project development. The dust-control plan shall, at a minimum, incorporate the following measures:</p> <ul style="list-style-type: none"> Apply water, chemical stabilizer/suppressant, or vegetative cover to disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive for longer than 3 months; Water exposed surfaces sufficient to control fugitive dust emissions during demolition, clearing, grading, earth-moving, or excavation operations. Actively disturbed areas should be kept moist at all times; Cover all vehicles hauling dirt, sand, soil or other loose material or maintain at least two feet of freeboard in accordance with the 			

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5.3-3	Impacts related to a temporary increase in NO _x emissions.	<p>requirements of California Vehicle Code Section 23114;</p> <ul style="list-style-type: none"> Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when construction operations are occurring; and Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less. 	SMAQMD Community Development Department	Prior to issuance of grading permit	
		5.3-3(a) Prior to issuance of a grading permit, the applicant shall submit a SMAQMD-approved plan, which demonstrates that the heavy-duty (>50 horsepower) off-road vehicles to be used during construction of the project (including owned, leased, and subcontracted vehicles) will achieve a project-wide average of 20 percent NO _x reduction and 45 percent particulate matter reduction, based on the most recent CARB fleet average at the time of construction. In addition, the applicant shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment (>50 horsepower) that will be used an aggregate of 40 or more hours during any portion of the construction			

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		<p>project. The inventory shall include the horsepower rating, engine production year, and project hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project. Inventory shall not be required for any 30-day period in which construction activities do not occur. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the applicant shall provide SMAQMD with the anticipated construction timeline, including the start date and the name and phone number of the project manager and on-site foreman.</p>			
		<p>5.3-3(b) Prior to issuance of a grading permit, the applicant shall provide a construction mitigation fee to the SMAQMD sufficient to offset project emissions of NO_x above 85 pounds per day. The amount of the fee shall be based on updated construction scheduling and equipment lists, and shall be calculated using the SMAQMD method of estimating excess emissions. The current price of NO_x construction offsets calculated by SMAQMD is \$16,000 per ton.</p>	SMAQMD	Prior to issuance of grading permit	

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5.3-5	Impacts related to long-term increases of criteria air pollutants.	5.3-5(a) <i>Prior to the issuance of any grading permit, the project applicant shall coordinate with the SMAQMD and the City of Sacramento Community Development Department to develop a project Air Quality Mitigation Plan (AQMP). In accordance with SMAQMD recommendations, the AQMP shall achieve a minimum overall reduction of 15 percent in the project's anticipated operational emissions. SMAQMD-recommended measures and corresponding emissions-reduction benefits are identified in SMAQMD's Guidance for Land Use Emission Reductions, which can be found in Appendix E of the SMAQMD document. The AQMP shall be reviewed and endorsed by SMAQMD staff prior to project implementation. Available measures to be included in the AQMP include, but are not limited to, the following:</i>	SMAQMD Community Development Department	Prior to issuance of grading permit	
		<ul style="list-style-type: none"> • <i>Prohibit the installation of wood-burning fireplaces and stoves;</i> • <i>Provide onsite bicycle storage and showers for employees that bike to work sufficient to meet peak season maximum</i> 			

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		<p>demand;</p> <ul style="list-style-type: none"> • Provide preferential parking (e.g. near building entrance, sheltered area, etc.) for carpool and vanpool vehicles; • Provide transit enhancing infrastructure that includes: transit shelters, benches, etc.; street lighting; route signs and displays; and/or bus turnouts/bulbs; • Incorporate onsite transit facility improvements (e.g., pedestrian shelters, route information, benches, lighting) to coincide with existing or planned transit service; • Incorporate landscaping and sun screens to reduce energy use. Deciduous trees should be utilized for building shading to increase solar heating during the winter months. Install sun-shading devices (e.g. screens) or recessed windows on newly proposed buildings; • Install efficient lighting and lighting control systems; • Install energy-efficient heating 			

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		<p>and cooling systems, appliances and equipment;</p> <ul style="list-style-type: none"> • Install light colored "cool" roofs and pavements (i.e., high reflectance, high emittance roof surfaces, or exceptionally high reflectance and low emittance surfaces) and strategically placed shade trees to the extent practical; • Limit hours of operation of outdoor lighting to the extent practical; and • Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30 percent of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; or, place a minimum of 50 percent of parking spaces underground or covered by structured parking; or, use an open-grid pavement system (less than 50 percent impervious) for a minimum of 50 percent of the parking lot area. 			

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5.3-8	Cumulative contribution to regional air quality conditions.	<p>5.3-5(b) <i>Documentation confirming implementation of the Air Quality Mitigation Plan shall be provided to the SMAQMD and City prior to issuance of occupancy permits.</i></p> <p>5.3-8 <i>Implement Mitigation Measures 5.3-2(a) and (b) and 5.3-4(a) and (b).</i></p>	<p>SMAQMD Community Development Department</p> <p>See 5.3-2 (a) and (b) and 5.3-4 (a) and (b)</p>	<p>Prior to occupancy permit</p> <p>See 5.3-2(a) and (b) and 5.3-4 (a) and (b)</p>	
5.4 Noise and Vibration					
5.4-2	Construction noise impacts to surrounding existing uses.	<p>5.4-2 <i>Construction activities shall be limited to the hours set forth below, unless an exception is granted by the Community Development Department:</i></p> <ul style="list-style-type: none"> • <i>Monday through Saturday 7:00 a.m. to 6:00 p.m.</i> • <i>Sunday 9:00 a.m. to 6:00 p.m.</i> <p><i>These restricted hours shall be included on all grading and construction plans submitted for the review and approval of the Community Development Department prior to issuance of grading and construction permits.</i></p>	Community Development Department	Prior to issuance of grading and building permits	
5.4-7	Railroad noise levels at exterior noise spaces of	5.4-7 <i>Prior to the issuance of building permits, a noise barrier shall be shown</i>	City Engineer	Prior to the issuance of	

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
5.4-8	Railroad noise levels at interior spaces of proposed residences on the project site.	<p>on the plans along the western boundary of the project site, from the northern boundary of the CPV site to the southern end of the Multi-family parcel, any parcel with residences for the review and approval of the City Engineer. A barrier 10 feet in height (relative to nearest outdoor activity elevations) would intercept line of sight to railroad pass-bys, thereby reducing future UPRR noise levels to 70 dB Ldn or less at the nearest outdoor activity areas proposed adjacent to the tracks.</p> <p>Barriers can take the form of earthen berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other materials may be acceptable provide they have a surface density of approximately four pounds per square foot.</p> <p>Prior to the issuance of building permits, all residential lots and residential buildings located within the 70 dB Ldn contour shall include noise insulation features such as the following:</p>	City Building Department	Prior to issuance of building permits	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> Sound-rated windows and doors with STC rating of 35; and Stucco exterior siding. <p>5.4-8(b) Prior to sale of any residential lots, statements shall be included in the title for all properties within the 65 dB Ldn contour that informs the buyer of elevated noise levels during train passages, and that train passages routinely occur during nighttime hours.</p>	Community Development Department	Prior to sale of residential lots	
5.4-9	Noise-producing commercial uses proposed within the project site.	<p>5.4-9(a) Unshielded (i.e. unloading activities which are visible from any residential window) nighttime truck unloading shall be prohibited within 200 feet of any residential unit.</p> <p>5.4-9(b) Prior to issuance of a building permit, the site plans shall indicate that a parapet wall shall be constructed along the edge of the roofs of the commercial buildings of sufficient height to intercept line of sight from rooftop mechanical equipment at the nearest residences to reduce noise levels at those nearby residences.</p>	Community Development Department	Prior to issuance of building permit and during project operations	
5.4-10	Park generated noise at residential uses proposed within the	<p>5.4-10 Park activities shall be restricted to daytime hours, with exceptions allowed on a case-by-case basis</p>	Parks and Recreation Department	During project operations	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	project site.	subject to the approval of the Director of the Parks and Recreation.			
5.5 Biological Resources					
5.5-2	Impacts to burrowing owl.	<p>5.5-2</p> <p>Prior to any ground disturbance associated with grading or construction, the applicant shall initiate a burrowing owl consultation with the California Department of Fish and Game (CDFG) and shall implement the following mitigation measures or equivalents, based on the results of the consultation.</p> <p>The developer shall arrange for burrowing owl surveys to be performed consistent with the CDFG's 1995 Staff Report on Burrowing Owl and the California Burrowing Owl Consortium's (CBOC) Survey Protocol (1997) not less than 30 days prior to ground disturbance for each phase of project grading. If burrowing owls are not detected, further mitigation is not necessary. However, if burrowing owls are detected the following steps shall be taken: If site disturbance commences during the nesting season (between February 1 and August 31) and burrowing owls are detected, a fenced buffer shall be</p>	CDFG	Prior to any ground disturbance associated with grading or construction	

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
5.5-3	Impacts to Swainson's hawk nesting and foraging habitat.	<p><i>erected on the project site by the developer not less than 250 feet between the nest burrow(s) and construction activities. The 250-foot buffer shall be observed and the fence left intact until a qualified raptor biologist determines that the young are foraging independently, the nest has failed, or the owls are not using any burrows within the buffer.</i></p> <p><i>If ground disturbance associated with grading or construction commences outside of the nesting season, and burrowing owl(s) are present on-site or within 160 feet of site disturbance, passive relocation consistent with the CDFG Staff Report (1995) and the CBOC Survey Protocol (1997) shall be performed. At least one or more weeks will be necessary to acclimate to this and allow the owls to acclimate to off-site burrows. The pre-construction surveys shall be repeated if more than 30 days elapse between the last survey and the start of construction activities.</i></p>	CDFG Community Development Department	Pre-construction survey prior to site disturbance or construction	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
5.5-4	Impacts to raptors and migratory birds.	<p>Swainson's hawk nests shall be conducted within 30 days prior to site disturbance/construction activities by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFG and the Community Development Department. If active nests are not found during the pre-construction survey, further mitigation is not required. If active nests are found, pursuant to consultation with CDFG, a fenced buffer shall be erected by the developer on the project site not less than one-quarter mile (approximately 1,300 feet) around the active nest. Site disturbance associated with grading or construction activities that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March 1 and September 1. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January).</p> <p>5.5-4(a) Prior to any grading or construction activities during the nesting season (February 1 to August 15), a preconstruction survey shall be</p>	Community Development Department	Pre-construction survey prior to grading or construction	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>conducted by a qualified wildlife biologist within 15 days of the start of project-related activities. If nests of migratory birds are detected on site, or within 75 feet (for migratory passerine birds) or 250 feet (for birds of prey) of the site, the developer shall consult with the CDFG to determine the size of a suitable buffer in which new site grading or construction disturbance is not permitted until August 15, or the qualified biologist determines that the young are foraging independently, or the nest has been abandoned.</p> <p>5.5.4(b)</p> <p>Prior to any grading or construction activities from March 15 to May 15 within 100 feet of the overcrossing of the railroad tracks on Sutterville Road, adjacent to the project site, a preconstruction survey shall be conducted by a qualified biologist within 15 days of the start of project-related activities. If active nests are present in the overcrossing, no construction shall be conducted within 100 feet of the edge of the purple martin colony (as demarcated by the active nest hole closest to the construction activity) at the beginning</p>	CDFG	activities	

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		<p>of the purple martin breeding season from March 15 to May 15. The buffer area shall be avoided to prevent disturbance to the nest(s) until it is no longer active. The size of the buffer area may be adjusted if a qualified biologist and CEEG determine it would not be likely to have adverse effects on the purple martins. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest(s) is no longer active.</p>			
5.6 Cultural Resources					
5.6-1	Impacts related to the update of the Remedial Action Plan.		Community Development Department	During construction	
		<p>5.6-1(a) In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("middens"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during earth-moving activities, all work within 100 feet of the resource shall be halted, and the City shall consult with a qualified archeologist, representatives of the City and a qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific</p>			

CHAPTER 4 – MITIGATION MONITORING PLAN

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>analysis and professional museum curation.</p> <p>5.6-1(b) <i>If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</i></p> <p><i>If a Native American archeologist, ethnographic, or spiritual resources are discovered, 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.</i></p> <p><i>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 qualified</i></p>	Community Development Department	During construction	

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p>5.6-1(c) If a human bone or bone of unknown origin is found during earth-moving activities, all work shall stop within 100 feet of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>	<p>County Coroner</p> <p>Native American Heritage Commission</p>	<p>During construction</p>	
5.7 Geology and Soils					
5.7-1	Impacts related to the update of the Remedial Action Plan.	5.7-1(a) At least 72 hours prior to the placement of imported fill, the applicant shall have the potential fill inspected by a qualified geotechnical consultant to ensure that all fill being	City Engineer	At least 72 hours prior to the placement of imported fill	

CHAPTER 4 – MITIGATION MONITORING PLAN

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>used for fills less than five feet below design grade have a plasticity index of less than or equal to 12, and that all soils are clean and free of deleterious materials, organic materials, and shall not contain particles greater than six inches in size. The results of the geotechnical analysis shall be submitted to the City Engineer prior to placement of fill.</p> <p>5.7-1(b) Prior to placement of imported fill, the applicant shall have the excavation surface inspected by a qualified geotechnical consultant to ensure the stability of the excavation bottom. Should the site be found to be unstable or contain loose or deleterious materials, the applicant shall perform required mitigation as identified by the geotechnical consultants and approved by the City Engineer. Mitigation for unstable fill could include, but is not limited to the following:</p> <ul style="list-style-type: none"> • Restrict fill activities to occur when the excavation bottom is dry and stable during warm weather; or • Require that the placement of geotextile fabric be placed 	City Engineer	Prior to placement of imported fill	

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MITIGATION MONITORING PLAN Curtis Park Village					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>prior to granular import fill. The geotextile fabric would be required to be Mirafra 600X or equivalent. Granular fill would consist of well-graded crushed materials, such as Class 2 aggregate base of Caltrans Standard Specifications, but may also consist of other granular imported materials. Uniform crushed rock may be used as a stabilizing layer provided that the crushed rock is completely wrapped in the geotextile fabric.</p>			

Attachment 6 – Resolution for the General Plan Amendment

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP TO REDESIGATE 8.0 ACRES FROM TRADITIONAL NEIGHBORHOOD LOW TO 8.0 ACRES TRADITIONAL NEIGHBORHOOD MEDIUM FOR PROPERTY LOCATED NORTH OF SUTTERVILLE ROAD, SOUTH OF PORTOLA WAY, EAST OF THE UNION PACIFIC RAILROAD/REGIONAL TRANSIT SOUTH LINE, AND WEST OF THE EXISTING CURTIS PARK NEIGHBORHOOD/24TH STREET, SACRAMENTO, CALIFORNIA. (P04-109) (APN: 013-0010-008 & -009, 013-0010-021 through -028, and 013-0062-001 & -002)

BACKGROUND

- A. On February 25, 2010, the Planning Commission conducted a public hearing on the Curtis Park Village Planned Unit Development (PUD) Project, received and considered evidence, and forwarded to the City Council the Curtis Park Village PUD Project with the recommendation of approval; and
- B. On April 1, 2010, the City Council conducted a public hearing for which notice was given pursuant to Sacramento City Code section 17.200.010 (C)(2)(a) (publication) and received and considered evidence concerning the Curtis Park Village PUD 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 Curtis Park Village PUD Project, the City Council approves the General Plan Amendment for the Curtis Park Village PUD as set forth in Exhibit A to this Resolution, as follows: the 8.0± acre area as shown on the attached Exhibit A is hereby designated on the City of Sacramento General Plan land use map as 8.0± acres of Traditional Neighborhood Medium.

Section 2. Exhibit A is a part of this Resolution.

Table of Contents:

Exhibit A: General Plan Amendment Exhibit

Attachment 7 – Ordinance for the Rezone

ORDINANCE NO. 2010-

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM HEAVY INDUSTRIAL (M-2) TO SHOPPING CENTER PUD (SC-PUD), SINGLE FAMILY ALTERNATIVE PUD (R-1A-PUD), MULTI-FAMILY RESIDENTIAL PUD (R-2B-PUD), AND MULTI-FAMILY RESIDENTIAL PUD (R-4A-PUD) FOR THE CURTIS PARK VILLAGE PUD (P04-109) (013-0010-008 & -009, 013-0010-021 through -028, and 013-0062-001 & -002) COUNCIL DISTRICT 5

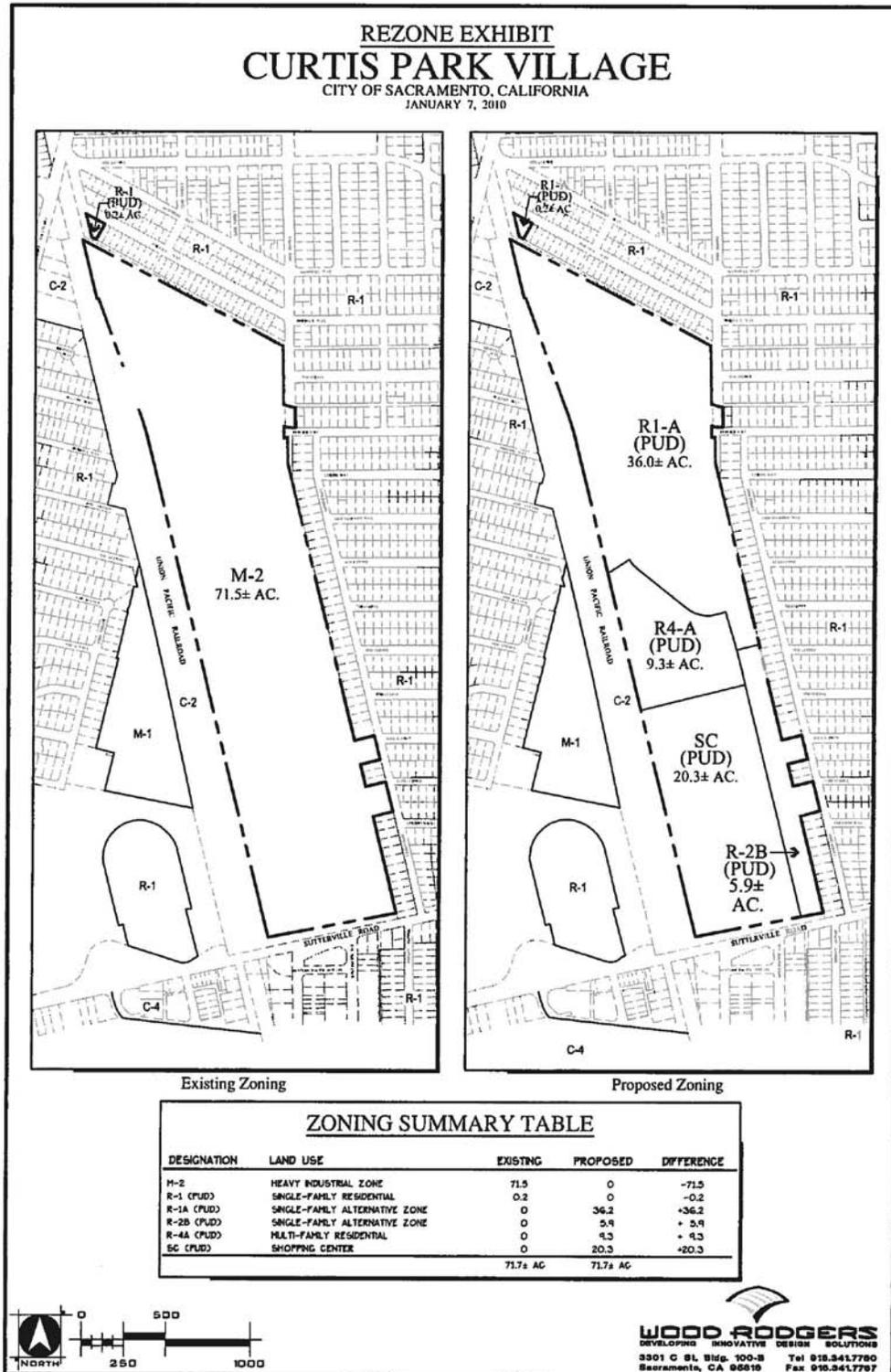
BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- 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 Curtis Park Village (APN: 013-0010-008 & -009, 013-0010-021 through -028, and 013-0062-001 & -002) and consisting of 71.7± acres *from* Heavy Industrial (M-2) *to* Shopping Center PUD (SC-PUD), Single Family Alternative PUD (R-1A-PUD), Multi-Family Residential PUD (R-2B-PUD), and Multi-Family Residential PUD (R-4A-PUD).
- Section 2. Rezoning of the property described in the attached Exhibit A by the adoption of this Ordinance shall be deemed to be in compliance with the procedures for the rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as said procedures have been affected by recent court decisions.
- Section 3. The City Clerk of the City of Sacramento is hereby directed to amend the official zoning map, which is a part of said Comprehensive Zoning Ordinance, Title 17 of the City Code, to conform to the provisions of this Ordinance.
- Section 4. Exhibit A is a part of this Ordinance.

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Exhibit A: Rezone Exhibit

Exhibit A – Rezone Exhibit



Attachment 8 – Resolution for the Inclusionary Housing Plan

RESOLUTION NO. 2010-

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ADOPTING THE INCLUSIONARY HOUSING PLAN FOR THE CURTIS PARK VILLAGE PROJECT (P04-109)

BACKGROUND

- A. The Mixed Income Housing Policy, adopted in the City of Sacramento Housing Element and required by the City’s Mixed Income Housing Ordinance, requires that ten percent of the units in a residential project be affordable to very low income households and five percent to low income households;
- B. The City Council conducted a public hearing on April 1, 2010 concerning the above Inclusionary Housing Plan, and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

The proposed Plan is consistent with Chapter 17.190 of the City Code which requires an Inclusionary Housing Plan setting forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary Units in the residential development;

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

- Section 1. The City Council adopts the Inclusionary Housing Plan for Curtis Park Village, attached hereto as Exhibit A.
- Section 2. Exhibit A is a part of this Resolution.

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Exhibit A: Inclusionary Housing Plan

Exhibit A: Inclusionary Housing Plan

Inclusionary Housing Plan #3
Onsite Multifamily Rental

**City of Sacramento
Inclusionary Housing Plan**

**Multifamily Rental Project
Onsite Inclusionary Housing Component**

Project Name: Curtis Park Village

Project Location: Sutterville Rd. (between 24th and the Railroad)

Developer Name: Calvine & Elk Grove-Florin, LLC

**Developer Address
And Phone Number:** 5046 Sunrise Blvd., Fair Oaks, CA 95628
(916) 966-4600

Gross Acreage: 71.7 acres

Number of Units: 527

Mixed Income Housing Policy

The Project site is located in a new growth area and thus is subject to the City’s Mixed Income Housing Policy. The Mixed Income Housing Policy adopted in the City of Sacramento Housing Element and required by the City’s Mixed Income Housing Ordinance, City of Sacramento City Code Chapter 17.190.010 requires that residential projects in such area contain a defined percentage of housing affordable to low income and very low income households.

Inclusionary Housing Plan

Pursuant to the City Code Section 17.190.110 (B), an Inclusionary Housing Plan (“Plan”) must be approved prior to or concurrent with the approval of legislative, or as applicable in this case, adjudicative entitlements for the Project. City Code Section 17.190.110 (A) sets forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary Units in the Project. This document constitutes the Plan, and, as supplemented and amended from time to time, is intended to begin implementation of the Inclusionary Requirement for the Project. All future approvals for the Project shall be consistent with this Plan.

Inclusionary Housing Plan #3
 Onsite Multifamily Rental

The Inclusionary Requirement for the Project will be set forth in more detail in the Inclusionary Housing Agreement (Agreement) executed by the Developer and the Sacramento Housing and Redevelopment Agency (“SHRA”) and will be consistent with this Plan. The Agreement shall be executed and recorded against the entire development no later than the approval of the first final map.

Number of Inclusionary Units

The Developer, or its successors and assignees, shall construct or cause to be constructed a multifamily rental development affordable to Very Low Income Households (“Very Low Income Units”) and Low Income Households (“Low Income Units”) as defined in the Sacramento City Code Section 17.190.020, equal to ten percent (10%) and five percent (5%) of the total number of housing units approved for the Project, respectively. Based on the current Project proposal, the Inclusionary Requirement for the Project is presented in the table below.

Table 1: Number and Income Affordability of Inclusionary Units

Total Number of Units within the Project	527
Very Low Income Units (10% of units)	53
Low Income Units (5% of units)	26
Total Number of Inclusionary Units	79

If the Project approvals are amended to increase the number of units in the Project, this Plan will be amended to reflect a number of equal to ten percent (10%) of the increased total residential units in the amended entitlements for Very Low Income units and five percent (5%) for Low Income units. If the Project approvals are amended to decrease the number of residential units in the Project, this Plan will be amended to reflect a number equal to ten percent (10%) for the decreased total residential units in the amended entitlements for Very Low Income units and five percent (5%) for Low Income units. However, after a building permit has been issued for a structure to contain Inclusionary Units, those Units will be constructed and maintained as Inclusionary Units pursuant to the terms of Chapter 17.190 of the City Code regardless of any subsequent reduction in the number of approved total residential units in the Project.

Location of Inclusionary Units within the Project

The Inclusionary housing component shall accommodate diverse family sizes by including units with different numbers of bedrooms. Units should be dispersed to the maximum extent feasible, but may be located in a single building or complex. Multifamily buildings may contain any proportion of inclusionary units. The unit mix and sizes for the inclusionary units are presented in the table below.

Inclusionary Housing Plan #3
 Onsite Multifamily Rental

Table 2: Unit Mix, Unit Numbers, and Unit Size of Inclusionary Units

Number of Inclusionary Units	Level of Affordability	Unit Numbers	Number of Bedrooms	Square Footage
36	Very Low Income	TBD	1	600
17	Very Low Income	TBD	1 or 2	600-750
17	Low Income	TBD	1	600
9	Low Income	TBD	1 or 2	600-750

Affordability Requirements

Rents of the Inclusionary Units shall be restricted to households with incomes, at the time of initial occupancy, that do not exceed 50 percent (50%) of the median income for Sacramento County, adjusted for actual household size for Very Low Income households and 80 percent (80%) of the median income for Low Income households and shall be consistent with the SHRA guidelines. Median income figures are those published annually by the United States Department of Housing and Urban Development. The rents of the Inclusionary Units will be set in accordance with the Guidelines for the Sale of Inclusionary Housing and Section 17.190.090 of the Ordinance, where the renter shall not pay more than 30 percent (30%) of gross monthly income for rent adjusted for an appropriate allowance for utilities and services. The duration of affordability of the inclusionary units will be for a period of thirty (30) years.

Phasing of Development of the Inclusionary Units

The Inclusionary Units shall be developed concurrently with the development of the remaining units in the Project, as defined in Sacramento City Code Section 17.190.020. The nature of the concurrency is defined by a series of linkages between approvals of the market rate units and the development of the Inclusionary Units.

Market Rate Housing/Inclusionary Unit Linkages

The following describes the relationship of market rate development activity to the activity of inclusionary unit development activity. The milestones outlined below are to ensure that the development of affordable units occurs concurrently with the development of market rate units.

- The Inclusionary Housing Plan shall be approved concurrently with the approval of the Project’s tentative map.
- The Inclusionary Housing Agreement shall be executed and recorded against the entire development concurrently with the recordation of the Project’s first final map.
- No more than seventy-five percent (75%) of the building permits for market rate residential units may be pulled prior to the issuance of 100 percent (100%) of the building permits for the Inclusionary residential units.

Inclusionary Housing Plan #3
Onsite Multifamily Rental

- A Release of Inclusionary Housing Agreement shall be recorded for the market rate residential lots when 100% of the building permits are pulled for the Inclusionary units.
- A Regulatory Agreement specifying rent restrictions for a period of no less than thirty (30) years shall be recorded against the Inclusionary units when building permits are pulled, or when multifamily housing financing is closed for the Inclusionary units.
- A Release of Inclusionary Housing Agreement shall be recorded for Inclusionary units concurrently with recordation of the Regulatory Agreement.
- Marketing of the inclusionary units within the Project shall occur as soon as the Inclusionary units are constructed.

Fee Reductions

The City of Sacramento may provide \$4,000 per unit in fee reductions for obligated very-low income inclusionary housing units and \$1,000 for obligated low income inclusionary housing units. Currently, no funding is available for the Low Income Housing Fee Waiver and Deferral Program, however, reductions depend on the availability of funding at the time of recordation of the Inclusionary Housing Agreement. The Planning Director shall approve fee reductions and approvals are valid for 18 months after the recordation of the Inclusionary Housing Agreement.

Fee reductions are being requested in the amount of \$238,000 as presented in the table below.

Table 3: Fee Reduction Request

Units	Income Affordability	Fee Reduction per Unit	Total Fee Reduction
53	Very-low income	\$4,000	\$ 212,000
26	Low income	\$1,000	\$ 26,000

Amendment and Administration of the Inclusionary Housing Plan

The Planning Director, with the advice of the Executive Director of SHRA, shall administer this Inclusionary Housing Plan. The Planning Director may make minor administrative amendments to the text of this Plan as provided in Sacramento City Code Section 17.190.110(B) (1).

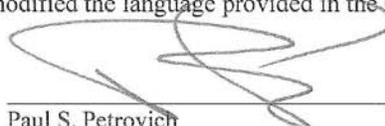
Minor amendments include modifications in total number and location of units and the unit size and mix necessary to reflect changes in the design of the underlying development project, including changes in unit size, on-site location and other similar changes may be approved by the Planning Director. Recordation of an amendment will not be required to be recorded against the entire project. Major amendments must be approved by the governing body approving the Project and a new Agreement shall be recorded against the entire development project.

Inclusionary Housing Plan #3
Onsite Multifamily Rental

Developer Acknowledgement

I attest that I have prepared this Inclusionary Housing Plan to comply with the Mixed Income Housing cited above and that all information provided is accurate and complete to the best of my knowledge. Except for project-specific information requested in the template, I have not modified the language provided in the City-provided template.

Developer Signature



Date 1-6-10

Developer Name

Paul S. Petrovich

Title

Manager, Calvine & Elk Grove-Florin, LLC

Phone Number

916-966-4600

Attachment 9 – Resolution for the PUD Guidelines and Schematic Plan

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

APPROVING THE CURTIS PARK VILLAGE PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT GUIDELINES AND SCHEMATIC PLAN (P04-109)

BACKGROUND

- A. On February 25, 2010, the Planning Commission conducted a public hearing on, and forwarded to the City Council the Curtis Park Village PUD Project a recommendation of approval; and
- B. On April 1, 2010, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code section 17.200.010(C)(2)(a) and (c) (publication and mail 500') and received and considered evidence concerning the Curtis Park Village PUD 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 Curtis Park Village PUD Project, the City Council approves the Curtis Park Village Development Guidelines and Schematic Plan for the Curtis Park Village PUD.
- Section 2. The City Council approves the Curtis Park Village PUD Development Guidelines and Schematic Plan based on the following Findings of Fact:
 - 1. The PUD conforms to the General Plan; and
 - 2. The PUD Development Guidelines and Schematic Plan meet the purposes and criteria stated in the City Zoning Ordinance in that the PUD facilitates mixed uses designed to assure that new development is healthy and of long-lasting benefit to the community and the City; and
 - 3. The PUD Development Guidelines and Schematic Plan will not be injurious to the public welfare, nor to other property in the vicinity of the development and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures that

development be well-designed, and that the residential uses will not create a negative impact on adjacent uses.

Section 3. The Schematic Plan and Development Guidelines for the Curtis Park Village PUD are adopted as attached hereto as Exhibit A and Exhibit B, respectively, subject to the following Conditions of Approval:

1. Site access to individual parcels will be determined as part of future entitlement review processes. Good engineering practices will be utilized in the access review. Site access shall be at the discretion of the Department of Transportation.
2. All proposed PUD elements within public right-of-way (Street Cross-Sections, Landscaping etc) shall be to City Standards and at the discretion of the Department of Transportation.

Section 4. Exhibits A and B are a part of this Resolution.

Table of Contents:

Exhibit A: Curtis Park Village PUD Guidelines

Exhibit B: Curtis Park Village PUD Schematic Plan

Exhibit A: Curtis Park Village PUD Guidelines

**Curtis Park Village
Planned Unit Development
Schematic Plan and Development Guidelines**

(Text-only version)

DRAFT 01.29.2010

P04-109
Approved (DATE)
Sacramento City Council Resolution 2009-###

*Curtis Park Village Planned Unit Development
City of Sacramento*

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 - 5.2 Landscape Elements within Commercial Areas
 - 5.3 Hardscape Materials and Treatments
 - 5.4 Landscaping
 - 5.5 Fencing and Walls
 - 5.6 Private Art on Private Property

- 6.0 Signage and Graphics**
 - 6.1 General Guidelines for Signs
 - 6.2 Lighted Signs
 - 6.3 Projecting Signage
 - 6.4 Awning Signage
 - 6.5 Window Signage

- 7.0 Lighting**
 - 7.1 Building Lighting
 - 7.2 Parking Lot Lighting
 - 7.4 Pedestrian Area Lighting
 - 7.3 Sign Lighting

Appendix A: Curtis Park Village Single Family Home Design Guidelines

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1.0 INTRODUCTION

- 1.1 Location, Context and Vision
- 1.2 Goals and Objectives
- 1.3 Purpose and Intent
- 1.4 Procedures for Approval and Amendment

1.1 LOCATION, CONTEXT AND VISION

On the site of a former Union Pacific railyard, the 72-acre Curtis Park Village Planned Unit Development (PUD) is located to the south of Sacramento's central city area, surrounded by neighborhoods established early in the 20th century and within walking distance of Sacramento City College and Land Park. The project is bordered on the west by Union Pacific and Light Rail, to the north and east by the existing Curtis Park neighborhood and to the south by Sutterville Road. Also nearby are the Western Pacific Addition and Hollywood Park neighborhoods.

Curtis Park Village has been laid out using current City of Sacramento "Pedestrian Friendly Street Standards" and with convenient linkages to nearby public transportation. There are two light rail stations at opposite ends of the site's west side. It is envisioned that the bus routes currently running along nearby 24th Street will be re-routed to the main north-south road through Curtis Park Village. The design has been based on urban infill and sustainable design principles, as well as the strong community planning traditions of Sacramento's historic and long-established neighborhoods.

The vision for Curtis Park Village is a vibrant mixed-use neighborhood developed at a pedestrian scale. Uses of the site include: detached brownstones, cluster-housing, single-family detached homes, affordable seniors and market-rate multi-family housing, a community shopping and retail/commercial development area, and a neighborhood park. These elements will combine into a truly vibrant mixed-use neighborhood. Curtis Park Village incorporates values of new urbanism and smart growth, including walkable neighborhoods with tree-lined streets, pedestrian-scaled architecture, with effective connections to surrounding communities.

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1.2 GOALS AND OBJECTIVES

Curtis Park Village PUD strives to achieve four primary goals. Each of these goals will be pursued focusing on specific design objectives:

1. Create a visually interesting, pedestrian friendly mixed-use neighborhood that promotes smart growth principles
 - A. Emphasize the creation of spaces and places that encourage social interaction and foster community pride and support
 - B. Maintain a high quality of life and create charm and character for the emerging neighborhood
 - C. Utilize a consistent set of design elements throughout the PUD to unify the area visually and to enhance people's lives and property values

2. Provide a vibrant and successful neighborhood retail center
 - A. Provide an integrated development theme while still permitting flexibility in the location and development of businesses to respond to changing market conditions
 - B. Implement design standards that encourage design innovation and flexibility

3. Provide various housing choices including single-family and cluster, affordable seniors, and market-rate multi-family residences

4. Maximize opportunities for efficient transit provided by the public transportation and roadway corridors serving the site of the PUD
 - A. Encourage the use of public transportation though site design that emphasizes convenient transit access and use
 - B. Develop appropriate linkages to surrounding neighborhoods including pedestrian, bicycle, vehicle and alternative transportation modes.



Vibrant walkable neighborhoods



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1.3 PURPOSE AND INTENT

The Curtis Park Village Schematic Plan and Development Guidelines contain specific details, elements, conditions, and restrictions to carry out the vision of the Curtis Park PUD.

To achieve the goals and objectives of the Curtis Park Village PUD, the Guidelines are formulated in a flexible manner to provide for creative solutions to a variety of design situations.

These guidelines are intended as a supplement to existing City Ordinances and shall prevail when different from other applicable City Ordinances.

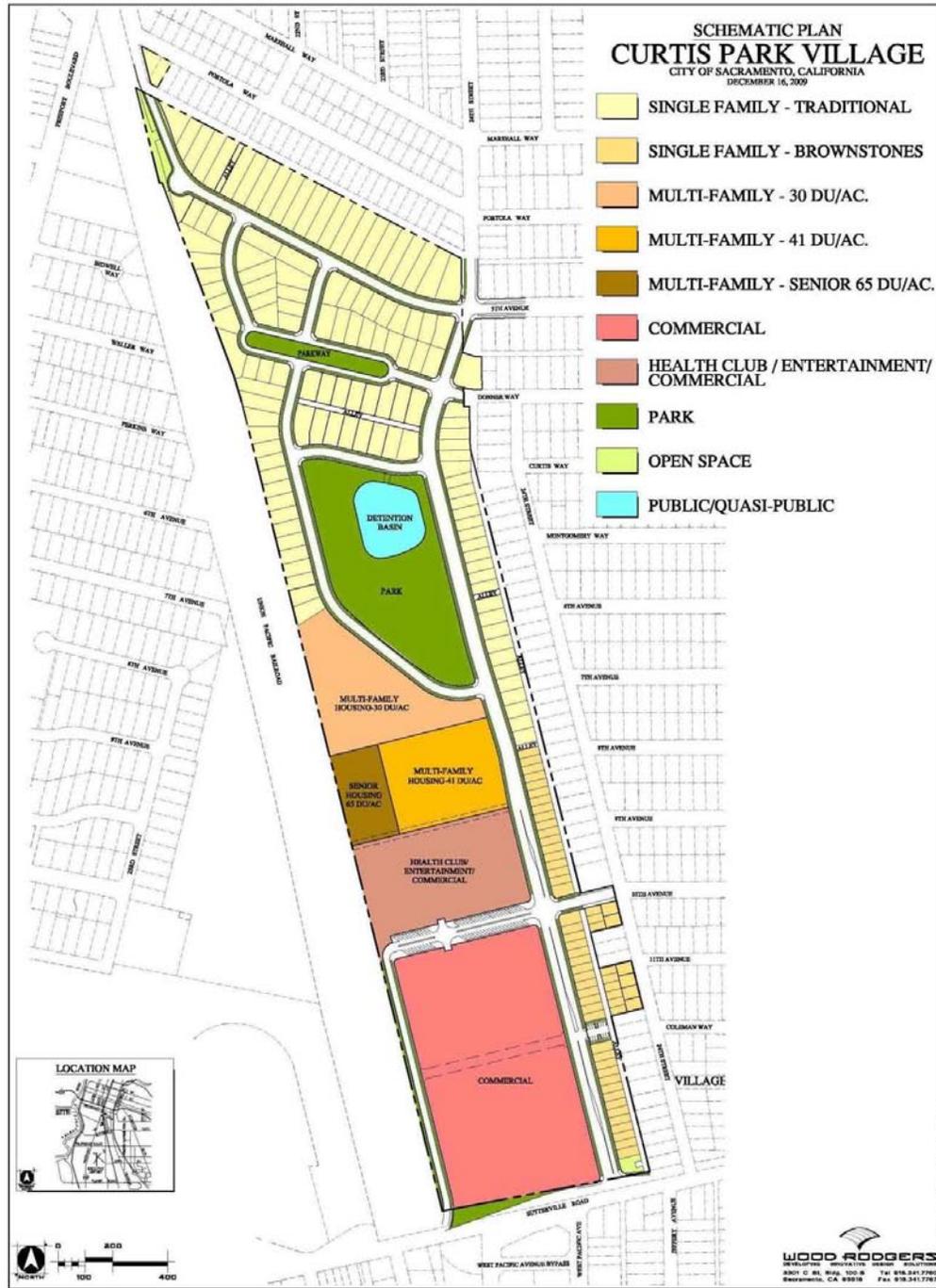
1.4 PROCEDURES FOR APPROVAL AND AMENDMENT

The procedures for approval of development under, as well as amendments to, these Guidelines are as set forth in Title 17 of the Sacramento City Code, and as it may be amended from time to time.



Photo by Marjorie Schreiber Lear

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2.0 LAND USE DEVELOPMENT STANDARDS

- 2.1 Concept and Land Use
- 2.2 Commercial Zone: Shopping Center SC (PUD) Zone
- 2.3 Single Family Residential Uses: Single-Family Alternative R1-A (PUD) and R2-B (PUD) Zones
- 2.4 Multi-Family Residential: Multi-Family Residential R4-A (PUD) Zone
- 2.5 Neighborhood Park

2.1 CONCEPT AND LAND USE

Curtis Park Village is comprised of three predominate types of development for three predominate land uses linked by a network of pedestrian friendly streets, open spaces, and a neighborhood park.

1. **Commercial Use Area:** The most southern portion of the site extending from Sutterville to the parcels on the north or Road "D" and just south of the multi-family housing area that forms the south edge of the neighborhood park. Within this zone is a neighborhood shopping center area zoned SC(PUD). The layout of the commercial zone is schematic with the Schematic Plan for the PUD showing use areas including the Commercial and Health Club/Entertainment Commercial areas. The street system in this area and parcel layout provide a grid pattern for pedestrian, bicycle, and vehicle circulation consistent with the "Traditional Center" for commercial uses and "Traditional Neighborhood High" residential requirements of the City of Sacramento 2030 General Plan land use designations. The eventual locations of buildings will be further defined within the commercial use area to be consistent with the 2030 General Plan Land Use requirements and Zoning Code designations of the City of Sacramento and the requirements of these Design Guidelines. The commercial zone will serve surrounding residential neighborhoods, creating destinations, convenient shopping and entertainment within walking/biking distance.

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2. **Single-Family Housing Area:** The Single-Family Housing area of the plan is generally located in the northern half of Curtis Park Village, extending from the southern edge of the new neighborhood park to the private drives that forms the northern edge of the development. Within this zone are single family residential lots designated "Traditional Neighborhood Low" and zoned R-1A (PUD). The single family neighborhood zone complements the character and style of the surrounding Curtis Park community and like many historic Sacramento neighborhoods Curtis Park Village has at its heart the neighborhood park.

Higher density single-family housing is found along the east side of Road "A" in the Curtis Park Village plan. This area is designed as Traditional Neighborhood Medium per the City of Sacramento 2030 General Plan and the Zoning Code designation is R2-B (PUD). Single-family homes in this location can be described as the following two types:

- A. The Brownstone row, a slightly more urbanized residential area that acts as a transition between the existing Curtis Park single family uses to the east of Curtis Park Village in the Traditional Neighborhood Medium, R2-B (PUD) area.
 - B. Cottage Homes infilling empty parcels along 24th Street in the existing Curtis Park neighborhood and activating the new private drives in the Traditional Neighborhood Medium, R2-B (PUD) area.
3. **High-Density Housing Area:** The area between the south of the new neighborhood park and the north edge of the commercial zone can best be described as the high-density housing in the Curtis Park Village plan allowing for the development of apartments and condominium multi-family housing. The high-density housing area acts as a transitional zone between the less intense single-family development to the north and the commercial zone in the south of Curtis Park Village. Within this zone

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are multi-family housing with a Traditional Neighborhood High land use designations in the City of Sacramento 2030 General Plan and zoned R-2B(PUD), and R-4(PUD) in the Zoning Ordinance. This area includes:

- A. Multi-family Housing in the Traditional Neighborhood High, R4-A (PUD) area.
- C. Affordable Senior Housing Apartments in the Traditional Neighborhood High, R4-A (PUD) area along the western edge of Curtis Park Village and integrated with the multi-family housing area adjacent to the commercial uses in the SC (PUD) zone.

2.2 COMMERCIAL AREA: Shopping Center (SC) Zone

Background information:

As an infill project, Curtis Park Village is bordered by already busy thoroughfares: Sutterville Road, the railroad and light rail lines, nearby Highway 99 and Freeport Blvd. This location provides a unique opportunity for the commercial zone of Curtis Park Village to be both economically successful and an “active buffer” between both the new and existing residential neighborhoods and these large transportation corridors.

The commercial zone will strike a balance between serving the more intimate immediate local community with walkable destinations, and welcoming the greater community and larger customer base required to nourish a viable environment for thriving businesses.

Nearby light rail service will add to the synergy by providing convenient public transportation.

More than 20,000 students at adjacent Sacramento City College widen the customer base considerably. They will have access to services and destinations while contributing to the viability of the commercial zone.

The character of the commercial zone is to be sensitively

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informed by the adjacent pedestrian- and bicycle-friendly, urban-forested neighborhoods.

The procedures for approval of development within the Shopping Center (SC) Zone shall be in compliance Title 17 of the Sacramento City Code, and as it may be amended from time to time.

Exceptions to compliance with Title 17 within Curtis Park Village that are allowed per these design guidelines:

1. Building Heights may be increased up to 45' to allow for mixed use and multi-family housing attached to ground floor commercial and retail development.

2.3 SINGLE FAMILY RESIDENTIAL USES: R1-A (PUD) and R2-B (PUD) Zones

For Design Guidelines for single family neighborhood at north end of Curtis Park Village, see Appendix A, Single-Family Home Design Guidelines: Curtis Park Village. Supplementary information for brownstone neighborhood and for cottage infill sites appears below.

1. Single-Family Homes: Traditional Neighborhood Low, R1-A (PUD) Zone
 - A. The Traditional Single Family Home Neighborhood of Curtis Park Village is intended to create a visual integration the planning, architectural design, and style of the existing Curtis Park neighborhoods.
 - B. These sites may be developed at a density of up to 6 dwelling units per net acre.
 - C. Development standards applicable to the Tradition Single Family Neighborhood sites are found in Appendix A: Curtis Park Village Single Family Home Design Standards included in this document..
 - D. Design Review for Single-Family Homes within the Curtis Park Village PUD shall be per Section 17.180 of the Sacramento City Code.

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2. Brownstone Homes: Traditional Neighborhood
Medium, R2-A (PUD) Zone

A. The vertical stature of the homes in this neighborhood complements the architecture of the commercial area across the street, the main access to Curtis Park Village. The Brownstones provide transition between the existing and new residential neighborhood and the commercial areas of Curtis Park Village. The design intent for the Brownstone Neighborhood is that the homes constructed in this area of Curtis Park Village reflect the traditional brownstone homes found in cities such as Boston, New York, and Washington, D.C.



B. These sites may be developed at a density of up to 13 dwelling units per net acre.

C. It is the intention that the Brownstone Neighborhood homes shall be designed as an integrated neighborhood with a common design theme with a variety of street facades that are coordinated to present a traditional brownstone neighborhood. The Single-Family Housing Design Guidelines shall apply to the Brownstone Neighborhood homes.

D. Development standards applicable to the Brownstone Neighborhood are incorporated in "Appendix A: Curtis Park Village Single Family Design Guidelines" incorporated in these PUD Design Guidelines.



E. Design Review for the Brownstone Home designs within the Curtis Park Village PUD shall be per Section 17.180 of the Sacramento City Code.

3. Cottage In-Fill Homes: Traditional Neighborhood
Medium, R2-A (PUD) Zone

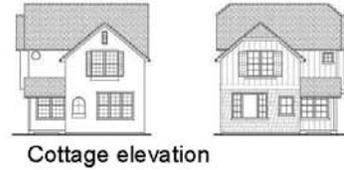
A. Cottage infill sites occur along the west side of 24th Street and near the project's Shopping Center (SC) zone

B. These sites may be developed up to a

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density of 20 dwelling units per net acre.

- C. The Infill Cottages should be integrated into the existing neighborhood fabric by means of architectural character, continuity, mass, scale, details and rhythm.
- D. Development standards applicable to the Infill Cottage housing sites are incorporated in "Appendix A: Curtis Park Village Single Family Design Guidelines" incorporated in these PUD Design Guidelines.
- E. Design Review for the Cottage In-Fill Homes within the Curtis Park Village PUD shall be per Section 17.180 of the City Code.



2.4 MULTI-FAMILY RESIDENTIAL: R4-A (PUD) Zone

Multi-family residential uses shall consist of affordable seniors housing and market rate multi-family housing. These developments shall respect the special character of Curtis Park Village as set forth in this document, in addition to any other applicable City-adopted residential design guidelines.

- 1. Heights should be limited to 45' to the top of the plate on the highest floor.
- 2. Affordable Housing for Seniors
 - A. Acts as transitional land use bridging Curtis Park market rate non-age restricted multi-family housing and commercial areas within Curtis Park Village.
 - B. Fulfills affordable housing element for Curtis Park Village
 - C. Integrates senior housing for seniors with the general community.
 - D. Provide a minimum parking ratio of 0.50 parking spaces per dwelling unit.
 - E. Provide the following minimum setbacks:



Photos courtesy of
www.pedbikeimages.org/
DanBurden



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1. Front yard setback from back edge of public sidewalk: 12'-6"
2. Side yard setback: 35'-0"
3. Rear setback: 50'-0"

F. The design of the building for the affordable housing for seniors should incorporate design features and elements found in Appendix A: Single Family Housing Design Guidelines for Curtis Park Village. Elements such as roof lines, building materials, finishes, and windows will provide a residential design to the affordable senior housing building(s) that will integrate the affordable housing for seniors component into the overall Curtis Park Village residential community. It should be recognized, however, that the massing and scale of the affordable housing for seniors building(s) will be larger than single-family home structures and the design elements and materials should be appropriate to the scale, mass, and character of buildings for affordable housing for senior.



Affordable Seniors Housing

G. Design Review for the building(s) for the Affordable Housing for Seniors within the Curtis Park Village PUD shall be per Section 17.180 of the City Code.

3. Market-Rate Multi-Family Housing

- A. Provides additional pedestrian links through Curtis Park Village
- B. Acts as a buffer between Curtis Park Village single family residential and Curtis Park Village commercial areas
- C. Provides an alternative type of housing for the neighborhood
- D. Neighborhood Park will provide shared recreational, open space, and tot lot facilities
- E. Provide a parking ratio of 1.50 parking spaces per dwelling unit. This ratio includes visitor parking



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F. Achieve variety in exterior architectural forms through the use of various building materials and colors

G. Shared common open space space may be substituted for private patios and balconies

H. Provide the following minimum setbacks:

1. Front yard setback from back edge of public sidewalk: 14'-0"
2. From property line of nearest existing Curtis Park single family residential housing: 45'-0"
3. From property line of nearest commercial use: 20'-0"
4. Between living areas in any two multifamily buildings: 25'-0"
5. Between utility rooms in any two multifamily buildings: 17'-0"
6. Between carriage houses and property line of Union Pacific Railroad property: 5'-0" (sound attenuation required)
7. Between 3-story multifamily residential buildings and property line of nearest new Curtis Park single family residential housing: 50'-0"
8. Between carriage houses and property line of nearest new Curtis Park single family residential housing: 15'-0"



Multifamily Residential

I. The design of the buildings for the market rate multi-family housing should incorporate design features and elements found in Appendix A: Single Family Housing Design Guidelines for Curtis Park Village. Elements such as roof lines, building materials, finishes, windows, etc. will provide a residential design character to the market rate multi-family housing buildings and will integrate the multi-family housing buildings into the overall Curtis Park Village residential community. It should be recognized, however, that the massing and scale of the

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market rate multi-family housing buildings will be larger and different than those of the single-family home structures. The design elements from the Single-Family Housing Design Guidelines should be appropriate to the scale, mass, and nature of the multi-family housing buildings.

- J. Design Review for the building(s) for the Market Rate Multi-Family Housing buildings within the Curtis Park Village PUD shall be per Section 17.180 of the City Code.

2.5 NEIGHBORHOOD PARK

An approximately 6.1 acre neighborhood park is located near the center of the single-family residential area. A park preserves open space for outdoor recreation, provides for public health and safety, and is a visual amenity. Park design shall be in compliance with City of Sacramento Department of Parks and Recreation design guidelines.

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3.0 LAND USE STANDARDS: COMMERCIAL AREAS

- 3.1 Site Design and Building Orientation
- 3.2 Building Design Principles & Building Forms
- 3.3 Building Details
- 3.4 Building Utilities
- 3.5 Sustainability
- 3.6 Security

3.1 SITE DESIGN AND BUILDING ORIENTATION

Site planning and design are vital in creating usable, successful outdoor spaces. The arrangement and siting of buildings, the scale and location of spaces and landscaping, and the way these elements relate to each other, will determine the vitality of the neighborhood.

It is the intent of the Curtis Park Village PUD Guidelines to encourage the following:

1. The development of individual site plans to positively relate with neighboring properties
2. Design for lively pedestrian use
3. A continuous network of safe, convenient, comfortable and interesting walkways and sidewalks
4. Pedestrian paths that connect Curtis Park Village to the surrounding neighborhoods along transportation connections
5. Carefully planned outdoor spaces with defined edges, lighting and enhanced paving
6. Spaces designed at a pedestrian scale
7. Spaces enriched with seating and landscaping, fountains, public art, and trellises
8. Plazas, courtyards, pocket parks, and outdoor cafes designed to encourage pedestrian activity
9. Destinations provided that attract people and activity



Activate the street



Create interesting spaces

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- 10. Focal points created as placemaking landmarks
- 11. Whenever possible place buildings at the edge of pedestrian walks

3.2 BUILDING DESIGN PRINCIPLES AND BUILDING FORMS

Key concepts direct the feel of a neighborhood, and determine community identity, economic vitality and levels of activity and use. Individual building forms and facades influence cohesiveness, comfort and aesthetic pride and at the same time can invite usage, increase a sense of security and generate pedestrian activity.

It is the intent of the Curtis Park Village PUD Guidelines to encourage design within the following principles:

- 1. **Architectural Character:** Consider building type, materials, form and design, the relationship to other buildings in the neighborhood, and the overall effect on the viewer. No particular architectural theme or style is being recommended; rather a variety of styles with consideration of appropriateness for the surrounding area should be used.
- 2. **Continuity:** a connection or harmony among buildings in form, scale and proportions
- 3. **Mass:** The volume defined by a building relative to its surroundings and to its solidity and weight. Details, such as window size and placement, or open spaces in the forms, can change the visual perception of mass and make a building more interesting
- 4. **Scale:** the proportion of one element to another. The overall scale is determined by the size and proportions of the elements, their relationship to each other and to the building itself, as well as the spaces and buildings in view.
- 5. **Rhythm:** the relationship of building components, the relationship of buildings to each other, and the spaces in between, form a visual rhythm. This contributes to the excitement, comfort and charm of the area.



Doors and windows break up mass, add interest



Design at a pedestrian scale



Details add visual interest and break up mass

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- 6. 360 degree architecture: buildings, especially those on corner lots or with high visibility, should be aesthetically pleasing from all angles. Details on each side of the building complement and enhance the primary street view

- 7. Building Articulation

40 feet is an ideal width for storefronts. Pedestrians react positively to well-designed storefront variations at increments that do not exceed about 40 feet. This scale provides an intimacy to the neighborhood experience.



Details at back of building

- 8. Building Facades

- A. Clearly organize facades to have a base (bottom), street wall (middle), and cornice (top)
- B. Design proportions of façade elements to be in harmony within the context of the street
- C. Design facades to be pedestrian-friendly
- D. Design roof lines to be varied in height
- E. Allow for architectural treatments and heights of up to 45'-0". 45'-0" provides height to place housing over retail uses. This is how vibrant neighborhoods are created.



Articulate facades

- 9. Building Base

- A. Visually anchor the building through good base design using wainscoting or other architectural elements
- B. Provide visual interest and variety
- C. Design in a scale complementary to human scale
- D. The use of durable materials such as cast concrete, masonry and stone is encouraged



Provide visual interest and variety

- 10. Building Street Wall

- A. Reflect the patterns of the neighborhood
- B. Structure meaningful urban massing using good street wall design
- C. Use color and texture to provide visual interest
- D. Provide visual interest using windows, balconies, arcades, colonnades, awnings,

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- reveals, step backs, moldings, and other changes in the vertical plane
- E. Provide clear-glazed fenestration on approximately 50% of each building façade that abuts a pedestrian way

11. Building Cornice

- A. Design parapets and roof elements with decorative treatments that clearly define the top of the building
- B. Design roof lines to be varied in height
- C. Consider the special articulation in the cornice above entries and building corners
- E. The use of projecting cornices, lentils, caps, and other elements are encouraged
- F. Finish the interior sides of parapets that are visible similar to the front sides



Details, such as awnings, add visual interest

12. Building Entrances

- A. Consider micro-climatic conditions such as solar orientation, wind and shadows when siting buildings and locating building entrances
- B. Orient building main entrances to streets or public spaces wherever possible or practical
- C. Multiple entrances or corner entrances are encouraged at street corners to activate both street frontages
- D. Locate sidewalk entrances to accommodate ease of pedestrian movement
- E. Articulate building entrances with canopies, awnings, special lighting and other features
- F. Locate service entrances away from pedestrian entrances



Corner entrance with awning

13. Building Corners

- A. Design buildings to be in compliance with City of Sacramento required visibility triangles
- B. Use building corners to emphasize street intersections
- C. Consider increased pedestrian activity in the design of building corners

14. Tower Elements

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- A. The inclusion of tower elements is encouraged at corners and at view corridor terminuses
 - B. Integrate tower elements with the lower elements of the building
15. Roofs
- A. Consider the aesthetics of rooftops as viewed from other buildings.
 - B. Screen rooftop mechanical equipment from public view
16. Other Considerations
- A. Consider view corridors when siting buildings
 - B. The use of corporate "chain" architecture is strongly discouraged. Design buildings for corporate tenants to express the uniqueness of location and structure



Tower elements at corners



Consider view corridor

3.3 BUILDING DETAILS

Building details enhance buildings by promoting visual vitality through the use of interesting forms, textures, patterns, colors and shadows.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. General Guidelines
 - A. Finished building materials applied to all sides of a building
 - B. A consistency of style maintained by using building materials, textures, colors, roof treatment and landscaping
 - C. Maintaining compatibility with exterior building materials in screening utility equipment
 - D. Blank walls on visible facades are strongly discouraged
- 2. Building entrances
 - A. Use of distinctive architectural elements and materials



Maintain consistency of style

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3. Doors and windows
 - A. Organized to present a unified appearance except where variations are an integral and necessary part of the exterior design
4. Transparent glazing
 - A. Use of transparent glazing wherever practical
 - B. Dark tinted glazing is acceptable only when required to screen views into a building
 - C. The use of simulated, reflective, mirrored or dark tinted glazing is strongly discouraged
5. Awnings
 - A. Awnings of translucent glazing, metal or canvas
 - B. The use of awnings to articulate the tops of doors and windows
 - C. Lighting used to highlight awnings
6. Wall transitions
 - A. The use of columns and pilasters to articulate wall transitions is strongly encouraged
7. Cornice details
 - A. Offsets and jogs in cornices and parapets
 - B. Parapets of sufficient height to screen roof-mounted equipment from public view
8. Exterior Decorative Elements
 - A. The use of wall pattern treatments, changes in materials, building pop-outs and recessed areas are encouraged to create shadow patterns and depth on wall surfaces
 - B. Different portions of the building façade articulated to create images of buildings that have been developed over time
 - C. Display cases which may be considered to add interest to large blank wall surfaces
9. Exterior Building Materials



Articulate portions of building facade



Awnings articulate doors and windows



Trellis adds interest,

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- A. Use of materials, roofing, color and lighting that is compatible with other buildings within Curtis Park Village
 - B. Use of materials that hold up well under public use
 - C. The use of masonry, concrete and cement plaster is encouraged
 - D. Provide a continuous (360 degree) treatment on all building facades.
10. Building Color
- A. Use of colors that are harmonious with other colors within Curtis Park Village
 - B. The use of color is encouraged to create interest, focus, unity and compatibility for building surfaces and details
 - C. Provide a continuous (360 degree) color treatment on all building facades.



Use of concrete, masonry

11. Gutters and downspouts
- A. Painted to integrate with the building design
12. Sheet metal vents, pipe stacks and flashing
- A. Painted to match adjacent materials



Color and detail

3.4 BUILDING UTILITIES

Utility service areas are building components or features that are necessary for a building's function. It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. Loading and delivery areas
 - A. Locate in less conspicuous places
 - B. Delivery areas designed so as not to impede traffic flow
 - C. Delivery areas clearly distinguished from parking and driveway areas
- 2. Recycling and trash enclosures
 - A. Designed using similar materials and colors as the surrounding buildings
 - B. Screened with a surrounding wall at least 6-



Paint to integrate downspouts & gutters

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- feet high and with landscaping
 - C. The use of landscaping to cover screen walls is encouraged
 - D. Gated pedestrian entrance to the enclosure located to facilitate ease of access into the enclosure
4. Electrical service panels
- A. Placed within enclosures that are architecturally integrated into the building design wherever possible
 - B. Consider placing electrical and communication equipment within buildings whenever possible
 - C. Utility company access provided as required.
5. Roof access
- A. Roof access from the interior of the building
 - B. Exterior roof access ladders are strongly discouraged
6. Rooftop equipment
- A. All roof-top equipment screened from public view if visible from the street and/or positioned to be invisible to the passerby
 - B. Mechanical equipment located below the highest vertical element of the building



Screen trash enclosures



Screen with similar materials and colors

3.5 SUSTAINABILITY

As a mixed-use infill project making use of a formerly brownfield site near the heart of the city, Curtis Park Village is by its nature improving the environmental footprint of the community. The impact can be further mitigated through architectural, construction and landscaping techniques.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. Preparation of a 'Green Development Plan' is strongly encouraged
- 2. Siting and neighborhood fabric



Taking advantage of shade

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- A. Buildings sited to take advantage of passive solar design and to utilize natural breezes to assist heating and cooling systems when possible
- B. Provision of pedestrian and bicycle linkages
- C. Provision of preferred parking for vanpools, carpools, car sharing services and bicycles



Provide pedestrian and bicycle linkages

Photo courtesy of www.pedbikeimages.org/ DanBurden

- 3. Site improvements
 - A. A storm water management plan developed for any new commercial structure
 - B. Landscaping used to shade and cool buildings and spaces and reduce the 'urban heat island' effect (the temperature increase due to development)

- 4. Water conservation
 - A. Use of water conserving appliances and fixtures
 - B. Provision of an efficient landscape irrigation system

- 5. Energy efficiency
 - A. All buildings shall meet or exceed Title 24 requirements
 - B. Provision of energy-efficient lighting
 - C. Utilization of daylighting strategies
 - D. The use of photovoltaic (PV) systems or PV-ready structures is encouraged



EnergyStar appliances

<http://www.energystar.gov>

- 6. Utilize materials beneficial to the environment wherever possible including:
 - A. The use of regional building materials and products is encouraged
 - B. Preparation of a construction waste management plan to reduce impact on landfills, emphasize recycling and reuse of materials
 - C. Use of recycled materials is encouraged
 - D. Roofing, paving and plantings designed to reduce Heat Island Effect



- 7. Healthy living environment

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- A. Use of construction materials with no or low volatile organic compounds (VOC's)
- B. Use of healthy and energy efficient HVAC systems and water heaters

3.6 SECURITY

A lively pedestrian streetscape is an important component in security and is enhanced by a feeling of safety and comfort. Appropriately arranged spaces, entries and buildings, and proper lighting can create safer, 'defensible' spaces. Safeguard property and promote public welfare and safety by providing minimum security standards to be used in the design, construction, alteration, and maintenance of buildings and facilities and the quality of materials used therein.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. Visual corridors established by limiting dense landscaping near structures and at the periphery of parking areas
- 2. Each building shall display its well lit street number in a prominent location on the street side of the building
- 3. Building entrances should be enlivened and well-lighted
- 4. Possible crime risk areas, such as automatic teller machines, should be located in highly visible and well-lighted areas
- 5. Provide wide-angle door viewer at all exterior doors used to the side or rear
- 6. Operable windows constructed so that when they are locked, they cannot be lifted from the frame
- 7. Plants selected, trimmed, spaced and irrigated in a way that hampers the spread of fire and minimizes available fuel
- 8. Visibility of parking area entrances maximized from adjacent uses and public streets



Establish visual corridors

Photos courtesy of
www.pedbikeimages.org
/DanBurden



Well lighted entrances

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9. Park designed to include Crime Prevention Through Environmental Design concepts



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4.0 CIRCULATION AND PARKING

- 4.1 Streetscape and Circulation
- 4.2 Bicycle and Pedestrian Circulation
- 4.3 Parking Area Design

4.1 STREETScape AND CIRCULATION

The character and feel of a community are in large part determined by its streetscape. Curtis Park Village streetscape will respect and build on the distinctive identity of the Curtis Park neighborhood while allowing for innovation and enhancement.

The streetscape should provide visual continuity, be welcoming and engaging. Streetscape elements should combine to provide an environment that is walkable, sustainable, safe and attractive.

Curtis Park Village will have an intimacy of scale and a sense of community that will invite pedestrian use and interaction. This will contribute to the richness of the Curtis Park Village experience for residents and visitors.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Visual continuity of streetscape elements, such as parking, planters, landscaping, sidewalks, building scale and setbacks along each street
2. Width of sidewalks consistent and abundantly wide and in conformance with the City of Sacramento standards
3. Tree canopy that is consistent and generous
4. Public areas well lighted without causing glare or light spill
5. Utilization of traffic calming curb extensions, such as bulb-outs and neck-downs, and wide, well marked crosswalks, to promote safety of pedestrian-vehicle interface and as required by City of Sacramento street standards



Photos courtesy of
www.pedbikeimages.org
/DanBurden



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4.2 BICYCLE AND PEDESTRIAN CIRCULATION

The success of Curtis Park Village as a community will be strongly linked to its success as a pedestrian- and bicycle-friendly community. Creative design solutions which further enhance the walkability and connectivity of the area are strongly encouraged.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Pedestrians and bicyclists given the same importance as motor vehicles, and buffer them from the street where possible, according to City of Sacramento standards
2. Sidewalks and bicycle paths perceived as safe, clean and well-lit
3. Pedestrian-transit linkages intended to facilitate direct access to light rail stations and bus stops
4. Pedestrian paths and walkways
 - A. Convenient walkway access between uses and neighborhoods
 - B. Clearly defined building entry zones through the use or combined use of elements such as accent paving, planting, potted plants, and bollards
 - C. Enhanced paving, striping or other distinguishing design features to emphasize special areas
5. Sidewalks will be separated from the street using vertical curbs, decorative bollards, parked cars, and/or street trees in order to provide a sense of protection for the pedestrian per City of Sacramento standards
6. Bicycle paths
 - A. Adequate and secure bicycle parking
 - B. Bicycle storage is encouraged at parking lots and places of employment



Adequate, safe bicycle parking



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- C. Clearly marked bicycle storage
- 7. Signed bicycle lanes will be located along Road A and Road C within the commercial zone per City of Sacramento standards

4.3 PARKING AREA DESIGN

Well designed parking areas can be comfortable to use, aesthetically pleasing and provide a sense of security to the user. Make parking areas easy for vehicles and pedestrians to access and navigate. Aesthetically blend parking areas into site plans. It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. Parking areas should be functional and efficient
- 2. Parking areas designed as well-defined spaces with landscaping, decorative lighting, and pedestrian walkways
- 3. Generously landscaped parking areas with shade trees to meet or exceed City of Sacramento parking lot shade requirements
- 5. Strong pedestrian linkage to parking areas.
- 6. Convenient and attractive areas for bicycle parking
- 7. Public perception of delivery areas limited or obscured
- 8. One or more of the following and be used to buffer each parking area from a public sidewalk or street:
 - A A minimum 6' wide planter planted with a combination of trees and shrubs
 - B A fence shall be open with a minimum of at least 4' of landscaping in front
 - C Trellis structures with vines
 - D A site wall, maximum height of 4', with decorative finish and details.
- 9. Shopping cart return areas within the retail developments shall be provided as needed.



Clearly mark crosswalks



Parking area screening

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10. Required Parking:

USE	MINIMUM PARKING REQUIRED
Retail Commercial Use	3.5 spaces / 1000 sq. ft.
Hotel	1 space / 3 rooms
Fitness Center	1 space / 200 sq. ft.
Dinner Theater	1 space / 200 sq. ft.
Restaurant	1 space / 3 seats
Single Family Housing	1 off street space per dwelling unit
Seniors' Housing	0.5 space / dwelling unit
Multi-Family Housing	1.5 space / dwelling unit



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5.0 LANDSCAPE AND STREETScape

- 5.1 Monument Features
- 5.2 Landscape Elements Within Commercial Areas
- 5.3 Hardscape Materials and Treatments
- 5.4 Landscaping
- 5.5 Fencing and Walls
- 5.6 Private Art on Private Property

5.1 MONUMENT FEATURES

Monument features, strategically placed, provide unity throughout an entire neighborhood and create a “sense of place” within the community. Curtis Park Village shall have a hierarchy of monument features that announce a sense of arrival and create a sense of place upon entry. Scale of monumentation should be attuned with the size and use of the space. Each monument will highlight and strengthen the project’s design theme with consistent materials and landscape palette. Use landscape plantings and trees to complement project monumentation.

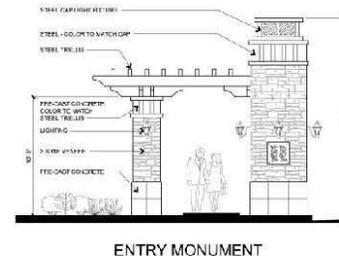
1. Major entry monument

A major entry monument feature may be placed at the entrance to Curtis Park Village on Road “A” north of the Sutterville Road/Road “A” intersection. This entry monument may include an arch and/or pylon entry monument. The intent of the major entry monument is to:

- A. Provide signature monumentation for the development that exemplifies an overriding design theme
- B. Provide a major entry monument at the major entry to the project from Sutterville Road

2. Minor entry monuments

Minor entry monument features may be placed at the entrances to residential villages, multi-family housing developments, or commercial areas within Curtis Park Village to differentiate one area from others. These entry monuments may include pylon entry monuments and should have a consistent



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design throughout the project site with appropriate lettering designating the area. The intent of the minor entry monuments are to:

- A. Provide minor entry monuments as a secondary level of signature for the development and in keeping with the design theme
 - B. Make minor entry monuments smaller than the major entry monument.
 - C. Locate minor entry monuments at the transition between the single family neighborhood zone and the mixed-use neighborhood zone
3. Materials shall consist of quality durable long-lasting materials such as stone, brick, and metal to reduce the maintenance and maintainability of monument features.



5.2 LANDSCAPE ELEMENTS WITHIN COMMERCIAL AREAS

Landscaping elements may consist of seating, bollards, trash and recycling receptacles, bicycle racks, and information kiosks. The goal for the use of landscape elements is to create enjoyable outdoor spaces and to provide comfortable amenities for relaxation and leisure. Street furniture is encouraged in outdoor areas to harmonize style, design and materials with surrounding buildings.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

- 1. Seating:
 - A. Provide a variety of seating alternatives such as benches and seat walls in outdoor spaces and walkways
 - B. Design spaces at a pedestrian scale
 - C. Enrich outdoor seating areas with landscaping, fountains, public art, and trellises
- 2. Bollards



Benches

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- A. Decorative bollards may be used to define edges of pedestrian and vehicle interfaces
 - B. Use to protect utilities and vulnerable elements from vehicle traffic
 - C. Use of decorative bollards is encouraged whenever a bollard is necessary
3. Pedestrian trash & recycling receptacles
- A. Place near benches, at regular intervals throughout area
 - B. Details of the receptacles are to be sympathetic to the design of the buildings they serve and are to be visually pleasing within the streetscape
4. Bicycle racks:
- A. Place in easily accessible locations in clear public view
 - B. Locate such that use of surrounding spaces is unimpeded
5. Newspaper stands: Newspapers are to be sold or distributed only through interior stands within commercial establishments. Outdoor newspaper stands are not allowed.
6. Trellises
- A. Provide trellises to define outdoor spaces and seating areas
 - B. Independently or combined with landscaping, trellises may be used to screen undesirable views
 - C. Use to contrast scale and mass of buildings
 - D. Trellises are to be constructed of durable materials to maintain the aesthetics of the trellis and reduce maintenance requirements



Decorative bollards provide security



Bike racks



Trellis portal

5.3 HARDSCAPE MATERIALS AND TREATMENTS

Good paving design enhances the cohesiveness of a neighborhood and provides visual cues about the purpose of spaces. Use a hierarchy of hardscape materials, textures and treatments to distinguish vehicle, bicycle and pedestrian pathways and linkages. Landscape materials should be consistent with City of Sacramento standards.

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It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Sidewalks

- A. Maintain consistency with historic sidewalk patterns of the City of Sacramento
- B. Scorelines at 3'6" apart in both directions
- C. Scorelines to create 6" strip at each side of sidewalk parallel to street
- D. Scorelines ¼" wide by ¼" deep
- E. Lamp black is to be used in the concrete mix to provide color consistency among separate pours consistent with City of Sacramento standards
- F. Specialty stamped paving associated with a building may be used to interrupt the standard sidewalk color and pattern at certain special locations, such as building entrances



Use historic Sacramento paving patterns

2. Crosswalks

- A. At selected paved crosswalks within the commercial areas of Curtis Park Village stamped colored asphaltic concrete paving or other suitable material in durability and quality may be used
- B. Paving at crosswalks enhanced to be 15' in width, with 2' wide bands at edges per City of Sacramento standards



Enhanced paving at crosswalks

3. Enhanced street paving

- A. Enhanced street paving may be used at medians with turning lanes or tapered ends where the median is too narrow to support plant life or to be efficiently irrigated

4. Skate Stops

- A. Provide skate stops on unbroken surfaces



5.4 LANDSCAPING

Thoughtful landscaping design in Curtis Park Village

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should complement the long-established neighboring area, noted for its “urban forest” of shady old-growth trees and gracious plantings. Use landscaping to enhance architectural character, to define exterior spaces, and to promote a comfortable pedestrian experience.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Street trees

- A. A consistent network of street trees along travel corridors to establish shade, beauty, and human scale
- B. Maintain visual order by planting street trees of the same genus and species along the length of any street per City of Sacramento standards
- C. Enhance identity of individual streets by varying genus or species
- D. Select trees on a performance basis with the objective of minimizing water use, providing shade, minimizing hazardous litter, minimizing root intrusion, and providing color and contrast
- E. Select evergreen and deciduous or flowering trees in combination to create visual interest and a dynamic landscape
- F. Plant street trees at approximately 30' on center
- G. Locate trees to allow for mature and long-term growth
- H. 5' by 5' minimum size tree grates may be installed around trees adjacent to plazas, dining patios or other similar conditions



Tree grate

2. Site landscaping

- A. Select accent planting for entrances and key activity hubs
- B. Select planting to screen or separate less desirable areas from public view, such as dumpster enclosures, parking areas, storage areas, loading areas, and public utilities
- C. Plant vines where appropriate along solid walls and screen fences
- D. Avoid short-lived plants, plants susceptible to disease, and large expanses of single plant



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- varieties
 - E. Group plants in high- and low-maintenance zones as well as traffic zones, and hydrozones
 - F. Landscaping may be used to bio-filtrate storm water runoff
3. Irrigation and water conservation
- A. Design irrigation systems to ensure the efficient use of water and to discourage vandalism
 - B. The use of low-water native plants is highly encouraged
 - C. Control all automatic irrigation systems with a timer
 - D. Use rain shutoff valves and moisture sensors to minimize overwatering
 - E. Use plant materials or other attractive site elements to screen irrigation controls and pedestals from view
 - F. The use of drip or bubbler-type irrigation is encouraged to promote water conservation
 - G. Use conventional spray irrigation systems with head-to-head coverage for turf areas
 - H. Cover all exposed soil in planter areas with bark mulch to reduce moisture evaporation and to help control weeds
 - I. Comply with local water use standards



Landscaping for screening



Xeriscape ideas from ccconserv.org

5.5 FENCING AND WALLS

Fences and walls provide security, privacy, visual screening and sound attenuation as well as separation between uses of differing intensities. If used in excess, fences and walls can discourage pedestrian movement between residential, commercial, and public use areas, and therefore should be used only where necessary.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Use of aesthetically pleasing, high-quality fencing and wall materials to complement the character of the unique areas within Curtis Park Village
2. Fencing and walls coordinated with the architecture



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with which they are associated

3. Consideration of graffiti control when selecting fence and wall materials
4. Chain link fencing is not allowed.
5. All private drive gates shall be placed a maximum of 20 feet behind the right-of-way to the satisfaction of the Department of Public Works. All gates shall swing inward, not outward, and shall be equipped with a Knox Box.



5.6 PRIVATE ART ON PRIVATE PROPERTY

Art placed where it can be viewed by people can enhance the personality and character of a community. Art adds visual interest, engages community members and visitors and creates a sense of place.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. The integration of art into the design of buildings and site.
2. Art located where it can be enjoyed by a large number of people: at sidewalks, intersections, plazas, and building entrances
 - A. Art can be created in small elements, such as tile banding on a stair riser, or in larger pieces, such as interpretive sculptures and functional art
 - B. Art can be an interactive media, such as video projections, fountains or water elements
 - C. Art can be used as a wayfinding feature to attract pedestrians to key locations such as a plaza, or can be developed as murals representing the area's unique history and people of significance
 - D. Art can take the form of decorative detail on benches, walls, stairs and entries
3. Art that is responsive to the environment (eg:



Art reflective of locale

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clocks, benches, bicycle racks)

4. Use of art as a means of enhancing community understanding and history of Sacramento and the unique cultural assets and appreciation for local artists
5. Art may consist of both permanent and temporary installations
6. Coordination in the placement of art with other streetscape improvements to ensure a coherent character for the neighborhood
7. Consideration of safety and visibility in placement and size of art
8. Some qualities of art at Curtis Park Village:
 - A. Themes in art that are reflective of the area's history and character including the railroad
 - B. Advertising alone does not constitute art, though corporate logos are not excluded from appearing in art
 - C. Mass produced items may be used as part of art installations



Art reflective of local history and interests



Photo by Marjorie Schreiber Lear

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6 SIGNAGE AND GRAPHICS

- 6.1 General Guidelines for Signs
- 6.2 Lighted Signs
- 6.3 Projecting Signage
- 6.4 Awning Signage
- 6.5 Window Signage

6.1 General Guidelines for Signs

Signs attract attention and provide information and directions. In Curtis Park Village signs are to enhance the visual quality of the space, have a consistent and aesthetically pleasing look, and assist wayfinding by pedestrian, bicycle and motor traffic. All signage must comply with the Sign Ordinance of the City of Sacramento.

In general, signs within Curtis Park Village should:

- A. Be easy to read and decipher
- B. Be simple in design
- C. Enhance aesthetic environment through design consistency and quality
- D. Use colors that are compatible with those used throughout Curtis Park Village
- E. Highlight the unique character of the neighborhood
- F. Assist in wayfinding - the ability of a person to find his or her way to a given destination - in a safe and clear manner
- G. Be designed to be vandal-resistant
- H. Be designed so that electrical connections will not be visible on signs

6.2 Lighted Signs

Lighted signs at Curtis Park Village should be designed such that:

- A. Lighted from a concealed light source, nonintrusive to vehicular or pedestrian traffic, or to neighbors
- B. The light for a sign originates from an indirect source



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- C. Light is directed at the sign from an external, shielded lamp. Internal illumination of a sign is inappropriate
- D. Halo and silhouette signs are encouraged
- E. The sign is not illuminated by fluorescent or backlighting
- F. No sign or part of a sign may move, rotate, flash or change its brightness
- G. A warm light, similar to daylight, is appropriate
- H. The use of neon and/or incandescent bulbs may be considered
- I. Use neon in limited amounts so it does not become visually obtrusive
- J. Plastic internally illuminated sign cabinets are prohibited unless the sign is a plastic "punch-through" sign
- K. Internal illumination of an entire sign panel is prohibited



Projecting signage

6.3 Projecting Signage

Project signage is a building mounted sign with the faces of the sign perpendicular to the building fascia.

- A. Projecting signage (sometimes referred to as "blade" signs) are encouraged along pedestrian paths
- B. Design with maximum dimensions of 36-inches in width by 24-inches in height
- C. Install with bottom edge of sign at approximately 8-feet above the pedestrian way



Projecting blade sign

6.4 Awning signage

A sign painted or placed on an awning, canopy, structural projection or cover over a door, window, storefront, or outdoor service area, typically non-illuminated

- A. Use a simple text or logo design that will not detract from the overall streetscape



Awning sign

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6.5 Window signage

Any sign or painting on a window, intended to be viewed from the outside.

- A. Subtle in size and design
- B. Use to cover no more than 15% - 30% of display window space
- C. Attractive lettering and graphics shall be used such that window signage does not appear cluttered or non-professional



7.0 LIGHTING

- 7.1 Building Lighting
- 7.2 Parking Lot Lighting
- 7.3 Pedestrian Area Lighting
- 7.4 Sign Lighting

Well-designed outdoor lighting is an integral component in the creation of an active, walkable neighborhood for use when natural light is not sufficient. Lighting in Curtis Park Village serves to illuminate buildings, spaces and signage, to provide an adequate level of personal safety while enhancing the appearance of the area and is to be based upon sustainable neighbor-friendly principles.

It is the intent of the Curtis Park Village Planned Unit Development Guidelines to encourage the following:

1. Lighting designed to provide ambiance, safety, and security without unnecessary spillover or glare onto adjacent properties
2. Use of current energy efficient fixtures and technology
3. Adequately lighted pedestrian areas, plazas, sidewalks and building entrances to provide safety and security
4. Light pole heights scaled to complement adjacent areas
5. When security lighting is needed, lighting design is used to prevent offsite glare and light trespass
6. Addressing special circumstances such as 'areas in shadow'
7. Utilization of vandal-resistant fixtures
8. Lighting that meets IESNA standards

7.1 Building Lighting

- A. Building light fixtures that are architecturally compatible with buildings and to complement



Light fixtures complement building design



Energy efficient lighting at pedestrian scale

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- the theme of the surrounding area
- B. Good lighting provided at building entrances
- C. Use architectural lighting to provide for the safety of pedestrian movement
- D. The use of lighting to wash primary walls and to highlight architectural features or detailing of building facades is encouraged
- E. No use of blinking, flashing lights, or exposed neon lighting to illuminate building facades or to outline buildings. Exception: temporary decorative lights, such as holiday lighting, may be allowed for temporary periods during the calendar year
- F. No use of wall pack lighting on facades facing streets, parking or publicly accessible areas

7.2 Parking Lot Lighting

- A. Human scaled lighting to illuminate pedestrian walkways within parking areas
- B. Light standards that do not exceed 30' in height for parking areas
- C. The ratio between maximum and minimum lighting levels shall not exceed 4:1
- D. Fully integrated and coordinated lighting and tree plans to avoid conflicts
- E. Light standards and fixtures that meet minimum City of Sacramento illumination requirements



Parking lot lighting reflects design of neighborhood

7.3 Pedestrian Area Lighting

- A. In pedestrian areas, light fixtures compatible with other light fixtures in Curtis Park Village
- B. Building facades fronting on public streets illuminated with a minimum of 3 foot-candles
- C. Light standards for pedestrian areas shall not exceed 12' in height
- D. Decorative free-standing or bollard-type fixtures used to provide lower intensity

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lighting where appropriate

7.4 Sign Lighting

- A. See Section 6.0, Signage and Graphics



Cross-arms on street lights from which to suspend banners

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Appendix A: Curtis Park Village Single Family Home Design Guidelines

Residential History and Neighborhood Context

It is the intention that single-family residential areas of Curtis Park Village will be reflective of the quality and design of the existing Curtis Park neighborhood that surrounds the project site to the north and east. Now one of the most mature and desirable neighborhoods in Sacramento, Curtis Park was originally developed from ranch and farm land as one of the city's first suburbs. The development of Curtis Park can be traced back to October 1887 when an auction was held to sell lots in "Highland Park", an early subdivision in the City of Sacramento that would become the Curtis Park neighborhood. Curtis Park continued to develop during the early 20th century as one of the "streetcar neighborhoods". Curtis Oaks and West Curtis Oaks in addition to the Highland Park subdivision all became part of the growing residential community of Curtis Park. In 1907 and 1909 right-of-way and land was deeded to the Western Pacific Railroad on the west side of Curtis Park neighborhood. The railroad site was to be used for the shops and railyards to serve the needs of the Western Pacific in Sacramento. This is the area that contains the 72 acres of the Curtis Park Village site.



Home designs in Curtis Park Village are intended to reflect the design and pattern of homes found in the existing Curtis Park neighborhoods. These houses tend to be predominately bungalows including single and two story homes in a variety of eclectic styles including California mission, arts and crafts, English cottage and Tudor revival, amongst others. Newer infill homes and remodel of existing homes throughout Curtis Park reflect both tradition and contemporary influences. Many infill and remodeled homes are two stories in height in response to the challenge of building larger homes on smaller lots to accommodate changing lifestyles. While cement plaster is a common exterior cladding material a variety of exterior finishes including wood lap siding, brick, and stone may also be seen with new construction generally reflective of the quality and detail of the original homes in the neighborhood.



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Residential Character Area

The design to be emulated in the single-family homes within Curtis Park Village can be found in the established neighborhoods of Curtis Park and Land Park. The Residential Character Area of these design guidelines can be described as north of Sutterville Road, south of 2nd Avenue, east of Franklin Boulevard, and west of Land Park Drive. The homes within the described Residential Character Area represent a variety of eclectic architectural styles, including Victorian, Queen Ann, Craftsman, Bungalow, Sacramento highwater, California Mission, English Country Cottage, Tudor Revival, Curtis Park vernacular, and various period revival styles. Although a few streets represent a mixture of styles, many blocks and streets have some consistency of style and materials, representing the numerous small subdivisions constructed by the firms working the area at the time.



Of the many styles represented, Craftsman and Mediterranean or California Mission influences are perhaps the most common. These homes tend to be one and one-and-a-half to two stores in height with gable roofs particular to the Craftsman style and front porches with sturdy, square support columns. Common building materials include wood, brick, and plaster.

Flooding was frequent in Sacramento during the late 19th and early 20th centuries and many of the homes built in the City during that time period have high foundation with the main story a half floor above the ground level. These homes are known as Sacramento highwater homes, and can generally be found in Victorian and Bungalow styles.



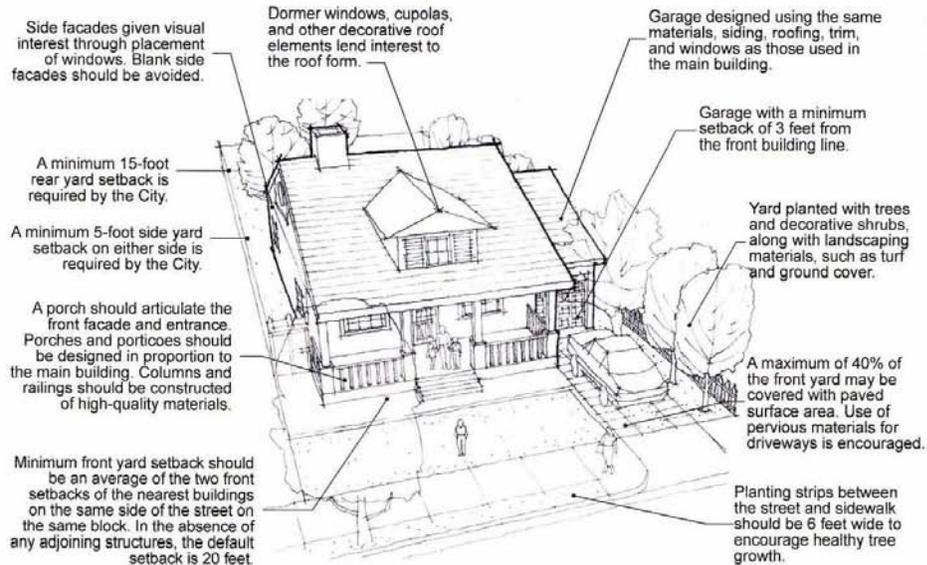
Single-Family Residential

There are many ways to design a good home. The City Development Services Department has pre-approved home plans that can aid the new home building design and reduce application time, and these plans do not exhaust the many possible design options.

The home design as shown in the graphic below displays some of the key characteristics that are recommended in the design Standard and Guidelines, and how these design features might be applied to all residential projects. This sample home is intended as an example only, since

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the Guidelines are intended to be sufficiently flexible to allow for many variations in home style and design. Additional guidelines for the Residential Character Area are relevant for that area only.



Single-family Residential Home with Required and Recommended Design Features

SITE DESIGN

Site design addresses a home's location on the lot, its orientation toward the street and adjacent buildings, and its overall layout relative to the site. The site design of infill homes and additions to existing homes should emphasize respect for the context of established structures. In addition, new homes, infill homes, and additions, where appropriate, should:

- reflect the scale of existing homes on the block;
- in most cases, the home should be located toward the front of the lot with minimal setbacks;
- provide an entry facing the street or easily identifiable from the street to create a welcoming appearance and to give homes "curb appeal";



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- minimize the appearance of the garage by locating it at the side or rear of the home; and
- minimize the appearance of mass in two-story home with an articulated façade.

1 Setbacks and Orientation

Design Principle

The front setback and the placement of the home on the lot shall correspond to setbacks as defined in this document.



Rationale

Setbacks may be slightly varied to create interest but should contribute to the established assemblage of homes on the block and help to form a "streetwall" on the public right-of-way. Front yard setbacks shall also meet City standards where possible. However, homes within the Residential Character Area often have front setbacks that are smaller than those required by the City.



General Design Standards and Guidelines

- 1.1 Homes should be oriented toward the front of the lot with front entries facing the street or easily identifiable from the street to encourage an active visual relation with the street.
- 1.2 Construction should generally be parallel to lot lines.
- 1.3 Infill structures should reinforce the existing rhythm of building widths and setbacks.
- 1.4 Setbacks shall be consistent with the following:



Private drives Loaded Lots (40' x 100' typical)

- Front: 12.5' to 18'
- Side: 5'
- Corner Lot Side (45' wide typical): 10'
- Rear (Garage along private drives): 3'-6' for single loaded private drives
- Rear (Structure): 10'

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Street Loaded Lots (50' x '1 00' typical)

Front: 12.5' to 18'
Side: 5';
Corner Lot Side (55' typical): 10' setback
Rear - 10'

Deep Street Loaded Lots (50' x '120' typical)

Front: 15' to 18'
Side: 5'
Corner Lot Side (55' typical): 10' setback
Rear: 10'

Double Lots (Private drives Loaded or Street Loaded)

Front: 12.5' to 18'
Side: 5'
Corner Lot Side: 10'
Rear (Garage along private drives): 3'-6' for single loaded private drives
Rear (Structure): 10'

Row Housing Lots (30'x 80' typical, zero lot line to minimal side setback)

Front: 5'
Side: Setback on the adjacent lot to the zero setback side yard lot shall be either 0' or 5'
Rear (Garage along private drives): 3'-6' for single loaded private drives

Cottage Lots (zero lot line to minimal side setback)

Front: 12' along public ROW, 10 ft. on internal lots
Side - 0' to 5'
Rear - 0'

Sustainability Guidelines

- 1.5 Homes should be designed and be oriented on the lot to maximize solar access on southern exposures so that such features as photovoltaic solar panels and daylight can be incorporated into the design of the home, when feasible.



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2 Scale and Mass

Design Principle

Although one and one-and-one-half story homes are allowed most homes within Curtis Park Village are anticipated to be two to two-and-one-half stories in height. Homes shall be compatible with the overall scale and mass of other homes on the block.



Rationale

The scale and mass of homes within Curtis Park Village are intended to be evocative and reflect the diversity of the existing Curtis Park neighborhood. The establishment of a "streetwall" along public rights-of-way and a consistency of scale and mass are desirable in the neighborhoods of Curtis Park Village. Homes and additions to existing homes should respect each other and earlier, established homes by minimizing the appearance of building and mass through site layout and architectural design.



General Design Standards and Guidelines

- 2.1 Homes should be oriented perpendicular to the street to minimize the appearance of mass.
- 2.2 The mass of a larger structure should be broken down into smaller components that are similar in scale to other buildings in the neighborhood.
- 2.3 The garage shall be located at the rear of the lot with either private drives access or side driveway access for front access lots.
- 2.4 Contemporary homes are typically constructed as concrete slab-on-grade. The concrete slab of the newer home should be treated in one or more of the following ways:
 - The height of the slab could be increased.
 - The soil under the slab could be graded so that it is above the grade of the surrounding yard.



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- The home could be constructed with raised wooden subfloor. In this case, the home could also have a raised entry that steps down to the ground level.

General Design Standards and Guidelines for Additions

- 2.5 Additions should respect the massing, scale, and height of the primary structure.
- 2.6 Additions should not visually interfere with but should complement the original structure.
- 2.7 Additions that are taller than the original building should be located at the rear of the building so that the new addition does not visually overpower the original structure.
- 2.8 Large additions should be broken down into smaller, varied components that relate to the scale and massing of the original structure
- 2.9 Contemporary homes are typically constructed as concrete slab-on-grade. When infill homes are constructed in areas where older homes are raised above grade, the concrete slab of the newer home should be treated in one or more of the following ways:
- The height of the slab could be increased.
 - The soil under the slab could be graded so that it is above the grade of the surrounding yard.
 - The home could be constructed with raised wooden subfloor. In this case, the home could also have a raised entry that steps down to the ground level.
- 2.10 When constructing an addition beneath a home, the home should be excavated rather than raised. Visual impacts to the home should be minimized, with the design of the raised portion compatible in scale and character to the original structure.



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Sustainability Guidelines

- 2.11 Solar access for daylighting and solar panels should be considered in massing design. Glazing should be located predominantly on the north and south sides of the home. Glazing on the west side of the home should be minimized unless the west side of the structure is the street side.

3 Number of Stories

Design Principle

One to three story homes are acceptable in Curtis Park Village. The structures should be designed to minimize the appearance of mass of the third story.

Rationale

Although there are many two-story homes in Curtis Park, the majority of homes are one story. Because two and three story homes have the capacity to appear out of scale with other homes on a block they should be carefully designed so as not to overwhelm adjacent one-story homes.

General Design Standards and Guidelines

- 3.1 The front of the home should not present an unbroken two or three story wall to the street. Facades should be articulated to break up the surface, add interest and minimize the appearance of mass. Articulation should include at least two of the following features:
- protruding or recessed façade surfaces
 - bow, bay, or dormer windows
 - horizontal elements such as cornices, window lintels, or horizontal bands:
 - porches or porticoes
- 3.2 All sides of the homes should be given visual interest through the careful placement of windows, while also protecting the privacy of the adjacent home. No side



Architectural details and articulated facades can help to minimize the appearance of two-story infill homes



Dormer windows and other decorative roof elements help to break up the mass of a two-story home.

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of a multi-story home should present an entirely blank façade. Finishes and materials shall be consistent on all sides of the structure.

- 3.3 Porches and porticoes in multi-story homes should be one story to maintain the proportion and context of the surround homes on the block and provide an inviting entry in a pedestrian scale to the street.
- 3.4 Architectural elements, such as dormers, multiple gables, and windows, should be added to the upper stories to impose articulation and break up the façade, where feasible.
- 3.5 Duplexes and fourplexes constructed on narrow lots (40 feet wide or less) should be designed as two-story stacked units. These structures should conform to the same principles outlined above, with articulation and the addition of architectural elements.



This attached garage is recessed from the front façade of the home

4 Garages

Design Principles

The garage shall be placed at the rear of the primary residence to minimize its visibility from the street, and shall match its character and materials.

Rationale

To emphasize the front entryway and porch and minimize the prominence of the garage, the garage should be placed at the rear of the home. The garage can be placed along the side of the residential lot provided that the garage is recessed well behind the front façade of the house.



Front access to a detached garage at rear of home is common in the Residential Character Area.

General Design Standards and Guidelines

- 4.1 Garages shall conform to all relevant City of Sacramento regulation and guidelines.
- 4.2 On-site parking may be an attached or a detached garage. Attached garages should be recessed a minimum of 18 feet behind the front façade (the main front wall) of the home.

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- 4.3 Detached garages are recommended when feasible. If private drives access is available, detached garages should b placed in the rear yard. When private drives access is not feasible, front access is acceptable.
- 4.4 Garage design, siding, roofing, trim, and window materials should match the material used on the home.
- 4.5 City Municipal Code permits a carport if 50 percent or more of the dwelling on the block do not have enclosed parking. The carport should be designed to the same standard as an enclose garage, with similar roofing material and roof pitch.
- 4.6 Many older homes in Curtis Park have Porte-corcheres along the side of the home with detached garages at the rear of the lot. Porte-corcheres are allowed provided they meet City Code requirements. The Porte-corchere should be designed to the same standard as the residential structure or a front porch and is to be compatible with the overall design of the structure.



Reduced alley aprons decrease pavement runoff.

Sustainability Guidelines

- 4.7 Single-car garages or tandem garages are encouraged to reduce the extent of paved driveway areas.
- 4.8 Reduced private drives aprons are encouraged to decrease pavement runoff.



A shared driveway minimizes the amount of space taken up by parking.

5 Parking

Design Principle

On-site parking shall be located at the side or rear of the lot, whenever feasible, to minimized parking along the façade facing the street and afford an unobstructed and attractive view of the home.

Rationale

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Many homes have been designed with extensive driveway paving and parking at the front of the home. Infill development should place driveways and parking pads toward the side of the lot so that the front yard is visually attractive and can be landscaped.

General Design Standards and Guidelines

- 5.2 Unless specifically required in the Curtis Park Village PUD Design Guidelines, parking shall conform to all relevant City of Sacramento regulations and guidelines.
- 5.3 Private drives access is preferred in areas where it is feasible within Curtis Park Village.
- 5.4 Concrete is the typical residential driveway paving materials\ . Alternative driveway paving surfaces, such as mortared brick or concrete pavers, and tinted concrete, are encouraged to minimize the appearance of monotonous paved front yards. Permeable materials, such as pavers, cobblestone, or similar treatments, are also recommended paving materials for driveways. Driveway strips with turf between the strips are another desirable alternative. Alternative treatments must be approved by the relevant reviewing agencies per City development standards for paving surfaces.
- 5.5 Reduced parking requirements - one on-site parking space required; not necessary to have a garage.



ARCHITECTURE

Architecture addresses the built form of the home, along with its detailing. Homes and additions to homes should respect the architectural style of established homes on the block, while also reflecting contemporary construction methods.

Curtis Park has experienced decades of infill development which lends interest and variety to the neighborhood. The new homes in Curtis Park Village can continue this trend by bringing fresh new style while still emphasizing respect for the overall scale of the existing Curtis Park neighborhood.

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All architectural elements should be constructed of high-quality materials to promote longevity and a pleasing appearance. Variety of design and materials is desirable within the single-family home area of Curtis Park Village if complementary to the existing Curtis Park neighborhood context.

6 Architectural Character and Detailing

Design Principle

Homes shall be designed in a cohesive architectural style that complements the best examples of existing residential development in the Curtis Park neighborhood.

Rationale

Structures that are compatible with the existing Curtis Park neighborhood will contribute to a sense of place and add to the character of the area helping to knit the railyards back into the urban environment and the neighborhood. Use of stylistically cohesive, character-defining features, such as porches, columns, balustrades, brackets, rafters, and decorative trim enhances visual compatibility.

General Design standards and Guidelines

- 6.1 The architectural design should complement the architectural styles of the existing homes in the Curtis Park neighborhood.
- 6.2 New stylistic interpretations of traditional architecture are encouraged. The plans should follow fundamental design principles without copying them. Architectural features and detailing should be proportional to the scale of the home, as well as to other homes on the block or a similar architectural style.
- 6.3 Additions should be designed with architectural details that are similar to those of the existing structure.
- 6.4 Individual elements in a structure should be consistent with that structure's overall design or style.

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- 6.5 A contemporary sundeck may be included in the design of the structure provided that it does not visually detract from the main building and does not interfere with the privacy of adjacent residences. The scale, material, color, and detail of the deck should be compatible with the building.
- 6.6 All elevations should be given equal design treatment and architectural consideration including the use of consistent materials on all facades of the structure.

7 Roof Styles

Design Principle

The design of a roof shall correspond to the prevailing designs of roofs on homes in the existing Curtis Park neighborhood and the roof design shall be compatible with the overall design and architectural style of the home. The design of the roof on additions and renovations shall correspond to the roof style and pitch of the existing structure.

Rationale

The pitch, style, and orientation of the roof on a home should be similar but not necessarily identical to the roof styles of the surrounding homes on the block. Roofs pitches and materials should be complementary from home to home but should also be in keeping with the architectural style and design of the individual home. However, the pitch, style, and orientation of the roof on a renovation or addition should be identical to that of the existing home. Any crossing gables should match the established pitch and style of the existing roof.

General Design Standards and Guidelines

- 7.1 The roof pitch and overhang on structures should be compatible with the architectural style of the home.
- 7.2 Whenever possible the roof pitch and overhang should be similar to those of existing homes on the block and similar to existing homes in Curtis Park.



Gable roof with front-facing gables



Gable roof with side-facing gables and shed-roof dormer windows



Gable roof with clipped end

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- 7.3 Flat roofs are discouraged and should only be used when appropriate for the architectural style of the structure.
- 7.4 Infill homes should respect the primary gable orientation of the majority of existing homes on the block.
- 7.5 The roof forms and slope of additions should be similar to those of the original structure. The roof of additions should be subordinate to that of the primary building. Gable, hip, and shed roofs are appropriate for additions.
- 7.6 A dormer should be compatible with the scale of the primary structure. The number and size of dormers should not be visually overwhelming. Dormers should be placed below the ridgeline of the primary roof.
- 7.7 Roof overhang ranging from 18 to 36 inches are encouraged to promote window shading and building longevity when appropriate to the architectural design of the home.



Hip roof with hip dormer



Steeply pitched front-facing gable roof with just a hint of insouciance

8 Entry Features

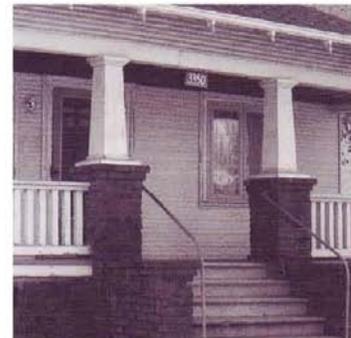
Design Principle

Homes shall have an entry feature such as a porch, overhang feature, or stoop that faces the street and defines the entry to the home from the street.

Rationale

Entry features accent the front façade of a home and add visual interest. Entry features and their components, such as columns and steps, should be proportional to the overall scale of the home.

Porches and other entry features are common architectural elements in homes in Curtis Park. Porch elements in these older homes differ greatly, ranging from solid, square columns of Craftsman homes, to the deep recesses and covered walkways of California Mission



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Revival homes, to the delicate turned balusters in Queen Anne homes. Entry features should be consistent in design and scale with the architectural style of the home and the predominant style of the block while providing diversity and interest to the home and the block from the street.

General Design Standards and Guidelines

- 8.1 Entry features are encouraged on all homes.
- 8.2 Entry porches and porticoes in two and three story homes should be one story to minimize the appearance of bulk and offer an appropriately scaled pedestrian entry to the home.
- 8.3 Entry features should be built to a minimum depth of 6 feet from the front of the entry feature to the front façade of the home: however, shallower entry features will be considered on a case-by-case basis.
- 8.4 The scale and style of porch and portico elements should be consistent with the scale and style of the home.
- 8.5 Porches and portico columns should be given some form of detailing, such as a defined plinth and capital, when appropriate to the architectural style of the home.
- 8.6 Porch columns and railings should be constructed of high-quality materials that complement the materials used in the overall exterior of the home.



9 Doors

Design Principle

Doors shall be made of high-quality materials and include decorative elements such as raised panels, sidelights, and transoms that are appropriate to the overall design of the home.

Rationale

Doors are an important architectural feature that offers security and visual appeal. For this reason, doors should



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be made of high-quality materials that protect the home, while also offering aesthetic appeal through decorative elements that correspond to the style of the home.

General Design Standards and Guidelines

- 9.1 Doors are character-defining features of a home and should be appropriately designed to contribute to the overall composition of the house.
- 9.2 Doors should not be flat surfaces, but should include raised panels, glass, or some other form of detailing and articulation appropriate to the architectural style of the home.
- 9.3 Doors should be of high-quality material, such as metal or solid-core wood.
- 9.4 Doors may be metal or wood-frame. High-quality metal framing can afford enhanced security and fire protection and should be considered. Whether wood or metal door framing should be slightly recessed or extended to lend interest and definition to the entry.
- 9.5 Horizontal sliding doors are highly discouraged on the public side(s) of the home.



10 Windows

Design Principle

Windows shall be constructed of high-quality materials and designed to complement the style of the home.

Rationale

High-quality materials and construction techniques ensure the longevity of windows and enhance their aesthetic appeal.

General Design Standards and Guidelines

- 10.1 Windows should complement the style of the home.
- 10.2 Avoid horizontal sliding windows. Single or double hung windows as well as casement windows are



Window detailing, such as shutters, adds interest

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encouraged.

10.3 Windows with multiple panes provide interest and definition to a home's façade and are encouraged.

10.4 Window frames, sash, trim, and sills may be wood, vinyl, or a paintable fiberglass composite.

10.5 A consistent window treatment should be used on all sides of the building.

10.6 Reflective or tinted glass and opaque plastic skylights are discouraged.

10.7 Windows should have decorative trim and projecting sills consistent with the architectural style of the home.

10.8 Windows used in additions and renovations should be similar to those in the primary structure.



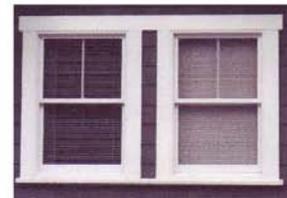
Casement window with wooden frame and sills

Sustainability Guidelines

10.9 The use of insulating or energy efficient glazing is encouraged to increase energy efficiency.

10.10 Prismatic glazing is encouraged to increase the energy efficiency of skylights.

10.11 Daylighting should be incorporated into the architectural design of the home, where feasible, to increase energy efficiency.



Single-hung windows with wooden frame



11 Siding

Design Principle

The siding used on a home or addition shall be durable, consistent with the style and character of the home, and complement the siding material used on other homes on the block.

Rationale

Siding should not only complement the style of a new

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home but should be consistent with siding materials commonly used on other homes in the neighborhood and consistent with the architectural style of the structure to avoid appearing out of context. Siding materials in additions and renovations should match the siding on the existing home to the greatest extent possible.

Common siding materials used on homes in Curtis Park include brick, stone, wood lap siding, wood shingles, and cement plaster. The predominant material depends on the predominant architectural style of the home.

General Design Standards and Guidelines

- 11.1 Wood lap siding, wood shingles, brick, stone, and cement plaster (stucco) are acceptable materials. The siding should always reflect the architectural style of the house and be appropriate for the design.
- 11.2 Wood lap siding should be applied horizontally and should be similar in scale, proportion, texture, and finish used on other homes on the block and appropriate to the architectural style of the home.
- 11.3 Several lap siding materials are available with some recommended over others. Lap siding made of wood or cement fiber is recommended. Lap siding of vinyl, grooved plywood, and aluminum are not recommended.
- 11.4 Cement plaster (stucco) must be smooth or imperfect smooth troweled texture. Spray-on stucco is not allowed and foam trim sprayed with stucco should be avoided.
- 11.5 The use of two materials, with one employed as wainscoting, can often add to the interest of the home. Change of materials in upper gables is recommended to break-up the overall mass of the home.
- 11.6 Avoid highly reflective metals, glass, plastic, and vinyl.
- 11.7 The color, texture, bonding pattern, and grout profile of brick should be similar to established uses of brick on the buildings in the Residential Character



Brick wainscoting on smooth stucco



Wood lap siding

Area.

12 Roofing

Design Principle

Roofing on homes in Curtis Park Village shall be durable and complement the architectural style of the home. Roofing on an addition or renovation shall be durable and complement the roofing on the existing home.

Rationale

Roofing materials should be durable to ensure their attractiveness and continued functionality for many years. Roofing materials should also be suitable for context. For example, high-quality metal roofing may be appropriate in some rural or resort settings but is uncommon in the Curtis Park neighborhood and therefore may be considered inappropriate.



Laminated dimensional shingles

General Design Standards and Guidelines

- 12.1 Roofing materials must have a minimum 30 year guarantee. Roofing with a 40 year guarantee or greater is encouraged.
- 12.2 The color and materials used for roofing should complement the color and architectural style of the home. Accent colors may be used but they should not overwhelm the home or clash with other homes on the block.
- 12.3 The following materials are recommended: laminated dimensional (asphalt) shingles, wood shingles/shakes, laminated dimensional fiberglass shingles, lightweight concrete shingles, terra cotta tile or lightweight concrete tile, or slate shingles.
- 12.4 Metal roofing is typically inappropriate and is discouraged.
- 12.5 Composition shingles should only be rolled over side barge boards when appropriate to the overall design of the structure.



Wood Shakes



Lightweight concrete shingles

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- 12.6 When installing gutters rafter tails should only be trimmed when the rafter tail design is not an architectural feature specific to the overall design of the structure.
- 12.7 Ogee gutters should be used on structures with a traditional style of architecture. Fascia gutters are more appropriate to ranch style and more contemporary homes.



Tile shingles

Sustainability Guidelines

- 12.8 Photovoltaic solar panels or solar shingles such as “solar slate” are encouraged to reduce the home’s use of energy from conventional sources.
- 12.9 Homeowners are encouraged to consider roofing options that include recycled content.
- 12.10 The use of “cool roof” options, including lighter colored roofing and reflective coatings, is encouraged to achieve energy efficiency.

13 Lighting and Addresses

Design Principle

Light fixtures shall be consistent with the architectural style of the home and shall provide adequate illumination of the front entry and addresses so that both are clearly visible from the street.

Rationale

To assist emergency vehicles and contribute to the safety of the home, address lettering should be affixed near the door and should be large enough to be seen from the street. Lighting fixtures should be adequate to illuminate the addresses and the front entryway to the home.

General Design Standards and Guidelines

- 13.1 Light contributes to the security of the home and is required for the front entryway, walkways, and garage area. Recessed entryways should be clearly lit.

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- 13.2 Lighting fixtures should be designed for exterior use and should be weather resistant.
- 13.3 The address should be illuminated and clearly visible at night.
- 13.4 The address numbers should be 4 to 8 inches high.
- 13.5 The preferred location to display the address is affixed to the front of the home, adjacent to the front door. If structural considerations preclude affixing the address adjacent to the front door then the address may be attached on the front of the home as long as it is still clearly visible from the street and illuminated at night.
- 13.6 Lighting fixtures should be directed away from adjacent areas to minimize light pollution.
- 13.7 Light fixtures and address numbers style and design are to be consistent with the architectural style of the house.



Addresses should be illuminated and easily visible from the street

Sustainability Guidelines

- 13.8 Compact fluorescent bulbs and photocell sensors are encouraged to achieve energy efficiency.

SITE ELEMENTS

Site elements include those features that are auxiliary to the home, such as landscaping, fencing, and paving. Site elements are typically used to enhance the appearance and functionality of the home.

High-quality site elements can increase the beauty and value of the home and, when carefully selected, can also contribute to the visual continuity of the street and the neighborhood.



Mature trees add beauty and shade

14 Landscaping

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Design Principle

Landscaping shall be used around the home to positively contribute to its' appearance and give a sense of visual continuity along the street. The front yard shall be planted with landscaping materials that may include a mixture of turf, groundcover, and decorative shrubs.

Rationale

A variety of landscaping plants and materials can contribute to a positive sense of place in a neighborhood. Trees provide shade, reduce energy consumption in the summer, help to filter air pollution, and provide visual interest along the street. The neighborhoods surrounding Curtis Park Village have many mature trees that contribute to the positive character of the area. Curtis Park Village will include planting of many trees that, in time, will reflect the surrounding neighborhoods and contribute to the urban forest of the City of Sacramento.

General Design Standards and Guidelines

- 14.1 Landscaping shall conform to all relevant City regulations and guidelines, including City Code Section 17.68.010, "Landscaping Requirements" which states that a maximum of 40 percent of the front yard setback may be paved for parking and driveways with an additional 10 percent for walkways or uncovered patio use. The remaining portion of the yard must be landscaped.
- 14.2 Alternative to turf, such as groundcover that can tolerate foot traffic or "no-mow" and native grasses, are encouraged.
- 14.3 Bare soil should be planted or mulched with bark, stone, or other suitable materials to avoid unnecessary runoff.
- 14.4 A minimum of two trees should be planted in the front yard. A minimum of three trees should be planted at homes on corner lots where the size of the yard permits full canopy growth.
- 14.5 Street trees are to be provided at a maximum of 30 feet apart in the street tree planter between the curb and the sidewalk. Consult the City Urban Forest



Groundcover can provide a low-water alternative to turf



Thymus species provide another groundcover alternative to turf

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Division for questions regarding the care of street trees. Private tree services are available for consultation before trimming or removal of mature trees on private lots.

14.6 Refer to the following lists for more information about recommended species:

- **Sacramento Tree Foundation**
www.sactree.com/treeinfor/treesWeOffer.html
- **Municipal Utility District (SMUD)**
www.smud.org/residential/saving/trees/index.html
- **City of Sacramento Department of Parks and Recreation**
www.cityofsacramento/parksandrecreation/urbanforest/index.html



Trees can offer shade, reducing cooling costs during hot summer months

14.7 Street trees and plant species should be suitable for the Sacramento climate. Low-water landscaping materials are encouraged to conserve water.

14.8 Trees species should be selected so that the canopy of each tree at full growth can be accommodated by the site. A variety of tree species representing a range of sizes will contribute to the visual interest of the yard and is recommended.



Well cared-for mature trees can add significantly to the beauty of a home

14.9 Homeowners are particularly encouraged to plant deciduous shade trees and shrubs that shade the east, south, and west sides of the home to minimize solar heat gain and increase energy efficiency. Shade trees should be planted to shade paved areas to reduce heat transmission and energy consumption.

15 Irrigation

Design Principle

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Irrigation is essential to maintain the health and beauty of a home's landscaping.

Rationale

The seasonal extremes of the Sacramento climate make regular irrigation of planted areas mandatory to maintain the integrity of landscaping. Automatic irrigation ensures regular and consistent watering and promotes healthy landscaping.

General Design Standards and Guidelines

- 15.1 An automatic irrigation system should be installed in the front yard to provide consistent coverage of all planted areas. A home on a corner lot should have an automatic irrigation system that covers the yard fronting both streets. Automatic controllers with rain shut-off valves provide greater water conservation.
- 15.2 The homeowner is responsible for the irrigation of and the maintenance of the irrigation system and landscaping in the front planter strip between the curb and the sidewalk along the street.
- 15.3 Turf and groundcover are more effectively irrigated with a conventional spray system. Head-to-head spray coverage is recommended. Avoid overspray onto sidewalks and adjacent properties.
- 15.4 A drip irrigation system is recommended for shrubs and trees to provide deeper, more even watering. Drip irrigation also permits greater water conservation than a conventional spray system.
- 15.5 Irrigation controls must be screened from view by landscaping or other attractive site materials.

16 Fencing

Design Principle

Fencing must be of high quality materials that are consistent with the style of the home to enhance the overall character of the home and contribute to the positive appearance of the neighborhood.



A conventional spray system is most effective for turf and groundcover.



Wooden side yard fence

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Rationale

Fencing should be selected for its decorative qualities and should complement the character of the home as well as the overall character of the neighborhood.

General Design Standards and Guidelines

- 16.1 Fencing shall be located and constructed in conformance with the Sacramento City Code Section 15.156, "Fences", and Section 17.76, "Wall, Fence, and Gate Requirements".
- 16.2 Fencing must allow unobstructed visibility of the front entrance and, in the case of homes on corner lots, the front and any side entrances.
- 16.3 Front yard fencing should have a minimum of 50 percent transparency.
- 16.4 The style, materials, and color of the fencing should complement the style, materials, and color of the home.
- 16.5 High-quality materials, including wood, metal, cement plaster (stucco), and some forms of appropriately designed vinyl fencing, are acceptable fencing materials. Cement plaster must be smooth or imperfect smooth texture consistent with the design of the house.
- 16.6 Chain link fencing is not allowed as a front yard fence.
- 16.7 The use of chlorine-based vinyl fencing is discouraged.

17 Paving/Hardscaping Surfaces

Design Principles

The paving materials selected shall contribute to the overall appearance of the home. Impervious paving surfaces shall be minimized and limited to the driveway, walkways, and patios.

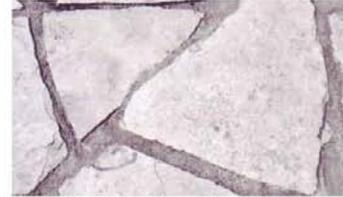


Brick

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Rationale

Large areas of impervious paving surfaces made up of materials such as concrete and asphalt should be minimized at the front of the home. Instead, alternatives surfaces as brick, stone, concrete pavers, and patterned concrete should be used as appropriate. Some of these alternative forms of paving can offer the added benefit of minimizing storm water runoff and the need for supplementary irrigation, as water is able to percolate down through the spaces between paving units.



Flagstone mortared on concrete

General Design Standards and Guidelines

- 17.1 Paved areas shall not exceed those defined by City Code Section 17.68.010, "Landscaping Requirements", which states that a maximum of 40 percent of the front yard setback may be paved for parking and driveways, with an additional 10 percent for walkways or uncovered patio use.
- 17.2 Alternative paving surfaces such as concrete pavers, brick, or stone are encouraged for driveway surfaces to reduce the appearance of large, paved areas.
- 17.3 Alternative paving surfaces that help to keep Stormwater Runoff on-site are encouraged.



Stone with turf

18 Utilities and Storage Facilities

Design Principle

The visibility of utilities and storage facilities shall be minimized by placing them at the side or rear of the home and screening them from view from the street. When utility equipment must be located at the front of the home every attempt shall be made to minimize the visual intrusion of the equipment into the home, yard, and street.

Rationale

Utilities and service features are less attractive but necessary parts of the home. These features should be placed at the side or rear of the home and screened by fences and landscaping. Private drives access can facilitate placement of and access to these features at the

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rear of the home whenever possible or appropriate.

General Design Standards and Guidelines

- 18.1 Trash receptacles should be placed in the side or rear yard and adequately screened by landscaping or a side yard fence.
- 18.2 Storage sheds should be located in the rear yard. Placement in the side yard is acceptable if the shed is adequately screened from the street by landscaping or a side yard fence.
- 18.3 Accessory structures should be similar in character and materials to the main building but subordinate in massing, scale, and height.
- 18.4 Antennae should be mounted at the rear of the home. Satellite dishes should be mounted on the home to minimize their visibility from neighbors or the public right-of-way.
- 18.5 Heating and cooling units should not be roof-mounted or placed at the front the home. Heating and cooling units should be placed in the attic or at the side or rear of the home and screened by a side yard fence or landscaping. Solar panels do not need to be screened.
- 18.6 Where feasible heating, ventilation, and air condition units should be placed on the north side of the primary structure or garage (if not the street side) to shade the units and minimize energy consumption.

19 Access Ramps

Design principle

Ramps that provide access to the front or side of the home shall be safe and designed to match the style of the home, and constructed of durable materials that complement those used on the home.

Rationale

Ramps that provide universal access to single-family

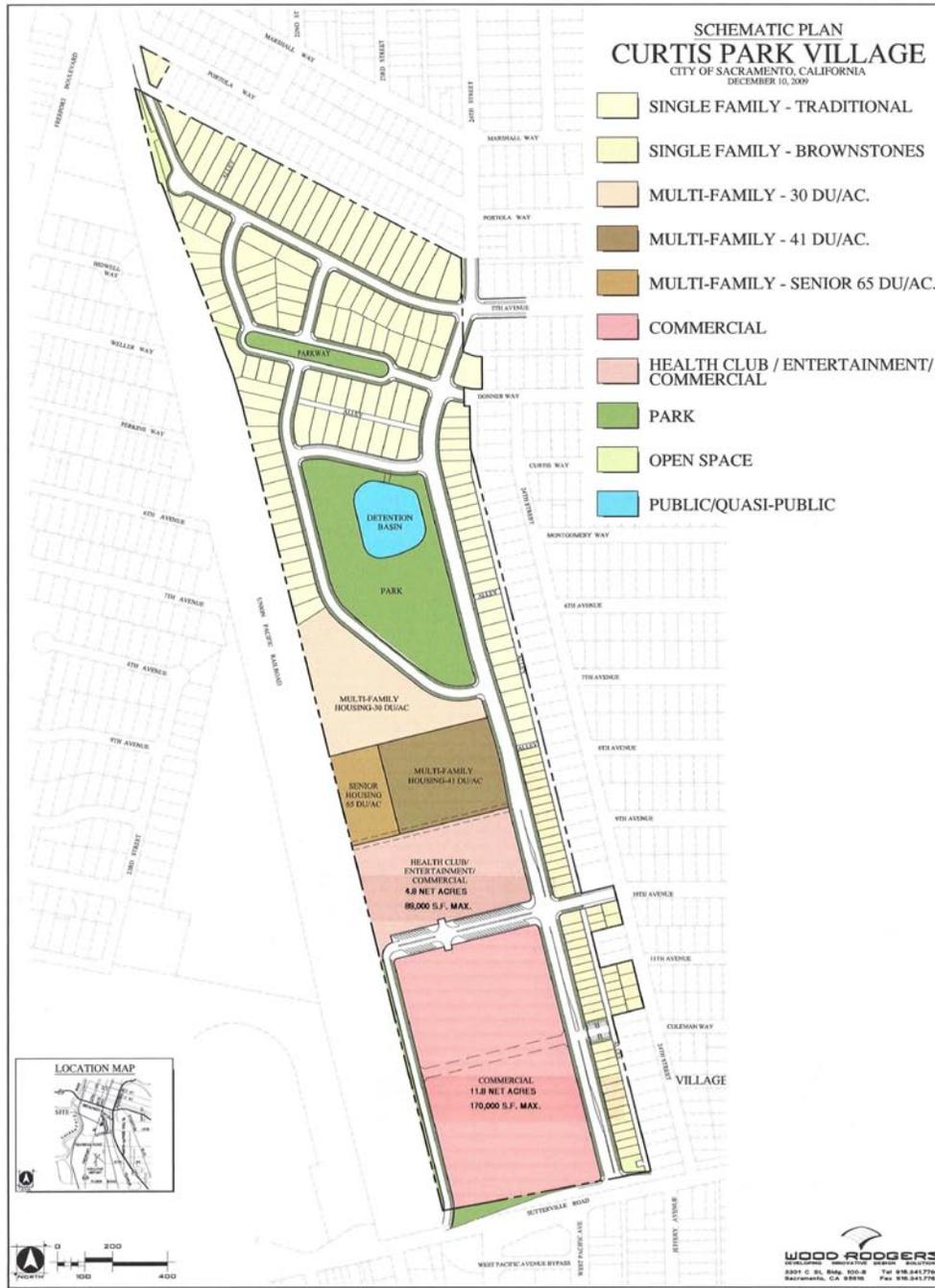
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homes should be designed so that they look like they are a part of the home to the greatest extent possible. The ramp should be designed to minimize its size and bulk without compromising safety and ease of access. Materials used should complement those used on the home, i.e., a concrete ramp with brick facing could be used on a brick home, while a wooden ramp might be more suitable for a home with wood lap siding.

Design Guidelines

- 19.1 Any ramp providing access to a single-family residence shall be designed to meet standards found in the Americans with Disabilities Act, available for review at www.ada.gov/stdspdf.htm. Under ADA standards a ramp shall be designed with a slope ranging between 1:12 and 1:20 (5 to 8 percent slope) and shall include 60 inch landings at the top and bottom of any run. A handrail shall be included on all ramps higher than 6 inches.
- 19.2 The ramp should be designed so that it does not detract from existing architectural elements at the front of the home. The specific location and angle of the ramp may vary, depending on the design of the home and its location on the lot.
- 19.3 Ramps should be constructed of sturdy, long-lasting materials such as wood, brick, or concrete. Ramp material(s) should complement those used on the home. Where appropriate, facing materials used on the home may be affixed to the side of the ramp.
- 19.4 Modular aluminum ramps at the front of the home are discouraged.

Exhibit B: Curtis Park Village PUD Schematic Plan



Attachment 10 – Resolution for the Project Entitlements

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

APPROVING THE CURTIS PARK VILLAGE PUD PROJECT ENTITLEMENTS (P04-109)

BACKGROUND

- A.** On February 25, 2010, the Planning Commission conducted a public hearing on, and forwarded to the City Council its recommendation for approval of the Curtis Park Village PUD Project, and
- B.** On April 1, 2010, the City Council conducted a public hearing, for which notice was given pursuant to 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 Curtis Park Village PUD 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 Curtis Park Village Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following Findings of Fact:

- A.** The **Large Lot Tentative Map** to subdivide 71.7 acres into twelve (12) large lot commercial/office, single-family residential, and multi-family residential parcels **is approved** based on the following Findings of Fact:
 - 1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:
 - a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

- b. The site is physically suitable for the type of development proposed and suited for the proposed density;
 - c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;
 - d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
 - e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);
 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);
 5. The City Council has considered the effect of the approval of this Large Lot Tentative Subdivision Map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).
- B. The Tentative Subdivision Map** to subdivide 71.7± acres into commercial/office, single-family residential, and multi-family residential parcels **is approved** based on the following Findings of Fact:
1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:
 - a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all

applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

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

C. The Subdivision Modifications to allow non-standard street sections is approved based on the following Findings of Fact:

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

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

Section 3. The City Council approves the Project entitlements based on the following Conditions of Approval:

- A.** The **Large Lot Tentative Map** to subdivide 71.7 acres into twelve (12) large lot commercial/office, single-family residential, and multi-family residential parcels **is approved** subject to the following Conditions of Approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P04-109). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.

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

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

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of

Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcel 5, Parcel 6 and Parcel 7 at no cost, at the time of sale or other conveyance of either parcel.

3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P04-109);
4. Meet all conditions of the PUD (P04-109) unless the condition is superseded by a Tentative Map condition;
5. Show all continuing and proposed/required easements on the Final Map;
6. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Department of Transportation;
7. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

DEF: Streets

8. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions;
9. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Department of Transportation;

10. The applicant shall insure that the roadway construction materials including the roadway base and sub-base are free and clear from all contaminated materials to the satisfaction of the Department of Transportation;
11. At its discretion, the City may require the applicant to construct on-site traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, traffic circles, undulations, additional 4-way intersections, bulbouts, etc. Undulations will be required on certain streets adjacent to school/park combinations, as determined by the Department of Transportation;
12. Place a 2 inch (minimum) sleeve(s) under the sidewalks for each single family lot along each separated sidewalk Street Section, adjacent to single family residences in order to allow for landscaping and irrigation of the required landscape planter. Sleeves shall be placed at the time sidewalks are constructed. Landscaping may be deferred until construction of the homes;
13. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Transportation;
14. Construct traffic signals at the following intersections when warranted, or when required by the Department of Transportation (if not already in place):
 - a. Sutterville Road and Road A
 - b. Road A and Commercial Main driveway
 - c. Road A and 10th Street

NOTE: The Development Division shall determine the need for signals, based on CalTrans signal warrants and known pending development projects prior to the Issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Final Map. Signal design and construction shall be to the satisfaction of the Department of Transportation. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras (for the Sutterville Road/Road A signal) and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services;

15. The applicant shall submit a signal design concept report (SDCR) per section 15.18 of the Cities Design and Procedures Manual to the Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR provides crucial

- geometric information for signal design and should be started as early as possible to avoid delays during the plan check process;
16. The applicant shall dedicate and construct full frontage improvements along Sutterville Road within the project's frontage to the satisfaction of the Department of Transportation. This shall include any needed street lighting;
 17. The applicant shall construct an advance warning flasher on Sutterville Road at a location west of Road A to the satisfaction of the Department of Transportation. The design of the advance flasher shall be included in SDCR report for the planned signal at Road A and Sutterville Road;
 18. The applicant shall remove the existing signal & signal related equipment at Sutterville Road and 24th street and return the equipment to the Department of Transportation. The applicant may be able to reuse some of the old signal equipment at other signalized locations within the project area if deemed acceptable and feasible to the Department of Transportation. The applicant shall be responsible for modifying/constructing the median at 24th street to prohibit certain movements from 24th street to the satisfaction of the Department of Transportation and consistent with the recommendations of the Traffic Study. This shall also include any needed reconstruction of the round corners at that intersection, providing the necessary turn lanes and any needed signage or markings;
 19. The applicant shall construct a new signal at the intersection of Road A and Sutterville Road. The applicant shall provide for all the turn lanes needed and any signage and markings consistent with the traffic study. If possible, the applicant shall provide for a U-turn (West bound to east Bound on Sutterville Road) as part of the signal design and the required SDCR report for that signal;
 20. The applicant shall successfully abandon the existing Loop Road that provides access to south Sutterville Road to the satisfaction of the Department of Transportation. This shall include any needed signage or markings for truck routes;
 21. The proposed extension of the alley north of road J must be gated or constructed with removable bollards to allow pedestrian crossings only and not vehicular access. The gating could occur at the new subdivision or at the existing alley from Portola way and shall be equipped with a knox lock to the satisfaction of the Department of Transportation and the Fire Department;
 22. The applicant shall dedicate and construct Road A per City standards and to the satisfaction of the Department of Transportation. Road A will have several signalized intersections and shall be constructed with expanded intersections at those locations to accommodate turn lanes consistent with the requirements of the traffic study;

23. The applicant shall provide a 24-foot Roadway easement across Commercial Lot A as shown on the Tentative Map to the satisfaction of the Department of Transportation. The easement shall be large enough at the intersection of both Roadway A and Roadway C to insure an adequate turning template to accommodate a WB-65 design vehicle. The applicant or Business Association shall maintain this roadway easement in perpetuity;
24. The applicant shall coordinate with the City of Sacramento, Department of Transportation, and dedicate easements on the west side of commercial Parcel 4 to accommodate a future planned pedestrian bridge landing areas to the satisfaction of the Department of Transportation. The easements shall be sized sufficiently and consistent with the city's pedestrian bridge design documents;
25. All proposed street elbows shall be constructed to City standards and to the satisfaction of the Department of Transportation, and shall accommodate a turning radius for a WB-65 design vehicle;
26. All proposed landscaping on the west side of the project next to the existing tracks shall be maintained by either a Home Owners Association, Business Association or City Landscape Maintenance District to the satisfaction of the Department of Transportation and Special Districts. The Landscape Maintenance District will be formed in any event. The Landscape Maintenance District will fund shares of the landscape maintenance to the extent the Associations are not formed for this purpose or default on this responsibility. Assessments will be \$0 until such time as funding is required;
27. The applicant may construct or reconstruct any existing or planned private drives in asphaltic concrete to the satisfaction of the Department of Transportation. All private drives shall be maintained by the Home Owner's Association in perpetuity. If there are any proposed gates to the Public alleys, they must go through the City's alley closure procedures and obtain City Council approval to make them gated and private. Any proposed gates must be 20-feet behind the right of way and shall be equipped with a Knox Lock and automated gate opener;
28. All proposed private drive Guest parking shall be maintained by the HOA;
29. On-street parking shall be restricted on the segment of Road B connecting to the exiting 10th Avenue (From Road A to 10th Avenue) to the satisfaction of the Department of Transportation;
30. The Home Owner's Association shall maintain all landscaping proposed in Parcel 11 (Parkway) or it shall be annexed into a landscaping maintenance district to the satisfaction of the Department of Transportation;
31. The applicant shall provide all the required signage and markings at the proposed Roadway G (North and South) couplet to the satisfaction of the

Department of Transportation;

32. The applicant shall construct new or repair any existing improvements at all planned connections (5th Avenue, Donner Way and 10th Avenue) to insure a safe connection and roadway transitions to the satisfaction of the Department of Transportation. The limit of work shall only be at the connection locations;
33. The applicant shall construct the proposed angled parking along Roadway D with back-in angled parking or as otherwise approved by the Department of Transportation;
34. The applicant shall connect the sidewalk from the proposed Road J all the way to Portola Way to the satisfaction of the Department of Transportation;
35. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits;
36. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such streets shall be aligned.
37. The applicant shall make provisions for bus stops, shelters, etc within the project area and shall coordinate with Regional Transit on appropriate locations to the satisfaction of the City of Sacramento;

PUBLIC/PRIVATE UTILITIES

38. Dedicate any Irrevocable Offer of Dedication and 12.5-feet adjacent thereto, as public utility easement for underground facilities and appurtenances;
39. Dedicate the East 5-feet of Parcels 2 and 3 of the Parcel Map as a public utility easement for overhead facilities and appurtenances;

FIRE

40. Due to limited access needed to serve parcels 37-42, developer shall provide a minimum 20-foot access drive from 24th Street to serve these parcels. The access driveway shall be marked "No Parking Fire Lane" on both sides;
41. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. *Street sections A and H are acceptable. The 4 foot median in street section G shall be provided with a mountable curb;*
42. Emergency Vehicle Access to alley shall be provided with minimum 20'. Vehicle gates shall be installed. Gates shall be a minimum of 20' and be provided with

Key override Knox and Radio Controlled Click2Enter;

43. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3;
44. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105;

CITY UTILITIES

45. Dedicate on the final map, or provide on City's form an Irrevocable Offer of Dedication (IOD), as determined by DOU, for all easements, rights-of-way, and fee title property, required to implement the approved drainage, water and sewer studies. Easements shall be dedicated for off-site water, sewer and storm drain main extensions as necessary. Street right-of-way shall be dedicated for common drainage and sanitary sewer pipes and appurtenances identified in the drainage and sewer studies. All dedications shall be at no cost to the City unless otherwise approved by DOU and its sole discretion. Dedications shall be to the satisfaction of the DOU, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement, right-of-way or fee title property is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld.
46. A note stating the following shall be placed on the Final Map: "Where necessary private reciprocal easement for ingress/egress, utilities, drainage, water and sanitary sewer facilities, and surface storm drainage, shall be granted and reserved, as necessary and at no cost, at or before the time of sale or conveyance of any parcel shown in this map."
47. If required by DOU, the applicant shall dedicate a water and sewer easement to the satisfaction of the DOU pursuant to City Standards for the existing water and sewer line that lies adjacent to the south property line of Parcel 4. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld.
48. All existing easements and all existing right-of-ways shall be shown on the Final Map;
49. The applicant shall dedicate an IOD for drainage easement or a drainage easement over Parcel 10, the proposed detention basin. The dedication shall be to the satisfaction of the City Attorney and the DOU pursuant to City

- Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld. Parcel 10 shall be sized to accommodate the detention volume per the approved drainage study, service roads, ramps, drainage structures and all appurtenances.
50. The applicant also shall dedicate an IOD for a Recreation Easement or a recreation easement over Parcel 10 that meets the requirements specified in the Parks and Recreation Department's Condition 80 of the Large Lot Tentative Map.
 51. The applicant shall dedicate a Drainage Access and Maintenance Easement over the storm drain inlet and outlet structures and associated appurtenances to be located in Parcel 10 to the satisfaction of the DOU pursuant to City Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld;
 52. If required by the DOU, the applicant shall dedicate an easement for the sewer's electrical building for a maximum area of 100 square feet as specified by DOU within the Donner Trunk easement adjacent to the project's western property line to the satisfaction of the DOU. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld. The applicant, at their expense, may upgrade the design of the building subject to DOU approval which approval shall not be unreasonably withheld;

Annexation and Agreements

53. The applicant shall execute an agreement with the City for the construction of common drainage and common sanitary sewer facilities serving Curtis Park Village per the approved drainage and sewer studies. The agreement shall be to the satisfaction of the Department of Utilities (DOU) and the City Attorney. Common drainage facilities shall include, but are not limited to, storm drain pipes serving all large lot and discharge pipes, detention basins, outfall structures, pumps station, weir structures, and associated appurtenances. Common sanitary sewer facilities shall include, but are not limited to, sewer pipes serving all large lot, discharge pipes, pumps stations and associated appurtenances;

54. The applicant shall execute a recordable agreement, in a form acceptable to DOU and the City Attorney, to indemnify, defend and hold harmless the City against any and all claims, actions, penalties, fines, costs (including but not limited to any costs of investigation and/or remediation, and reasonable attorney fees) or other liabilities of any kind arising if any hazardous substance or other contaminant arising anywhere on the project site enters the City's Combined Sewer System or water system (collectively the "Environmental Claims"), but only to the extent that the Environmental Claims are covered under the applicant's environmental insurance policy. If the applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the applicant's liability for such costs is not limited. Applicant's compliance with the Parks and Recreation Department's Condition 81 in the Large Lot Tentative Map, which requires the applicant shall name the City as an additional insured under the applicant's environmental insurance policy, shall apply to satisfy this condition.

Hazardous Material Clean-Up Standards

55. Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP). The applicant shall provide written letters from DTSC for the approval of the RDIP and verification that the remediation has been completed;

Studies

56. A water study for this project shall be completed by the applicant and shall be approved by the DOU. This study shall also determine if the proposed water distribution system infrastructure is adequate to supply fire flow demands resulting from developing this project.
57. Applicant shall submit the water and sewer studies and the proposed conceptual water, and sewer plans (alignment, size, type and material of pipes, joints, etc.) to DTSC prior to DTSC's approval of the RDIP;
58. This project is served by the Combined Sewer System (CSS). Without mitigation the project will have an impact on the CSS. Therefore, impacts from the project to the CSS must be mitigated. Pursuant to Sacramento City Code section 13.08.490, applicant is required to mitigate these impacts by paying the City's combined sewer development fee as a condition of receiving sewer service; provided that in lieu of paying all or a portion of the fee, the DOU may authorize applicant to mitigate these impacts either by designing and constructing, or contributing the applicant's fair share toward the design and construction of, a project or projects that mitigate the impact on the CSS of

combined wastewater flows from the project.

59. If, in lieu of paying all or a portion of the combined sewer development fee, applicant elects to design and construct or contribute the applicant's fair share toward the design and construction of a project or projects that mitigate the impact on the CSS of combined wastewater flows from the project, and DOU authorizes applicant to do so, applicant shall enter into such agreement(s) and provide such security as may be required by City to assure applicant's performance and/or payment to the satisfaction of the DOU;
60. A sewer study for this project must be completed by the applicant and approved by the DOU. Sewer flows from the project shall discharge to the Donner Interceptor. The design and construction of the sewer system shall be to the satisfaction of the DOU pursuant to City Standards;
61. A drainage study for the project shall be completed by the applicant and shall be approved by the DOU. The 10-year and 100-year HGL's for this study shall be calculated using the City's SWMM model or equivalent model approved by the DOU pursuant City Standards. The study shall include existing offsite drainage which drains through the site and it shall identify all existing off-site flows that are blocked by the proposed development. The storm drainage pipes shall ultimately connect to the Donner Interceptor with a maximum flow of approximately 8.49 cfs;
62. Excess storm drainage flow shall be stored onsite in the proposed detention basin and/or in oversize pipes. The detention basin shall be designed to hold the larger of a 100 year 24 hour storm or a 100 year 10 day storm drainage volume until the hydraulic capacity in the Donner Interceptor becomes available;
63. The drainage study shall include an overland flow release map for the entire project;
64. The project site shall be mass graded to overland release to the detention basin. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff;
65. The 10-year and 100-year HGL's shall be shown on the improvement plans;
66. The applicant shall submit the drainage study and the proposed conceptual drainage plan (alignment, size, type and material of pipes, joints, type of manholes, etc.) and the proposed conceptual detention basin plan (showing location, size and depth, proximity and clearances to cap areas, type and thickness of seepage control, clearances to ground water, etc.) to DTSC prior to DTSC's approval of the RDIP;

Construction and Design Standards

67. Design and construct the detention basin to the satisfaction of the DOU and Parks and Recreation Department pursuant to City Standards;
68. The design of the basin shall include automatic flow sensors and control system, SCADA system, other electrically controlled pumps, valves and controls, as necessary, to ensure that discharge into the Donner Interceptor does not exceed approximately 8.49 cfs maximum flow when Donner Interceptor has reached its capacity;
69. The applicant shall design and construct the public roads with driveways to allow access to the detention basin to the satisfaction of the DOU pursuant to City Standards;
70. The applicant shall design and construct standard detention landscaping (i.e. hydroseed the sides of the basin with no irrigation) to the satisfaction of the DOU. If the landscape is above and beyond the standard, the design and construction shall be to the satisfaction of DOU and Parks and Recreation Department. Irrigation of the sides and bottom of the basin shall be allowed;
71. A separate set of improvement plans shall be prepared for the detention basin;
72. An as-built survey of the drainage basin is required prior to issuance of a notice of completion for the subdivision;
73. If required by DOU, the applicant shall provide separate landscaping and metered irrigation systems for Parcel 9 (Park), Parcel 10 (Detention Basin), and Parcel 11 (Parkway) to the satisfaction of DOU. An HOA or other legal entity acceptable to the DOU shall be responsible for the payment of Parcel 11. If required by DOU, one or more standard Utility Service Agreements shall be executed;
74. The applicant shall be responsible for obtaining all necessary permits and approvals from federal, state, local or other approving agencies having jurisdiction over this project prior to the construction of the project improvements;
75. All onsite drainage, water and sewer systems in Parcel 4 through Parcel 8 shall be private systems maintained by the property owner and/or an HOA or other legal entity acceptable to the DOU pursuant to City Standards;
76. Public storm drain, water and sanitary sewer mains shall be designed and constructed within the asphalt section of public street right-of-ways as per the City's Design and Procedures Manual, unless otherwise approved by the DOU;
77. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development in the area. Since the project is in the combined sewer area,

only source controls are required. Storm drain public notice message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the "Stormwater Quality Design Manual for the Sacramento and South Placer Regions", dated May 2007 for appropriate source control measures;

SPECIAL DISTRICTS: Assessment Districts

78. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Community Development Department and the Department of Transportation. Design review and acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated internally between the above departments and the Public Improvement Financing Division (Special Districts). The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences;
79. **Maintenance District:** The Applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district) to fully fund the maintenance costs of the neighborhood park on Parcels 9 and 10, but not including the inlet and outlet structures and associated drainage appurtenances on Parcel 9. The Applicant shall pay all city fees for formation of a parks maintenance district. (Contact Finance Department, Public Improvements Financing Division, 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;

PPDD: Parks

80. **Park Dedication – Irrevocable Offer of Dedication for a Recreation Easement:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication), the Applicant shall provide on City's form an irrevocable offer of dedication (IOD) for an exclusive recreation easement on the park site identified on the Large Lot Tentative Map as Parcels 9 (comprising 5.5± gross acres) and 10 (comprising 1.3± gross acres). Parcel 10 is intended to contain the proposed detention basin.

At the time of delivery of IOD for a Recreation Easement, the Applicant shall also:

- a. Provide to City a title report demonstrating that it holds full and clear title, including all interests necessary for maintenance and access, to Parcels 9 and 10;
 - b. Provide written proof acceptable to City that it has completed all actions necessary to ensure that Parcels 9 and 10 are free and clear of any wetland mitigation, endangered or threatened animal or plant species, sensitive habitat or other development restrictions (mitigation measures) that would unreasonably interfere with or prevent the intended park use. The Applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Parcels 9 and 10;
 - c. Provide written proof acceptable to City that Applicant is fully and solely responsible for maintenance of the cap system, annual reporting, and all other requirements or actions as specified by the State Department of Toxic Substances Control by deed restriction or order, and shall remain fully and solely responsible for these obligations after City records acceptance of the IOD for the Recreation Easement;
 - d. For Parcel 9, provide written certification from the State Department of Toxic Substances Control (DTSC) or other documentation issued by DTSC which is acceptable to City that either (i) the remediation of hazardous substances has been completed at the site, or (ii) the disposal of hazardous substances at the site underneath an impervious cap and clean fill material over the cap has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded, and that DTSC has confirmed in writing or as set out in the deed restrictions that the DTSC's land use controls and/or land use specific remediation approaches approved or required for Parcel 9 will allow for the development and continued use of Parcel 9 as a public park consistent with the approved Park Master Plan. For Parcel 10, provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the remediation of hazardous substances has been completed at the site to allow for unrestricted uses, and that an impervious liner has been installed to prevent intrusion of contaminated groundwater into the site;
81. **Agreement:** At the time of delivery of IOD for the Recreation Easement for Parcels 9 and 10, the Applicant shall enter into an agreement with the City under which Applicant shall:
- a. Indemnify, defend, and hold harmless the City in the event (i) any further remediation or investigation of hazardous substances is required in the future due to the hazardous substances that were permitted by DTSC to remain at the site, (ii) the obligation of the Applicant to own, maintain and repair the impervious cap on Parcel 9, and (iii) any claims alleging personal injury or

damages due to the presence of hazardous substances on Parcel 9 that may be filed against City;

- b. Name the City as an additional insured on Applicant's pollution and public liability insurance policy, and such policy shall have a minimum ten year term and be in an amount not less than \$5 million per occurrence;
 - c. The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the Applicant's liability for such costs is not limited.
82. **Joint Use Park-Drainage Facility:** The Applicant shall provide an exhibit to show the location of the facility and the limit of the 100-year flood plain within Parcel 10. The net acreage of the facility and the area surrounding the facility shall be noted on the exhibit. The exhibit shall be subject to the review and approval of the Departments of Utilities and Parks and Recreation, PPDS. The area within the 100-year flood plain and all other detention related facilities, including any access easement, shall not count towards meeting the project's parkland dedication requirement;
 83. **Grading Plan:** Applicant shall provide to Departments of Utilities and Parks and Recreation, PPDS, a grading plan for the detention basin proposed for Parcel 10. The grading plan shall identify the depth of excavation and the location and type of the liner. The grading plan shall be subject to approval by both departments;
 84. **Park Site Net Acreage:** Parcels 9 and 10 and the net acreage eligible for parkland dedication credit shall be shown on the first final map. Parcel 9 shall be labeled as a Park and Parcel 10 labeled as Detention Basin. The net acreage eligible for the parkland dedication requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) shall be determined and approved by City Park Planning and Development Services (PPDS). Those portions of Parcel 9 and/or Parcel 10 that are subject to 100-year flood, access easements, or contain detention related infrastructure shall not count towards meeting the project's parkland dedication requirement. The irrevocable offer for an exclusive recreation easement for public purposes shall be noted on Parcels 9 and 10 on the final map;
 85. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication), the Applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication in fee or in easement under 16.64.030 and not satisfied by dedication;

86. **Park Master Plan**: For Parcels 9 and 10, the Applicant shall prepare a Neighborhood Park Master Plan. The Park Master Plan shall be prepared to the satisfaction of the Park Planning and Development Services Division (PPDS) of the Department of Parks and Recreation and shall be submitted for review and shall be approved by the PPDS, Park and Recreation Commission, and City Council, prior to approval of the first final map. Within Parcel 9, the adopted Park Master Plan shall be used to determine and shall specify the required “clean” soil depth (over and above the State Department of Toxic Substances Control (DTSC) required soil depth over the capped contaminated soils which are permitted to remain on site) needed for the development, maintenance, and use of the park consistent with the approved Park Master Plan. The required “clean” soil depth within Parcel 9 shall take into account all park improvements, including but not limited to, landscape planting and irrigation installation, maintenance activities, and tree and other plant root needs to avoid impacting the cap as determined by City’s arborist. The Park Master Plan shall be completed and adopted by the City and submitted by the Applicant to DTSC for its review as part of and prior to the Applicant’s submittal to DTSC’s for its final approval of the Remedial Design Implementation Plan (RDIP). The Applicant shall be solely responsible for completion of the remediation work under the approved RDIP and for development of the park to ensure that the cap will not be compromised by the City’s subsequent park development and maintenance activities which are consistent with the Park Master Plan;

The park shall be designed to neighborhood park standards, as outlined in Table 18 of the City of Sacramento Parks and Recreation Master Plan 2005-2010. The park amenities may include but not be limited to a tot lot, an adventure area, unlighted sports fields or sports courts, and/or group picnic areas; and basic design elements such as landscaping, irrigation, turf, shade and ornamental trees, site furnishing, and shade structures. Shade structures and play equipment will have subsurface footings and shade trees are typically deep rooted. Other subsurface improvements will include, but not be limited to irrigation piping and storm drains. Park design shall comply with Crime Prevention through Environmental Design (CPTED) principles. The finished park grades shall be level with the surrounding streets and shall not contain berms or raised elevations without prior PPDS approval;

87. **Improvements**: Unless already satisfied with the first final Map, the Applicant shall construct the following public improvements:
- a. Development of the park improvements and the detention basin, prior to and as a condition of City’s acceptance of the IOD for Parcels 9 and 10.
 - b. Full street improvements for Parcel 9 and for Parcel 10 (if applicable) including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.

- c. A concrete sidewalk and vertical curb along all street frontages that open onto Parcel 9. The sidewalk shall be contiguous to the curb (attached) for neighborhood parks unless otherwise approved by PPDS. If permitted as part of the approved Park Master Plan, a low rise retaining wall may be constructed at the back of the sidewalk to allow for the finished park grade across Parcel 9 to not exceed a 10% slope.
 - d. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of the sidewalk at Parcel 9 or as sized and located per approved park master plan for future service. Number of stubs and locations are to be approved by PPDS. Storm Drain and Sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - e. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to Parcel 9, or as sized and located per approved park master plan. The irrigation water tap shall be 4 inches for parkland 4 acres and over, and 2-1/2 inches for parkland less than 4 acres; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - f. A ten-foot (10') wide driveway into Parcel 9 at a location approved by PPDS. The driveway shall not enter park from Road A. The driveway is to provide future maintenance access to the park.
 - g. The Applicant shall rough grade Parcel 9 as required by City Code to provide positive drainage as approved by PPDS.
88. **Design Coordination for PUE's and Facilities:** If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous to Parcel 9 and Parcel 10 (if applicable), the Applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the park(s) and to best accommodate future park improvements. The Applicant shall facilitate a meeting(s) with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project. The Applicant shall submit a site plan and electronic file showing the location of all utilities on the park site to the PPDS for review and approval;
89. **Site Plan:** The Applicant shall submit a site plan and electronic file showing the location of all utilities on Parcels 9 and 10 to the PPDS and DOU for review and approval. The Applicant shall: (1) design and install grading and drainage improvements reflective of the approved Park Master Plan; and (2) deliver as-built drawings of said grading and drainage to PPDS and DOU – all to the satisfaction of PPDS and DOU;
90. **Turnkey Park Development:** The Applicant shall enter into City's

Reimbursement / Credit Agreement (collectively called "Turnkey Park Agreement") to construct the park improvements on Parcels 9 and 10 to the satisfaction of PPDS and DOU. All costs necessary to develop the park in conformance with the adopted Park Master Plan shall be the sole responsibility of the Applicant;

The Turnkey Agreement shall address:

- a. Maintenance of Parcels 9 and 10 until the time that the City records acceptance of the IOD for the Recreation Easement and accepts the improvements to be constructed under the Turnkey Agreement.
- b. The preparation and approval of the design and improvement plans consistent with the approved Park Master Plan.
- c. Time for completion of the park improvements (or of each phase if the improvements will not be completed in one phase) as a function of build-out of the Final Map or issuance of building permits.
- d. Any credits to be awarded to the Applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the Final Map. Construction costs are expected to be higher than average due to the presence of capped hazardous materials on site, and credits against the PIF will not be granted to cover these additional costs.
- e. Maintenance of all park improvements, to be accepted into a park maintenance financing district for a minimum of one year unless the City agrees to accept park maintenance into the district at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements in accordance with the terms of the Turnkey Agreement.
- f. Provision of as-built drawings of the completed park.

MISCELLANEOUS

91. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use

of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;

92. Form a Homeowner's Association (HOA). CC&R's shall be approved by the City and recorded assuring maintenance of private roadway(s) and alleys. The Homeowner's Association shall maintain all private streets, alleys, common lighting, common landscaping and common areas;
93. Form a Business Association (BOA) for the commercial areas. CC&R's shall be approved by the City and recorded assuring maintenance of private roadway(s). The BOA shall maintain all private streets, common landscaping and common areas;

ADVISORY NOTES (Tentative Large Lot Map):

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

94. The proposed development is located adjacent to a Sacramento Regional Transit (RT) facility and the Union Pacific Railroad (UPRR). Satisfy all RT and UPRR requirements;
95. The proposed project is located in the Flood zone designated as **X** zone and **Shaded X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X and Shaded X zone, there are no requirements to elevate or flood proof;
96. Location of the wet utilities in the street without center medians shall be as follows: drainage mains shall be placed in the centerline of the street, water mains shall be placed north and west of the centerline and the sewer main shall be placed south and east of the centerline. The location of wet utilities in streets with medians shall be approved by the DOU prior to design;
97. As per City Code, qualified parkland must be "a typical acre of the Tentative Map, with a slope less than ten (10) percent, and located in other than an area on which building is excluded because of flooding, public rights-of-way, easements, or other restrictions". Acreage within an existing or proposed drainage area, access easement, public right-of-way, or areas with 10% and greater slopes shall not receive parkland dedication credit. Quimby parkland credit can be granted only to "buildable acres";
98. Because the park project is located above a remediation site, the Applicant shall be required to provide written certification, or other documentation which is acceptable to City, from the State Department of Toxic Substances Control (DTSC) that remediation of the dedicated lots and easements has been completed in accordance with the DTSC approved Remedial Action Plan and

Remedial Design Implementation Plan, that the DTSC deed restrictions, DTSC land use controls, or land use specific remediation approaches will allow for the proposed park and public access use;

99. As per City Code, the Applicant will be responsible to meet his/her obligations regarding:

a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the first final map. Applicant will dedicate a public recreation easement for development of a public park on Parcels 9 and 10. The Quimby parkland dedication requirement is 5.791± net acres; based on 189 single family and 338 multi-family residential units. In the event the area eligible for Quimby credit falls below 5.791± acres; the Quimby in-lieu fee shall be required to comprise the remainder. The Tentative Large Lot Map currently identifies Parcel 9 at 5.5± gross acres and Parcel 10 at 1.3± gross acres.

Any change in the residential unit count or type will change the amount of Quimby land dedication or in-lieu fee due and may require additional parkland dedication or in-lieu fee obligations under Sacramento City Code Chapter 16.64. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

b. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee (PIF) due for this project is estimated at \$2,110,183. This is based on 189 single family units at \$5,191 each, 338 multi-family units at \$3,058 each, 16,000 square feet of commercial office space at \$0.50 per square foot, and 243,000 square feet of retail/commercial space at \$0.36 per square foot. 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. (*Please note: these fees are subject to change on July 1 of each year; the fees quoted herein are the fees in effect between July 1, 2009 through June 30, 2010*).

c. Neighborhood Park Maintenance CFD Formation.

100. The Applicant shall be responsible for maintenance (weed abatement) of Parcels 9 and 10 conveyed as an IOD for Recreation Easement until the time that the City records acceptance of the IOD for Recreation Easement;

101. The City Department of Parks and Recreation bears no responsibility for acceptance of or maintenance of Open Space Parkway Parcel 11.

B. The **Tentative Subdivision Map** to subdivide 71.7± acres into commercial/office, single-family residential, and multi-family residential parcels **is approved** based on the following Conditions of Approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P04-109). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.

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

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

GENERAL: All Projects

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Transportation after consultation with the U.S. Postal Service;
3. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Lot B, Village 4 and Village 5 at no cost, at the time of sale or other conveyance of either parcel.;
4. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P04-109);
5. Meet all conditions of the PUD (P04-109) unless the condition is superseded by a Tentative Map condition;
6. Show all continuing and proposed/required easements on the Final Map;

7. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements or improvement security necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Department of Transportation;
8. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

Development Engineering: Streets

9. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions;
10. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Department of Transportation;
11. The applicant shall insure that the roadway construction materials including the roadway base and sub-base are free and clear from all contaminated materials to the satisfaction of the Department of Transportation;
12. At its discretion, the City may require the applicant to construct on-site traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, traffic circles, undulations, additional 4-way intersections, bulbouts, etc. Undulations will be required on certain streets adjacent to school/park combinations, as determined by the Department of Transportation;
13. Place a 2 inch (minimum) sleeve(s) under the sidewalks for each single family lot along each separated sidewalk Street Section, adjacent to single family

residences in order to allow for landscaping and irrigation of the required landscape planter. Sleeves shall be placed at the time sidewalks are constructed. Landscaping may be deferred until construction of the homes;

14. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Transportation;
15. Construct traffic signals at the following intersections when warranted, or when required by the Department of Transportation (if not already in place):
 - a. Sutterville Road and Road A
 - b. Road A and Commercial Main driveway
 - c. Road A and 10th Avenue

NOTE: The Department of Transportation shall determine the need for signals, based on CalTrans signal warrants and known pending development projects prior to the issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Final Map. Signal design and construction shall be to the satisfaction of the Department of Transportation. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras (for the Sutterville Road/Road A signal) and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services.

16. The applicant shall submit a signal design concept report (SDCR) per section 15.18 of the City's Design and Procedures Manual to the Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process;
17. The applicant shall dedicate and construct full frontage improvements along Sutterville Road within the project's frontage to the satisfaction of the Department of Transportation. This shall include any needed street lighting;
18. The applicant shall construct an advance warning flasher on Sutterville Road at a location west of Road A to the satisfaction of the Department of Transportation. The design of the advance flasher shall be included in SDCR report for the planned signal at Road A and Sutterville Road;
19. The applicant shall remove the existing signal & signal related equipment at

- Sutterville Road and 24th street and return the equipment to the Department of Transportation. The applicant may be able to reuse some of the old signal equipment at other signalized locations within the project area if deemed acceptable and feasible to the Department of Transportation. The applicant shall be responsible for modifying/constructing the median at 24th street to prohibit certain movements from 24th street to the satisfaction of the Department of Transportation and consistent with the recommendations of the Traffic Study. This shall also include any needed reconstruction of the round corners at that intersection, providing the necessary turn lanes and any needed signage or markings;
20. The applicant shall construct a new signal at the intersection of Road A and Sutterville Road. The applicant shall provide for all the turn lanes needed and any signage and markings consistent with the traffic study. If possible, the applicant shall provide for a U-turn (West bound to east Bound on Sutterville Road) as part of the signal design and the required SDCR report for that signal;
 21. The applicant shall successfully abandon the existing Loop Road that provides access to south Sutterville Road to the satisfaction of the Department of Transportation. This shall include any needed signage or markings for truck routes;
 22. The proposed extension of the alley north of road J must be gated or constructed with removable bollards to allow pedestrian crossings only and not vehicular access. The gating could occur at the new subdivision or at the existing alley from Portola way and shall be equipped with a Knox lock to the satisfaction of the Department of Transportation and the Fire Department;
 23. The applicant shall dedicate and construct Road A per City standards and to the satisfaction of the Department of Transportation. Road A will have several signalized intersections and shall be constructed with expanded intersections at those locations to accommodate turn lanes consistent with the requirements of the traffic study;
 24. The applicant shall provide a 24-foot Roadway easement across Commercial Lot A as shown on the Tentative Map to the satisfaction of the Department of Transportation. The easement shall be large enough at the intersection of both Roadway A and Roadway C to insure an adequate turning template to accommodate a WB-65 design vehicle. The applicant or Business Association shall maintain this roadway easement in perpetuity;
 25. The applicant shall coordinate with the City of Sacramento, Department of Transportation, and dedicate easements on the west side of commercial Lot A to accommodate a future planned pedestrian bridge landing areas to the satisfaction of the Department of Transportation. The easements shall be sized sufficiently and consistent with the city's pedestrian bridge design documents;

26. All proposed street elbows shall be constructed to City standards and to the satisfaction of the Department of Transportation, and shall accommodate a turning radius for a WB-65 design vehicle;
27. All proposed landscaping on the west side of the project next to the existing tracks shall be maintained by either a Home Owners Association, Business Association or City Landscape Maintenance District to the satisfaction of the Department of Transportation and Special Districts. The Landscape Maintenance District will be formed in any event. The Landscape Maintenance District will fund shares of the landscape maintenance to the extent the Associations are not formed for this purpose or default on this responsibility. Assessments will be \$0 until such time as funding is required;
28. The applicant may construct or reconstruct any existing or planned private drives in asphaltic concrete to the satisfaction of the Department of Transportation. All private drives shall be maintained by the Home Owner's Association in perpetuity. If there are any proposed gates to the Public alleys, they must go through the City's alley closure procedures and obtain City Council approval to make them gated and private. Any proposed gates must be 20-feet behind the right of way and shall be equipped with a Knox Lock and automated gate opener;
29. All proposed private drive guest parking shall be maintained by the HOA;
30. On-street parking shall be restricted on the segment of Road B connecting to the existing 10th Avenue (From Road A to 10th Avenue) to the satisfaction of the Department of Transportation;
31. The Home Owner's Association shall maintain all landscaping proposed in Lot D (Parkway) or it shall be annexed into a landscaping maintenance district to the satisfaction of the Department of Transportation;
32. The applicant shall provide all the required signage and markings at the proposed Roadway G (North and South) couplet to the satisfaction of the Department of Transportation;
33. The applicant shall construct new or repair any existing improvements at all planned connections (5th Avenue, Donner Way and 10th Avenue) to insure a safe connection and roadway transitions to the satisfaction of the Department of Transportation. The limit of work shall only be at the connection locations;
34. The applicant shall construct the proposed angled parking along Roadway D with back-in angled parking or as otherwise approved by the Department of Transportation;
35. The applicant shall connect the sidewalk from the proposed Road J all the way to Portola way to the satisfaction of the Department of Transportation;

36. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such streets shall be aligned;
37. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits;
38. The applicant shall make provisions for bus stops, shelters, etc within the project area and shall coordinate with Regional Transit on appropriate locations to the satisfaction of the City of Sacramento;

PUBLIC/PRIVATE UTILITIES

39. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of way;
40. Dedicate the alley between Road B and the south line of Lot 37 as a public utility easement for underground facilities and appurtenances;
41. Dedicate the East 5-feet of the Subdivision Map, North of Road B for overhead facilities and appurtenances;

FIRE

42. Due to limited access needed to serve parcels 37-42, developer shall provide a minimum 20-foot access drive from 24th Street to serve these parcels. The access driveway shall be marked "No Parking Fire Lane" on both sides;
43. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. *Street sections A and H are acceptable. The 4 foot median in street section G shall be provided with a mountable curb;*
44. Emergency Vehicle Access to alley shall be provided with minimum 20'. Vehicle gates shall be installed. Gates shall be a minimum of 20' and be provided with Key override Knox and Radio Controlled Click2Enter;
45. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3;
46. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105

CITY UTILITIES

Dedications and Ownerships

47. Dedicate on the final map, or provide on City's form an Irrevocable Offer of Dedication (IOD), as determined by DOU, for all easements, rights-of-way, and fee title property, required to implement the approved drainage, water and sewer studies. Easements shall be dedicated for off-site water, sewer and storm drain main extensions as necessary. Street right-of-way shall be dedicated for common drainage and sanitary sewer pipes and appurtenances identified in the drainage and sewer studies. All dedications shall be at no cost to the City unless otherwise approved by DOU and its sole discretion. Dedications shall be to the satisfaction of the DOU, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement, right-of-way or fee title property is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld;
48. A note stating the following shall be placed on the Final Map: "Where necessary private reciprocal easement for ingress/egress, utilities, drainage, water and sanitary sewer facilities, and surface storm drainage, shall be granted and reserved, as necessary and at no cost, at or before the time of sale or conveyance of any parcel shown in this map."
49. If required by DOU, the applicant shall dedicate a water and sewer easement to the satisfaction of the DOU pursuant to City Standards for the existing water and sewer line that lies adjacent to the south property line of Lot A. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld;
50. All existing easements and all existing right-of-ways shall be shown on the Final Map;
51. The applicant shall dedicate an IOD for drainage easement or a drainage easement over Lot O (Detention Basin), the proposed detention basin. The dedication shall be to the satisfaction of the City Attorney and the DOU pursuant to City Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld. Lot O shall be sized to accommodate the detention volume per the approved drainage study, service roads, ramps, drainage structures and all appurtenances;

52. The applicant also shall dedicate an IOD for a Recreation Easement or a recreation easement over Lot O that meets the requirements specified in the Parks and Recreation Department's Condition 111 of the Tentative Map;
53. The applicant shall dedicate a Drainage Access and Maintenance Easement over the storm drain inlet and outlet structures and associated appurtenances to be located in Lot O to the satisfaction of the DOU pursuant to City Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld;
54. If required by the DOU, the applicant shall dedicate an easement for the sewer's electrical building for a maximum area of 100 square feet as specified by DOU within the Donner Trunk easement adjacent to the project's western property line to the satisfaction of the DOU. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld. The applicant, at their expense, may upgrade the design of the building subject to DOU approval which approval shall not be unreasonably withheld;

Annexation and Agreements

55. The applicant shall execute a recordable agreement, in a form acceptable to DOU and the City Attorney, to indemnify, defend and hold harmless the City against any and all claims, actions, penalties, fines, costs (including but not limited to any costs of investigation and/or remediation, and reasonable attorney fees) or other liabilities of any kind arising if any hazardous substance or other contaminant arising anywhere on the project site enters the City's Combined Sewer System or water system (collectively the "Environmental Claims"), but only to the extent that the Environmental Claims are covered under the applicant's environmental insurance policy. If the applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the applicant's liability for such costs is not limited. Applicant's compliance with the Parks and Recreation Department's Condition 112 in the Tentative Subdivision Map, which requires the applicant shall name the City as an additional insured under the applicant's environmental insurance policy, shall apply to satisfy this condition;

Hazardous Material Clean-up Standards

56. Applicant shall perform all hazardous material clean-up and remediation as

required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP). The applicant shall provide written letters from DTSC for the approval of the RDIP and verification that the remediation has been completed;

57. Applicant shall provide an operation and maintenance manual, prepared by a licensed professional expert in the field of hazardous remediation, identifying, maintenance protocol, personal protective equipment and training requirements for the operation, trenching and maintenance of underground pipes and appurtenances, streets and detention basin;

Studies

58. A water study for this project shall be completed by the applicant and shall be approved by the DOU. This study shall also determine if the proposed water distribution system infrastructure is adequate to supply fire flow demands resulting from developing this project;
59. Applicant shall submit the water and sewer study and the proposed conceptual water and sewer plan (alignment, size, type and material of pipes, joints, etc.) to DTSC prior to DTSC's approval of the RDIP;
60. This project is served by the Combined Sewer System (CSS). Without mitigation the project will have an impact on the CSS. Therefore, impacts from the project to the CSS must be mitigated. Pursuant to Sacramento City Code section 13.08.490, applicant is required to mitigate these impacts by paying the City's combined sewer development fee as a condition of receiving sewer service; provided that in lieu of paying all or a portion of the fee, the DOU may authorize applicant to mitigate these impacts either by designing and constructing, or contributing the applicant's fair share toward the design and construction of, a project or projects that mitigate the impact on the CSS of combined wastewater flows from the project;
61. If, in lieu of paying all or a portion of the combined sewer development fee, applicant elects to design and construct or contribute the applicant's fair share toward the design and construction of a project or projects that mitigate the impact on the CSS of combined wastewater flows from the project, and DOU authorizes applicant to do so, applicant shall enter into such agreement(s) and provide such security as may be required by City to assure applicant's performance and/or payment to the satisfaction of the DOU;
62. A sewer study for this project must be completed by the applicant and approved by the DOU. Sewer flows from the project shall discharge to the Donner Interceptor. The design and construction of the sewer system shall be to the satisfaction of the DOU pursuant to City Standards;

63. A drainage study for the project shall be completed by the applicant and shall be approved by the DOU. The 10-year and 100-year HGL's for this study shall be calculated using the City's SWMM model or equivalent model approved by the DOU pursuant City Standards. The study shall include existing offsite drainage which drains through the site and it shall identify all existing off-site flows that are blocked by the proposed development. The storm drainage pipes shall ultimately connect to the Donner Interceptor with a maximum flow of approximately 8.49 cfs;
64. Excess storm drainage flow shall be stored onsite in the proposed detention basin and/or in oversize pipes. The detention basin shall be designed to hold the larger of a 100 year 24 hour storm or a 100 year 10 day storm drainage volume until the hydraulic capacity in the Donner Interceptor becomes available;
65. The drainage study shall include an overland flow release map for the entire project;
66. The project site shall be mass graded to overland release to the detention basin. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff;
67. The 10-year and 100-year HGL's shall be shown on the improvement plans;
68. The applicant shall submit the drainage study and the proposed conceptual drainage plan (alignment, size, type and material of pipes, joints, type of manholes, etc.) and the proposed conceptual detention basin plan (showing location, size and depth, proximity and clearances to cap areas, type and thickness of seepage control, clearances to ground water, etc.) to DTSC prior to DTSC's approval of the RDIP;

Construction and Design Standard

69. Construct water pipes and appurtenances, storm drainage pipes and appurtenances, and sewer pipes and appurtenances per approved studies. The construction shall be to the satisfaction of the DOU pursuant to City Standards;
70. Design and construct the detention basin to the satisfaction of the DOU and Parks and Recreation Department pursuant to City Standards;
71. The design of the basin shall include automatic flow sensors and control system, SCADA system, other electrically controlled pumps, valves and controls, as necessary, to ensure that discharge into the Donner Interceptor does not exceed approximately 8.49 cfs maximum flow when Donner Interceptor has reached its capacity;
72. The applicant shall design and construct the public roads with driveways to

- allow access to the detention basin to the satisfaction of the DOU pursuant to City Standards;
73. The applicant shall design and construct standard detention landscaping (i.e. hydroseed the sides of the basin with no irrigation) to the satisfaction of the DOU. If the landscape is above and beyond the standard, the design and construction shall be to the satisfaction of DOU and Parks and Recreation Department. Irrigation of the sides and bottom of the basin shall be allowed;
 74. A separate set of improvement plans shall be prepared for the detention basin;
 75. An as-built survey of the drainage basin is required prior to issuance of a notice of completion for the subdivision;
 76. The width of Lot D (Parkway) shall be constructed to a width of 60;
 77. Landscape plans for Lot D shall be reviewed and approved by the DOU;
 78. No permanent structure shall be constructed on Lot D;
 79. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement for Lot D, in a form acceptable to the City Attorney, whereby the HOA will be responsible for the repair and/or replacement of non-standard improvements (i.e. hardscape, special pavement, etc.) in the event that these improvements are damaged in the process of maintaining, repairing or replacing underground utilities within the easement. Prior to recording the final map, the Hold Harmless Agreement shall be reviewed and approved by the Department of Utilities and the City Attorney;
 80. If required by DOU, the applicant shall provide separate landscaping and metered irrigation systems for Lot O (Detention Basin), Lot D (Parkway), Lot C (Park) and Lot E and M (Open Space) to the satisfaction of DOU. An HOA or other legal entity acceptable to the DOU shall be responsible for the payment of the water bills for these lots except for Lots C and O. If required by DOU, one or more standard Utility Service Agreements shall be executed;
 81. The applicant shall be responsible for obtaining all necessary permits and approvals from federal, state, local or other approving agencies having jurisdiction over this project prior to the construction of the project improvements;
 82. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Improvements shall be consistent with the approved Drainage, Water and Sewer Studies that will provide for the development of the Curtis Park Village. The construction shall be to the satisfaction of the DOU in accordance with City Standards;

83. All onsite drainage, water and sewer systems in Village 4, Village 5, Village 6, Lot A, and Lot B shall be private systems maintained by the property owner and/or an HOA or other legal entity acceptable to the DOU pursuant to City Standards;
84. Public storm drain, water and sanitary sewer mains shall be designed and constructed within the asphalt section of public street right-of-ways as per the City's Design and Procedures Manual, unless otherwise approved by the DOU;
85. Dry utilities may be placed within the private drives subject to the approval of DOU;
86. Surface and subsurface drainage facilities located within the private drives not constructed to City standards with a width of less than 25 feet for three public utilities or 22 feet for two public utilities or 20 feet for one public utility from lip of gutter to lip of gutter shall be private facilities maintained by a homeowners association (HOA) or a privately funded maintenance district. Private easements shall be dedicated as needed for construction, maintenance and repair of these facilities. If required by the DOU, the responsible maintenance entity shall enter into and record an agreement with the City regarding the maintenance of these facilities. The agreement shall be to the satisfaction of the DOU and the City Attorney;
87. Construct storm drain and sanitary sewer mains and stubs and water mains and water service taps, for all public Park lots and open space lots. The construction shall be to the satisfaction of the DOU and Parks Department in accordance with City Standards;
88. Construct storm drain and sanitary sewer mains and stubs and water mains, water service taps, meters and reduce pressure (RPs) for all privately maintained open space lots. The construction shall be to the satisfaction of the DOU in accordance with City Standards;
89. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy;
90. Any new domestic water services shall be metered. Only one water domestic water service is allowed per parcel except for commercial lots. Per City Code 13.04.070 and the Departments current Tap Policy, commercial lots may have more than 1 domestic tap;
91. Multiple fire services are allowed for commercial lot and may be required;
92. Common area landscaping shall have a separate street tap or public easement tap for a metered irrigation service;
93. Water meter boxes located in driveways shall be as follows: (1) for 1-inch

- domestic water service, Christy traffic box B1324 (H/20 loading) with reading lid B1324-61GH and (2) for 1.5-inch domestic water service, Christy traffic box B1730 (H/20 loading) with reading lid B1730-51G;
94. Residential water taps shall be sized per the City's Building Department onsite plumbing requirements (water taps from the water main in the street to the meter may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.);
 95. Per Sacramento City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks unless otherwise approved by the DOU;
 96. Water, sewer and storm drain points of service for Village 4 shall be at the back of curb or at the back of walk of the public Road A or Road D, unless DOU allows one or more of such points of service to be located within a dedicated public easement on such conditions as may be specified by DOU;
 97. Points of service for water service connections for Lots 21- 23, and 37 through 42 shall be at the back of curb or at the back of walk of the public Road B or existing 24th Street. Connections downstream of the meters shall be privately owned and maintained;
 98. If required by DOU, points of service for sewer service connections for Lots 21- 23, and 37 through 42 shall be at the back of curb or at the back of walk of the public Road B or existing 24th Street and sewer pipe upstream of the point of service manhole shall be privately owned and maintained;
 99. If required by the DOU, two separate water mains shall be placed on each side of Road G adjacent to Lot D where a parkway is proposed at the centerline of the street;
 100. Two points of connection for the water distribution system for this subdivision or any phase of this subdivision are required;
 101. Sewer and drainage mains shall be separate systems;
 102. Drain inlets shall be 6 inches above the 10-year HGL. Finished lot pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and a minimum of 1.5 feet above the local controlling overland flow release elevation, whichever is higher;
 103. 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;

104. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction;
105. 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 acceptance 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 and 6) signed certification page by property owner or authorized representative;
106. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development in the area. Since the project is in the combined sewer area, only source controls are required. Storm drain public notice message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the "Stormwater Quality Design Manual for the Sacramento and South Placer Regions", dated May 2007 for appropriate source controls measures;

SPECIAL DISTRICTS: Assessment Districts

107. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors and Open Space areas (Lots D, E and M). Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Community Development Department and the Department of Transportation. Design review and acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated internally between the above departments and the Public Improvement Financing Division (Special Districts). The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences;

108. Maintenance District: The Applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district) to fully fund the maintenance costs of the neighborhood park on Lots C and O, but not including the inlet and outlet structures and associated drainage appurtenances on Lot O. The Applicant shall pay all city fees for formation of a parks maintenance district. (Contact Finance Department, Public Improvements Financing Division, 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;

PPDD: Parks

109. Park Dedication – Irrevocable Offer of Dedication for a Recreation Easement: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication), the Applicant shall provide on City's form an irrevocable offer of dedication (IOD) for an exclusive recreation easement on the park site identified on the Tentative Subdivision Map as Lot C (comprising 5.5± net acres) and the detention basin site identified as Lot O (comprising 1.3± net acres). Lot O is intended to contain the proposed detention basin.

At the time of delivery of IOD for a Recreation Easement, the Applicant shall also:

- a. Provide to City a title report demonstrating that it holds full and clear title, including all interests necessary for maintenance and access, to Lots C and O;
- b. Provide written proof acceptable to City that it has completed all actions necessary to ensure that Lots C and O are free and clear of any wetland mitigation, endangered or threatened animal or plant species, sensitive habitat or other development restrictions (mitigation measures) that would unreasonably interfere with or prevent the intended park use. The Applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots C and O;
- c. Provide written proof acceptable to City that Applicant is fully and solely responsible for maintenance of the cap system, annual reporting, and all other requirements or actions as specified by the State Department of Toxic Substances Control by deed restriction or order, and shall remain fully and solely responsible for these obligations after City records acceptance of the IOD for the Recreation Easement.
- d. For Lot C, provide written certification from the State Department of Toxic Substances Control (DTSC) or other documentation issued by DTSC which is

acceptable to City that either (i) the remediation of hazardous substances has been completed at the site, or (ii) the disposal of hazardous substances at the site underneath an impervious cap and clean fill material over the cap has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded, and that DTSC has confirmed in writing or as set out in the deed restrictions that the DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot C will allow for the development and continued use of Lot C as a public park consistent with the approved Park Master Plan. For Lot O, provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the remediation of hazardous substances has been completed at the site to allow for unrestricted uses, and that an impervious liner has been installed to prevent intrusion of contaminated groundwater into the site.

110. Agreement: At the time of delivery of IOD for the Recreation Easement for Lots C and O, the Applicant shall enter into an agreement with the City under which Applicant shall:
- a. Indemnify, defend, and hold harmless the City in the event (i) any further remediation or investigation of hazardous substances is required in the future due to the hazardous substances that were permitted by DTSC to remain at the site, (ii) the obligation of the Applicant to own, maintain and repair the impervious cap on Lot C, and (iii) any claims alleging personal injury or damages due to the presence of hazardous substances on Lot C that may be filed against City; and
 - b. Name the City as an additional insured on Applicant's pollution and public liability insurance policy, and such policy shall have a minimum ten year term and be in an amount not less than \$5 million per occurrence.
 - c. The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the Applicant's liability for such costs is not limited;
111. Joint Use Park-Drainage Facility: The Applicant shall provide an exhibit to show the location of the facility and the limit of the 100-year flood plain within Lot O. The net acreage of the facility and the area surrounding the facility shall be noted on the exhibit. The exhibit shall be subject to the review and approval of the Departments of Utilities and Parks and Recreation, PPDS. The area within the 100-year flood plain and all other detention related facilities, including any access easement, shall not count towards meeting the project's parkland dedication requirement.

112. Grading Plan: Applicant shall provide to Departments of Utilities and Parks and Recreation, PPDS, a grading plan for the detention basin proposed for Lot O. The grading plan shall identify the depth of excavation and the location and type of the liner. The grading plan shall be subject to approval by both departments.
113. Park Site Net Acreage: Lots C and O and the net acreage eligible for parkland dedication credit shall be shown on the first final map. Lot C shall be labeled as a Park and Lot O labeled as Detention Basin. The net acreage eligible for the parkland dedication requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) shall be determined and approved by City Park Planning and Development Services (PPDS). Those portions of Lot C and/or Lot O that are subject to 100-year flood, access easements, or contain detention related infrastructure shall not count towards meeting the project's parkland dedication requirement. The irrevocable offer for an exclusive recreation easement for public purposes shall be noted on Lots C and O on the final map.
114. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication), the Applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication in fee or in easement under 16.64.030 and not satisfied by dedication.
115. Park Master Plan: For lots C and O, the Applicant shall prepare a Neighborhood Park Master Plan. The Park Master Plan shall be prepared to the satisfaction of the Park Planning and Development Services Division (PPDS) of the Department of Parks and Recreation and shall be submitted for review and shall be approved by the PPDS, Parks and Recreation Commission, and City Council, prior to approval of the first final map. Within Lot C, the adopted Park Master Plan shall be used to determine and shall specify the required "clean" soil depth (over and above the State Department of Toxic Substances Control (DTSC) required soil depth over the capped contaminated soils which are permitted to remain on site) needed for the development, maintenance, and use of the park consistent with the approved Park Master Plan. The required "clean" soil depth within Lot C shall take into account all park improvements, including but not limited to, landscape planting and irrigation installation, maintenance activities, and tree and other plant root needs to avoid impacting the cap as determined by City's arborist. The Park Master Plan shall be completed and adopted by the City and submitted by the Applicant to DTSC for its review as part of and prior to the Applicant's submittal to DTSC's for its final approval of the Remedial Design Implementation Plan (RDIP). The Applicant shall be solely responsible for completion of the remediation work under the approved RDIP and for development of the park to ensure that the cap will not be compromised by the City's subsequent park development and maintenance activities which are consistent with the Park Master Plan.

The park shall be designed to neighborhood park standards, as outlined in Table 18 of the City of Sacramento Parks and Recreation Master Plan 2005-2010. The park amenities may include but not be limited to a tot lot, an adventure area, unlighted sports fields or sports courts, and/or group picnic areas; and basic design elements such as landscaping, irrigation, turf, shade and ornamental trees, site furnishing, and shade structures. Shade structures and play equipment will have subsurface footings and shade trees are typically deep rooted. Other subsurface improvements will include, but not be limited to irrigation piping and storm drains. Park design shall comply with Crime Prevention through Environmental Design (CPTED) principles. The finished park grades shall be level with the surrounding streets and shall not contain berms or raised elevations without prior PPDS approval.

116. Improvements: Unless already satisfied with the first final Map, the Applicant shall construct the following public improvements:
- a. Development of the park improvements and the detention basin, prior to and as a condition of City's acceptance of the IOD for Lots C and O.
 - b. Full street improvements for Lot C and for Lot O (if applicable) including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
 - c. A concrete sidewalk and vertical curb along all street frontages that open onto Lot C. The sidewalk shall be contiguous to the curb (attached) for neighborhood parks unless otherwise approved by PPDS. If permitted as part of the approved Park Master Plan, a low rise retaining wall may be constructed at the back of the sidewalk to allow for the finished park grade across Lot C to not exceed a 10% slope.
 - d. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of the sidewalk at Lot C or as sized and located per approved park master plan. Number of stubs and locations are to be approved by PPDS. Storm Drain and Sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - e. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to Lot C, or as sized and located per approved park master plan. The irrigation water tap shall be 4 inches for parkland 4 acres and over, and 2-1/2 inches for parkland less than 4 acres; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - f. A ten-foot (10') wide driveway into Lot C at a location approved by PPDS. The driveway shall not enter park from Road A. The driveway is to provide future maintenance access to the park.

- g. The Applicant shall rough grade Lot C as required by City Code to provide positive drainage as approved by PPDS.
117. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous to Lot C and Lot O (if applicable), the Applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the park(s) and to best accommodate future park improvements. The Applicant shall facilitate a meeting(s) with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project. The Applicant shall submit a site plan and electronic file showing the location of all utilities on the park site to the PPDS for review and approval.
118. Site Plan: The Applicant shall submit a site plan and electronic file showing the location of all utilities on Lots C and O to the PPDS and DOU for review and approval. The Applicant shall: (1) design and install grading and drainage improvements reflective of the approved Park Master Plan; and (2) deliver as-built drawings of said grading and drainage to PPDS and DOU –all to the satisfaction of PPDS and DOU.
119. Turnkey Park Development: The Applicant shall enter into City's Reimbursement / Credit Agreement (collectively called "Turnkey Park Agreement") to construct the park and detention basin improvements on Lots C and O to the satisfaction of PPDS and DOU. All costs necessary to develop the park in conformance with the adopted Park Master Plan shall be the sole responsibility of the Applicant.

The Turnkey Agreement shall address:

- a. Maintenance of Lots C and O until the time that the City records acceptance of the IOD for the Recreation Easement and accepts the improvements to be constructed under the Turnkey Agreement;
- b. The preparation and approval of the design and improvement plans consistent with the approved Park Master Plan;
- c. Time for completion of the park and detention basin improvements (or of each phase if the improvements will not be completed in one phase) as a function of build-out of the Tentative Subdivision Map or issuance of building permits;
- d. Any credits to be awarded to the Applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the Tentative Subdivision Map. Applicant shall not receive credit for costs

- associated with construction of the detention basin, inlet and outlet structures, associated drainage appurtenances and basic landscaping costs typically associated with detention basin construction. Park construction costs are expected to be higher than average due to the presence of capped hazardous materials on site, and credits against the PIF will not be granted to cover these additional costs;
- e. Maintenance of all park improvements, to be accepted into a park maintenance financing district for a minimum of one year unless the City agrees to accept park maintenance into the district at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements in accordance with the terms of the Turnkey Agreement.
 - f. Provision of as-built drawings of the completed park.

MISCELLANEOUS

- 120. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;
- 121. Form a Homeowner's Association (HOA). CC&R's shall be approved by the City and recorded assuring maintenance of private roadway(s) and alleys. The Homeowner's Association shall maintain all private streets, alleys, common lighting, common landscaping and common areas;
- 122. Form a Business Association (BOA) for the commercial areas. CC&R's shall be approved by the City and recorded assuring maintenance of private roadway(s). The BOA shall maintain all private streets, common landscaping and common areas;

ADVISORY NOTES (Tentative Subdivision Map):

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- 123. 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 applicant's engineers in the design of the on-site domestic, irrigation and fire suppression systems;
124. Location of the wet utilities in the street without center medians shall be as follows, drainage mains shall be placed in the centerline of the street, water mains shall be placed north and west of the centerline and the sewer main shall be placed south and east of the centerline. The location of wet utilities in streets with medians shall be approved by DOU pursuant to City Standards prior to design;
 125. Prior to issuance of any building permits within any phase, all sanitary sewer, storm drainage, water, and flood control improvements shall be in place and fully functioning as determined by DOU unless otherwise approved by the Department of Utilities;
 126. Prior to occupancy within any phase, all sanitary sewer, storm drainage, water and flood control improvements shall be in place, fully functioning, and a notice of completion shall be issued by Development Services;
 127. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the service is being furnished, provided that the fire chief may, in his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provided for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City;
 128. The proposed project is located in the Flood zone designated as **X** zone and **Shaded X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X and Shaded X zone, there are no requirements to elevate or flood proof;
 129. The applicant is responsible for obtaining all necessary local state, and federal permit and other approvals;
 130. As per City Code, qualified parkland must be "a typical acre of the subdivision, with a slope less than ten (10) percent, and located in other than an area on which building is excluded because of flooding, public rights-of-way, easements, or other restrictions". Acreage within an existing or proposed drainage area, access easement, public right-of-way, or areas with 10% and greater slopes shall not receive parkland dedication credit. Quimby parkland credit can be granted only to "buildable acres."

Because the park project is located above a remediation site, the Applicant shall be required to provide written certification, or other documentation which is acceptable to City, from the State Department of Toxic Substances Control (DTSC) that remediation of the dedicated lots and easements has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan, that the DTSC deed restrictions, DTSC land use controls, or land use specific remediation approaches will allow for the proposed park and public access use;

131. As per City Code, the Applicant will be responsible to meet his/her obligations regarding:

a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the first final map. Applicant will dedicate a public recreation easement for development of a public park on Lots C and O. The Quimby parkland dedication requirement is 5.791± net acres; based on 189 single family and 338 multi-family residential units. In the event the area eligible for Quimby credit falls below 5.791± acres; the Quimby in-lieu fee shall be required to comprise the remainder. The Tentative Subdivision Map currently identifies Lot C at 5.5± net acres and Lot O at 1.3± net acres.

Any change in the residential unit count or type will change the amount of Quimby land dedication or in-lieu fee due and may require additional parkland dedication or in-lieu fee obligations under Sacramento City Code Chapter 16.64. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

b. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee (PIF) due for this project is estimated at \$2,110,183. This is based on 189 single family units at \$5,191 each, 338 multi-family units at \$3,058 each, 16,000 square feet of commercial office space at \$0.50 per square foot, and 243,000 square feet of retail/commercial space at \$0.36 per square foot. 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. (*Please note: these fees are subject to change on July 1 of each year; the fees quoted herein are the fees in effect between July 1, 2009 through June 30, 2010*).

c. Neighborhood Park Maintenance CFD Formation.

132. The Applicant shall be responsible for maintenance (weed abatement) of Lots C and O conveyed as an IOD for Recreation Easement until the time that the City records acceptance of the IOD for Recreation Easement;

133. The City Department of Parks and Recreation bears no responsibility for acceptance of or maintenance of any Open Space or Parkway Lots (Lots D, E

and M) as shown on the Tentative Subdivision Map.

Section 4. Exhibits A and B are a part of this Resolution

Exhibit A – Large Lot Tentative Map

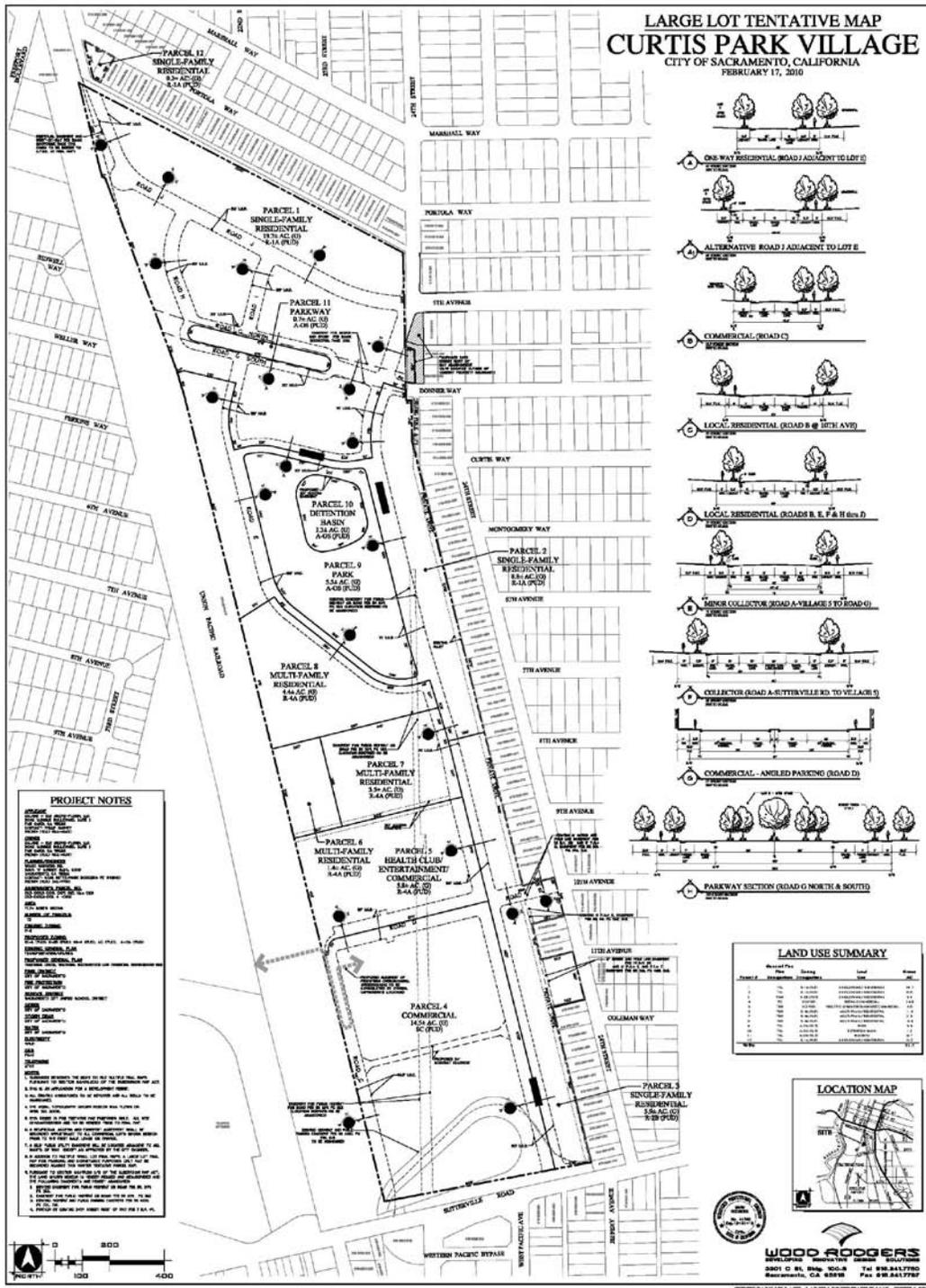
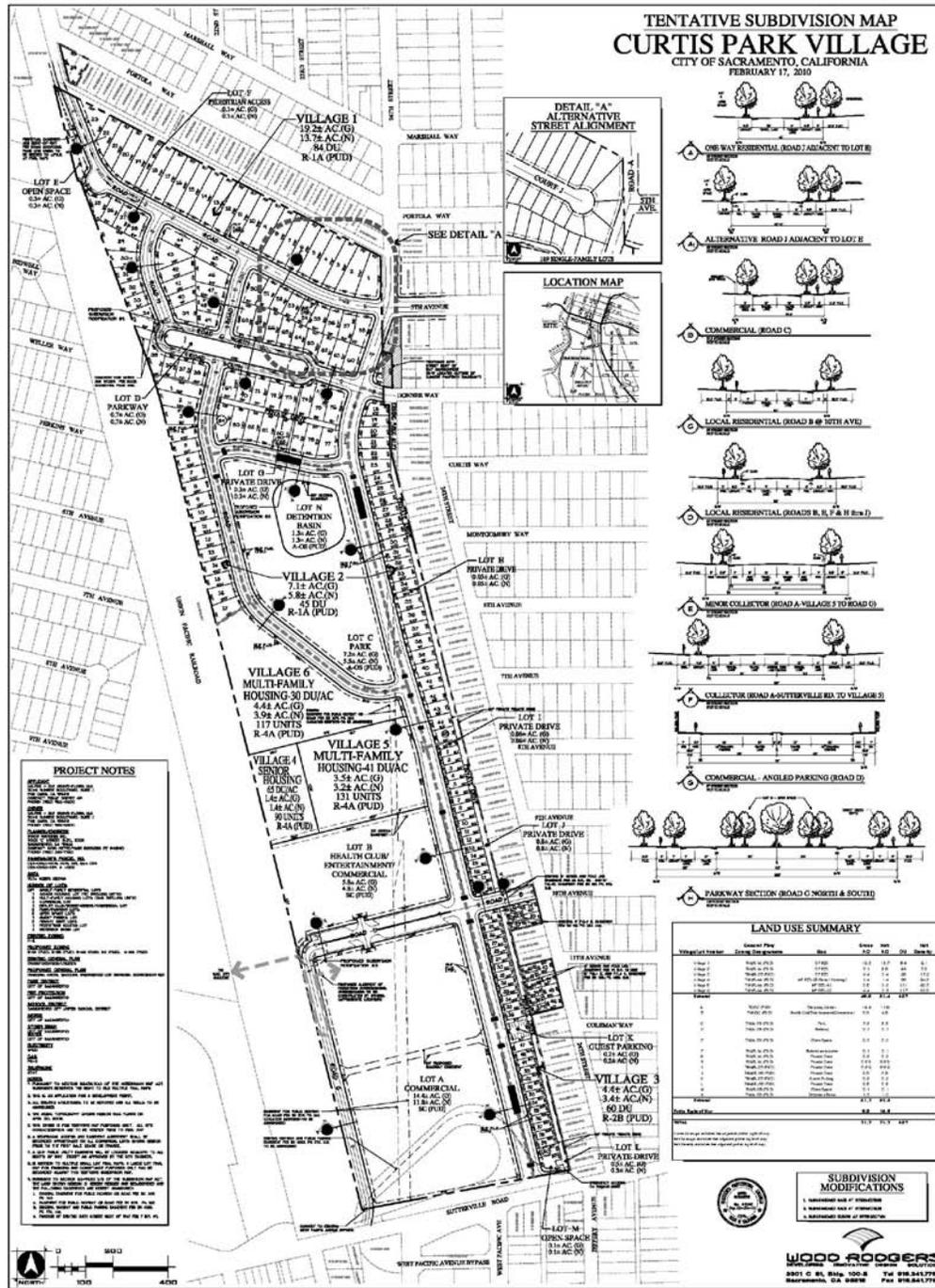


Exhibit B – Tentative Subdivision Map



Attachment 11 – Resolution for the Park and Detention Basin

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

**PROVIDING POLICY DIRECTION FOR THE
CURTIS PARK VILLAGE PROJECT (P04-109) RELATING TO THE
NEIGHBORHOOD PARK AND DETENTION BASIN AND THE
AMENDMENT TO THE 1995 REMEDIAL ACTION PLAN**

BACKGROUND

- A. The Curtis Park Village Development Project (P04-109) consists of the planned development of approximately 72 acres with commercial, retail, and office space (259,000 sq. ft.), single family residences (189 units), three multi-family housing communities (338 units), and a 6.8± net acre neighborhood park/detention basin.
- B. The Project is located on the site of the former railyard and operations center for the Western Pacific Railroad and is contaminated with hazardous waste from the railyard era. Remediation of the site is occurring under a Remedial Action Plan (RAP) approved by the California Department of Toxic Substances Control (DTSC) in 1995. The 1995 RAP approved excavation and off-site disposal of the contaminated soil and clean-up levels suitable for restricted use development.
- C. The 1995 RAP clean-up levels did not coincide with the City's planned future land use for the site at that time. Due to the City's concern, Chapter 395 Statutes 1999 (SB 120 Ortiz) was enacted to prohibit DTSC from determining response action on the site to be complete until (1) the City has completed its land use planning process for the site (i.e., has adopted a General Plan amendment and rezoned the site) and (2) all response actions necessary to conform to that land use plan are complete. Upon approval, the Curtis Park Village Development Project will be the City's land use plan for the site for purposes of SB 120.
- D. The Project applicant has encountered additional volumes of contaminated soil on the Project site that necessitates an amendment to the 1995 RAP to allow for one or more alternative remedies. One of the remedies the Project applicant wishes to pursue is on-site encapsulation of contaminated soil under the park-portion of the proposed park/detention basin parcel.
- E. Because the Project entitlements were under review at the same time that the amendment to the 1995 RAP was being contemplated, the City and DTSC agreed to include in the Project Environmental Impact Report (EIR) the environmental analysis of both the Project and the amendment to the 1995 RAP,

with the City as Lead Agency and DTSC as a Responsible Agency. Therefore, the EIR analyzes the impacts and health risks of all potential remedies contemplated for inclusion in the amendment to the RAP, including encapsulating contaminated soil under the park-portion of the proposed park/detention basin parcel.

- F. On April 1, 2010, the City Council conducted a public hearing and received and considered evidence concerning the Curtis Park Village Development Project and certified the EIR for the Project, but deferred action on the Project entitlements.
- G. The EIR certification will allow the Project applicant to proceed with its request to DTSC to amend the 1995 RAP prior to final approval of the Project entitlements (the SB 120 land use plan) which may result in approval of encapsulation of contaminated soil under the park-portion of the proposed park/detention basin parcel. The City is concerned that, unless properly conditioned, approval of that remedy may be inconsistent with what the City ultimately approves for the Project, including the park master plan as well as the detention basin plan, resulting in the amendment to the 1995 RAP being inconsistent with the Project approvals and the SB 120 land use plan. This concern is based on the following:
1. Neither DTSC nor the City will allow contaminated soil to be placed in a detention basin drainage area, to avoid creating groundwater contamination and potential contamination leaks into the public combined sewer system. Careful design of the park and detention basin and appurtenances is needed to insure that contaminated soil is properly encased to prevent storm water drainage, and to prevent existing contaminated groundwater from entering into the detention basin and into the public combined sewer system.
 2. DTSC typically requires only a relatively small amount of clean soil (1 to 2 feet) above the cap for protection from ultraviolet light damage. That amount of soil would be insufficient to allow for subsequent development of a neighborhood park due to the additional soil needed for installation of park amenities, including but not limited to underground irrigation and park landscaping. The depth of additional soil above the cap that will be needed for park development is unknown at this time because the park master plan (as well as the detention basin plan) has not been prepared or approved. In addition, the City requires neighborhood parks to have the same elevation as the surrounding parcels, which will limit the amount of contaminated soil that can be encapsulated under the park-portion of the proposed park/detention basin parcel. Development of the park master plan (as well as the detention basin plan), in accordance with the City's park development process, is the responsibility of the Project applicant and implementation of those plans is specified in the project's proposed subdivision map conditions.

- H. The City Council wishes to ensure that DTSC is aware of the proposed conditions of approval of the Project entitlements relating to the park site and detention basin, so that DTSC can take these conditions into consideration as it reviews and takes action on the requested 1995 RAP amendment, to ensure that its approval conforms to what is anticipated to be the SB 120 land use plan for the Project site.

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

Section 1. Staff is directed to transmit to DTSC the proposed conditions of approval of the Curtis Park Village Development Project subdivision maps regarding development of the neighborhood park and detention basin, as set out in Exhibit A, so that DTSC is aware of the City's requirements prior to its approval of the RAP amendment.

Section 2. Exhibit A is a part of this Resolution.

Table of Contents:

Exhibit A - Proposed Map Conditions for Curtis Park Village Project Related to the Neighborhood Park and Detention Basiin

Exhibit A: Proposed Map Conditions for Curtis Park Village Project Related to the Neighborhood Park and Detention Basin**Department of Utilities (DOU)
Dedications and Ownerships**

1. The applicant shall dedicate an IOD for drainage easement or a drainage easement over Lot O (Detention Basin), the proposed detention basin. The dedication shall be to the satisfaction of the City Attorney and the DOU pursuant to City Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld. Lot O shall be sized to accommodate the detention volume per the approved drainage study, service roads, ramps, drainage structures and all appurtenances.
2. The applicant also shall dedicate an IOD for a Recreation Easement or a recreation easement over Lot O that meets the requirements specified in the Parks and Recreation Department's Condition 8 of the Tentative Map.
3. The applicant shall dedicate a Drainage Access and Maintenance Easement over the storm drain inlet and outlet structures and associated appurtenances to be located in Lot O to the satisfaction of the DOU pursuant to City Standards. The dedication shall be at no cost to the City, and shall be free and clear of all encumbrances and liens, provided that applicant shall not be required to remove encumbrances of record that will not interfere with the use or uses for which the easement is being dedicated and that are approved as title exceptions by the City, which approval shall not be unreasonably withheld.

Annexation and Agreements

4. The applicant shall execute a recordable agreement, in a form acceptable to DOU and the City Attorney, to indemnify, defend and hold harmless the City against any and all claims, actions, penalties, fines, costs (including but not limited to any costs of investigation and/or remediation, and reasonable attorney fees) or other liabilities of any kind arising if any hazardous substance or other contaminant arising anywhere on the project site enters the City's Combined Sewer System or water system (collectively the "Environmental Claims"), but only to the extent that the Environmental Claims are covered under the applicant's environmental insurance policy. If the applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the applicant's liability for such costs is not limited. Applicant's compliance with the Parks and Recreation Department's Condition 9 in the Tentative Subdivision Map, which requires the applicant shall name the City as an additional insured under the applicant's environmental insurance policy, shall apply to satisfy this condition.

Hazardous Material Clean-up Standards

5. Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP). The applicant shall provide written letters from DTSC for the approval of the RDIP and verification that the remediation has been completed.
6. Applicant shall provide an operation and maintenance manual, prepared by a licensed professional expert in the field of hazardous remediation, identifying, maintenance protocol personal protective equipment and training requirements for the operation, trenching and maintenance of underground pipes and appurtenances, streets and detention basin.

Studies

7. The applicant shall submit the drainage study and the proposed conceptual drainage plan (alignment, size, type and material of pipes, joints, type of manholes, etc.) and the proposed conceptual detention basin plan (showing location, size and depth, proximity and clearances to cap areas, type and thickness of seepage control, clearances to ground water, etc.) to DTSC prior to DTSC's approval of the RDIP.

**Department of Parks and Recreation
Park Planning and Development Services (PPDS)**

8. **Park Dedication – Irrevocable Offer of Dedication for a Recreation Easement:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication), the Applicant shall provide on City's form an irrevocable offer of dedication (IOD) for an exclusive recreation easement on the park site identified on the Tentative Subdivision Map as Lot C (comprising 5.5± net acres) and the detention basin site identified as Lot O (comprising 1.3± net acres). Lot O is intended to contain the proposed detention basin.

At the time of delivery of IOD for a Recreation Easement, the Applicant shall also:

- a. Provide to City a title report demonstrating that it holds full and clear title, including all interests necessary for maintenance and access, to Lots C and O;
- b. Provide written proof acceptable to City that it has completed all actions necessary to ensure that Lots C and O are free and clear of any wetland

- mitigation, endangered or threatened animal or plant species, sensitive habitat or other development restrictions (mitigation measures) that would unreasonably interfere with or prevent the intended park use. The Applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lots C and O;
- c. Provide written proof acceptable to City that Applicant is fully and solely responsible for maintenance of the cap system, annual reporting, and all other requirements or actions as specified by the State Department of Toxic Substances Control by deed restriction or order, and shall remain fully and solely responsible for these obligations after City records acceptance of the IOD for the Recreation Easement.
 - d. For Lot C, provide written certification from the State Department of Toxic Substances Control (DTSC) or other documentation issued by DTSC which is acceptable to City that either (i) the remediation of hazardous substances has been completed at the site, or (ii) the disposal of hazardous substances at the site underneath an impervious cap and clean fill material over the cap has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded, and that DTSC has confirmed in writing or as set out in the deed restrictions that the DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot C will allow for the development and continued use of Lot C as a public park consistent with the approved Park Master Plan. For Lot O, provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the remediation of hazardous substances has been completed at the site to allow for unrestricted uses, and that an impervious liner has been installed to prevent intrusion of contaminated groundwater into the site.
9. **Agreement:** At the time of delivery of IOD for the Recreation Easement for Lots C and O, the Applicant shall enter into an agreement with the City under which Applicant shall:
- a. Indemnify, defend, and hold harmless the City in the event (i) any further remediation or investigation of hazardous substances is required in the future due to the hazardous substances that were permitted by DTSC to remain at the site, (ii) the obligation of the Applicant to own, maintain and repair the impervious cap on Lot C, and (iii) any claims alleging personal injury or damages due to the presence of hazardous substances on Lot C that may be filed against City; and
 - b. Name the City as an additional insured on Applicant's pollution and public liability insurance policy, and such policy shall have a minimum ten year term and be in an amount not less than \$5 million per occurrence.

- c. The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the Applicant's liability for such costs is not limited.
10. **Joint Use Park-Drainage Facility:** The Applicant shall provide an exhibit to show the location of the facility and the limit of the 100-year flood plain within Lot O. The net acreage of the facility and the area surrounding the facility shall be noted on the exhibit. The exhibit shall be subject to the review and approval of the Departments of Utilities and Parks and Recreation, PPDS. The area within the 100-year flood plain and all other detention related facilities, including any access easement, shall not count towards meeting the project's parkland dedication requirement.
11. **Grading Plan:** Applicant shall provide to Departments of Utilities and Parks and Recreation, PPDS, a grading plan for the detention basin proposed for Lot O. The grading plan shall identify the depth of excavation and the location and type of the liner. The grading plan shall be subject to approval by both departments.
12. **Park Site Net Acreage:** Lots C and O and the net acreage eligible for parkland dedication credit shall be shown on the first final map. Lot C shall be labeled as a Park and Lot O labeled as Detention Basin. The net acreage eligible for the parkland dedication requirements pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) shall be determined and approved by City Park Planning and Development Services (PPDS). Those portions of Lot C and/or Lot O that are subject to 100-year flood, access easements, or contain detention related infrastructure shall not count towards meeting the project's parkland dedication requirement. The irrevocable offer for an exclusive recreation easement for public purposes shall be noted on Lots C and O on the final map.
13. **Park Master Plan:** For lots C and O, the Applicant shall prepare a Neighborhood Park Master Plan. The Park Master Plan shall be prepared to the satisfaction of the Park Planning and Development Services Division (PPDS) of the Department of Parks and Recreation and shall be submitted for review and shall be approved by the PPDS, Parks and Recreation Commission, and City Council, prior to approval of the first final map. Within Lot C, the adopted Park Master Plan shall be used to determine and shall specify the required "clean" soil depth (over and above the State Department of Toxic Substances Control (DTSC) required soil depth over the capped contaminated soils which are permitted to remain on site) needed for the development, maintenance, and use of the park consistent with the approved Park Master Plan. The required "clean" soil depth within Lot C shall take into account all park improvements, including but not limited to, landscape planting and irrigation installation, maintenance activities, and tree and other plant root needs to avoid impacting the cap as determined by City's arborist. The Park Master Plan shall be completed and

adopted by the City and submitted by the Applicant to DTSC for its review as part of and prior to the Applicant's submittal to DTSC's for its final approval of the Remedial Design Implementation Plan (RDIP). The Applicant shall be solely responsible for completion of the remediation work under the approved RDIP and for development of the park to ensure that the cap will not be compromised by the City's subsequent park development and maintenance activities which are consistent with the Park Master Plan.

The park shall be designed to neighborhood park standards, as outlined in Table 18 of the City of Sacramento Parks and Recreation Master Plan 2005-2010. The park amenities may include but not be limited to a tot lot, an adventure area, unlighted sports fields or sports courts, and/or group picnic areas; and basic design elements such as landscaping, irrigation, turf, shade and ornamental trees, site furnishing, and shade structures. Shade structures and play equipment will have subsurface footings and shade trees are typically deep rooted. Other subsurface improvements will include, but not be limited to irrigation piping and storm drains. Park design shall comply with Crime Prevention through Environmental Design (CPTED) principles. The finished park grades shall be level with the surrounding streets and shall not contain berms or raised elevations without prior PPDS approval.

14. **Improvements:** Unless already satisfied with the final Parcel Map, the Applicant shall construct the following public improvements:
- a. Development of the park improvements and the detention basin, prior to and as a condition of City's acceptance of the IOD for Lots C and O.
 - b. Full street improvements for Lot C and for Lot O (if applicable) including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
 - c. A concrete sidewalk and vertical curb along all street frontages that open onto Lot C. The sidewalk shall be contiguous to the curb (attached) for neighborhood parks unless otherwise approved by PPDS. If permitted as part of the approved Park Master Plan, a low rise retaining wall may be constructed at the back of the sidewalk to allow for the finished park grade across Lot C to not exceed a 10% slope.
 - d. A twelve inch (12") storm drain stub and six inch (6") sanitary sewer stub to the back of the sidewalk at Lot C or as sized and located per approved park master plan for future service. Number of stubs and locations are to be approved by PPDS. Storm Drain and Sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - e. One water tap for irrigation, one water tap for domestic water, and electrical and telephone service to Lot C, or as sized and located per approved park master plan. The irrigation water tap shall be 4 inches for parkland 4 acres

- and over, and 2-1/2 inches for parkland less than 4 acres; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.
- f. A ten-foot (10') wide driveway into Lot C at a location approved by PPDS. The driveway shall not enter park from Road A. The driveway is to provide future maintenance access to the park.
 - g. The Applicant shall rough grade Lot C as required by City Code to provide positive drainage as approved by PPDS.
15. **Design Coordination for PUE's and Facilities:** If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous to Lot C and Lot O (if applicable), the Applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the park(s) and to best accommodate future park improvements. The Applicant shall facilitate a meeting(s) with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project. The Applicant shall submit a site plan and electronic file showing the location of all utilities on the park site to the PPDS for review and approval.
16. **Site Plan:** The Applicant shall submit a site plan and electronic file showing the location of all utilities on Lots C and O to the PPDS and DOU for review and approval. The Applicant shall: (1) design and install grading and drainage improvements reflective of the approved Park Master Plan; and (2) deliver as-built drawings of said grading and drainage to PPDS and DOU –all to the satisfaction of PPDS and DOU.
17. **Turnkey Park Development:** The Applicant shall enter into City's Reimbursement / Credit Agreement (collectively called "Turnkey Park Agreement") to construct the park and detention basin improvements on Lots C and O to the satisfaction of PPDS and DOU. All costs necessary to develop the park in conformance with the adopted Park Master Plan shall be the sole responsibility of the Applicant.

The Turnkey Agreement shall address:

- a. Maintenance of Lots C and O until the time that the City records acceptance of the IOD for the Recreation Easement and accepts the improvements to be constructed under the Turnkey Agreement;
- b. The preparation and approval of the design and improvement plans consistent with the approved Park Master Plan;
- c. Time for completion of the park and detention basin improvements (or of

- each phase if the improvements will not be completed in one phase) as a function of build-out of the Tentative Subdivision Map or issuance of building permits;
- d. Any credits to be awarded to the Applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the Tentative Subdivision Map. Applicant shall not receive credit for costs associated with construction of the detention basin, inlet and outlet structures, associated drainage appurtenances and basic landscaping costs typically associated with detention basin construction. Park construction costs are expected to be higher than average due to the presence of capped hazardous materials on site, and credits against the PIF will not be granted to cover these additional costs;
 - e. Maintenance of all park improvements, to be accepted into a park maintenance financing district for a minimum of one year unless the City agrees to accept park maintenance into the district at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements in accordance with the terms of the Turnkey Agreement.
 - f. Provision of as-built drawings of the completed park.

ADVISORY NOTES

1. As per City Code, qualified parkland must be "a typical acre of the subdivision, with a slope less than ten (10) percent, and located in other than an area on which building is excluded because of flooding, public rights-of-way, easements, or other restrictions". Acreage within an existing or proposed drainage area, access easement, public right-of-way, or areas with 10% and greater slopes shall not receive parkland dedication credit. Quimby parkland credit can be granted only to "buildable acres".
2. Because the park project is located above a remediation site, the Applicant shall be required to provide written certification, or other documentation which is acceptable to City, from the State Department of Toxic Substances Control (DTSC) that remediation of the dedicated lots and easements has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan, that the DTSC deed restrictions, DTSC land use controls, or land use specific remediation approaches will allow for the proposed park and public access use.
3. The Applicant shall be responsible for maintenance (weed abatement) of Lots C and O conveyed as an IOD for Recreation Easement until the time that the City records acceptance of the IOD for Recreation Easement.

Attachment 12 – City Council Resolution 98-517 & SB 120

RESOLUTION NO. 98-517

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF OCT 13 1998

**A RESOLUTION RELATING TO HAZARDOUS WASTE
CLEANUP OF THE UNION PACIFIC RAILYARD**

WHEREAS, the Council adopted Resolution No. 92-255 on April 14, 1992, in which the Council Resolution endorsed the Union Pacific Land Use Committee (UPLUC) planning principles for the reuse of the Union Pacific Curtis Park Yard. The UPLUC recommended land uses were (1) residential development, (2) open space recreational, (3) neighborhood-serving commercial, (4) possible Sacramento City College expansion, and (5) light rail and transit-oriented design; and

WHEREAS, despite a state policy that cleanup levels must be compatible with planned land use, the Department of Toxic Substances Control in 1995 refused to delay its Final Remedial Action Plan until the City had approved its land use plan for the site; and

WHEREAS, over the objections of the City, and without a City-approved final land use plan, the State Department of Toxic Substances Control (DTSC) approved a Final Remedial Action Plan (RAP) which was inconsistent with the Council-approved UPLUC goals, since it did not reflect the residential and open-space priorities of those goals. The Department's Final Remedial Action Plan has placed significant restrictions on the future land use of two-thirds of the Union Pacific Yard by allowing only commercial use and mixed use (commercial-resident) to prevent human exposure to contaminated soils; and

WHEREAS, to address the City's objections to approving a Final Remedial Action Plan in the absence of an approved local land use plan, the Executive Summary of the Final Remedial Action Plan states that the Department will require a second phase of remediation after the Department certifies the final Remedial Action Plan and after the City approves a final land use plan; and

WHEREAS, unless such second phase of remediation suggested in the Final RAP occurs, the decision of DTSC approving the Final RAP, and remediation pursuant thereto, will or may have the effect of preempting the City from exercising its local land use planning responsibilities and leave most of the developable portions of the property suitable for only commercial or industrial use, rather than residential use; and

WHEREAS, there is a perceived loophole in existing state law which could allow the railroad to avoid any additional cleanup responsibilities if the Department of Toxic Substances Control certifies

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 98-517
DATE ADOPTED: OCT 13 1998

the completion of the cleanup provided in the Final Remedial Action Plan prior to the City's adoption of a final land use plan; and

WHEREAS, the Department may be unable to require the additional cleanup promised in the Final Remedial Action Plan necessary to allow for a compatible development in accordance with the City's approved land use plan;

BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

- (a) The Council reaffirms its policy that the cleanup requirements for the property must be adequate to allow the City Council to exercise its discretion to make land use decisions based on local land use needs, and not based on existing levels of contamination; and
- (b) The Council requests that before certifying the completion of the cleanup required under the Final Remedial Action Plan, the State Department of Toxic Substances Control require cleanup of the site in compliance with the City's final adopted land use plan for the site; and
- (c) The Council urges the Legislature to reenact the State Superfund law; and further, when it reenacts that law, to include appropriate provisions to accomplish the following: (i) to eliminate the perceived loophole in the current law which could allow the Union Pacific Railroad to complete its cleanup of the Curtis Park Railyard without having remediated the site sufficiently to allow the City to adopt and implement its land use plans for the site; (ii) to ensure the City's ability to exercise its local land use planning responsibilities is fully protected; and (iii) prohibit DTSC from making a determination that the remedial action plan is complete until after the City has completed the planning process currently underway and adopted a new land use plan for the site.

JOE SERNA, JR.

MAYOR

ATTEST:
VALERIE BURROWES

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 98-517
DATE ADOPTED: OCT 13 1998

Senate Bill No. 120

CHAPTER 395

An act relating to hazardous substances.

[Approved by Governor September 15, 1999. Filed
with Secretary of State September 15, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 120, Ortiz. Hazardous substances.

Existing law authorizes the Department of Toxic Substances Control to expend the money in the Toxic Substances Control Account in the General Fund, upon appropriation by the Legislature, to pay for, among other things, removal and remedial actions related to the release of hazardous substances and the oversight of removal and remedial actions. Existing law authorizes the Attorney General to recover from the liable person, as defined, the costs incurred and payable from the account for removal or remedial actions to a hazardous substance release. Existing law requires a liable party who establishes, by a preponderance of evidence, that only a portion of those costs are attributable to that party's actions, to only pay for that portion of those costs.

This bill would prohibit the department from making any determination that a response action at the Western Pacific Avenue site in Sacramento is complete, until after the City of Sacramento has completed its land use planning process and all response actions necessary to conform to the approved land use plan are complete. The bill would exempt from this prohibition, any portion of the site acquired by the Sacramento Regional Transit District, in accordance with specified environmental documents.

The people of the State of California do enact as follows:

SECTION 1. (a) For purposes of this section the following definitions apply:

- (1) "City" means the City of Sacramento.
- (2) "Completion of the city's land use planning process" means the adoption, after January 1, 1999, of a general plan amendment and rezoning of the site pursuant to the city's land use process.
- (3) "Site" means the site at 3675 Western Pacific Avenue in Sacramento, California, which is the subject of response action approved and overseen by the Department of Toxic Substances Control pursuant to Enforceable Agreement No. HSA 86/87-015EA issued by the department on March 26, 1987.

Ch. 395

— 2 —

(b) (1) The Legislature finds and declares that the final remedial action plan prepared and approved in 1995 pursuant to the enforceable agreement for the site expressly recognizes that the city is processing a change in the land use for the site, including a general plan amendment and rezoning, and that the city's final land use plan for the site may require that additional portions of the site be remediated to unrestricted use levels beyond the area indicated in the 1995 final remedial action plan.

(2) The Legislature further finds and declares that a general statute cannot be made applicable to the site, within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution, due to the unique circumstances at the site. At this site, the department has approved a remedial action plan specifying a level of cleanup protective of human health and safety based on current land use even though the department is aware that the local government, the property owner, and the community all intend and plan that the site will not remain in its current use but will ultimately be put to a more intense use with more potential for human exposure to any residual contamination. The department specifically acknowledges, in a memorandum dated June 30, 1998, that unique circumstances are present at the site.

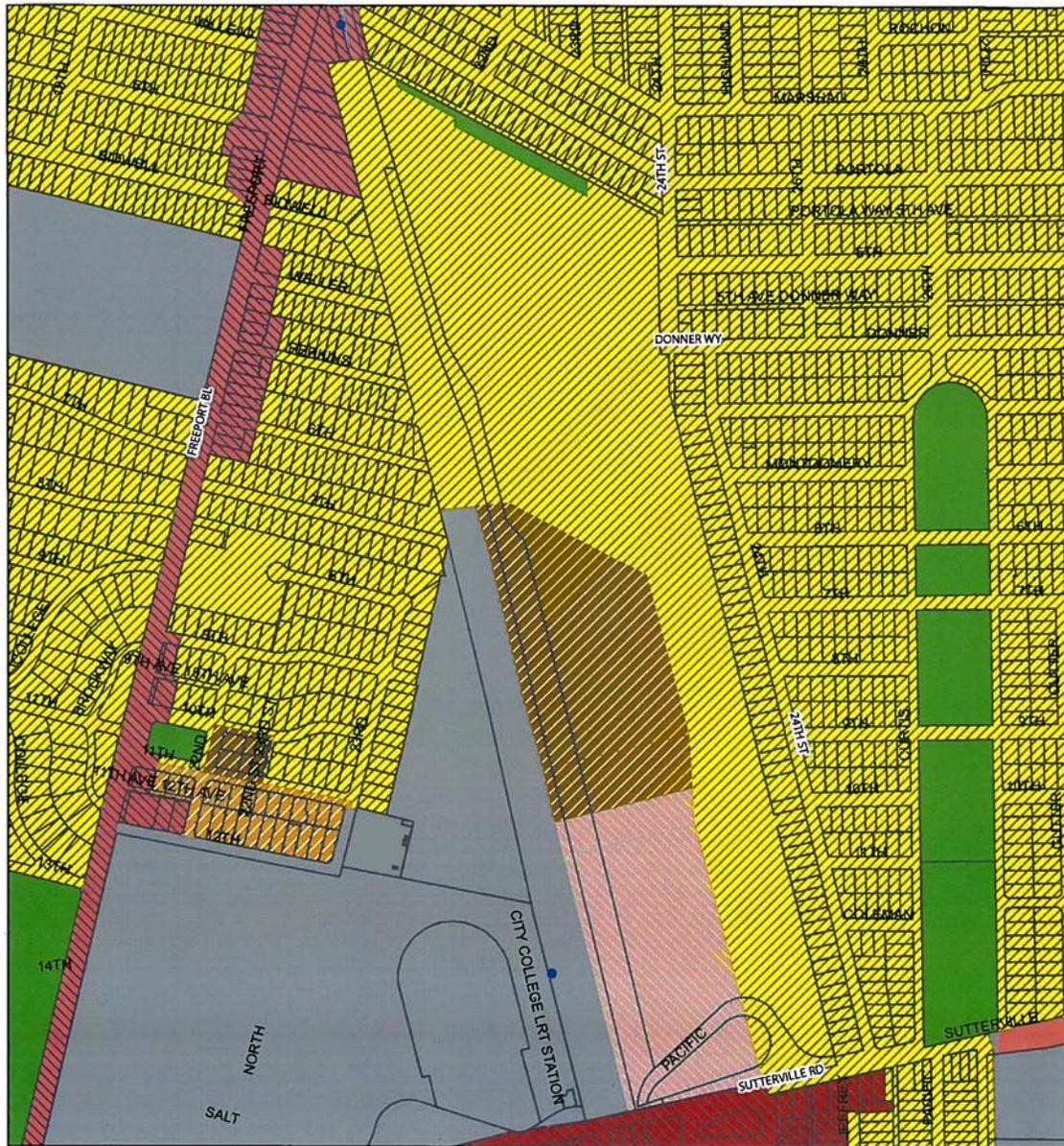
(c) Notwithstanding any other provision of law, the Department of Toxic Substances Control shall not make a determination that the response action at the site is complete, including, but not limited to, issuing a certification, a no further action letter, or a closure letter, or entering into a settlement or release of liability, until after the city has completed its land use planning process and all response actions necessary to conform to the approved land use plan are complete.

(d) This section does not apply to any portion of the site acquired by the Sacramento Regional Transit District in accordance with the Draft and Final Subsequent Environmental Impact Report and the Draft and Final Environmental Impact Statement for the South Sacramento Corridor Light Rail Project, and all addenda and supplements attached thereto.

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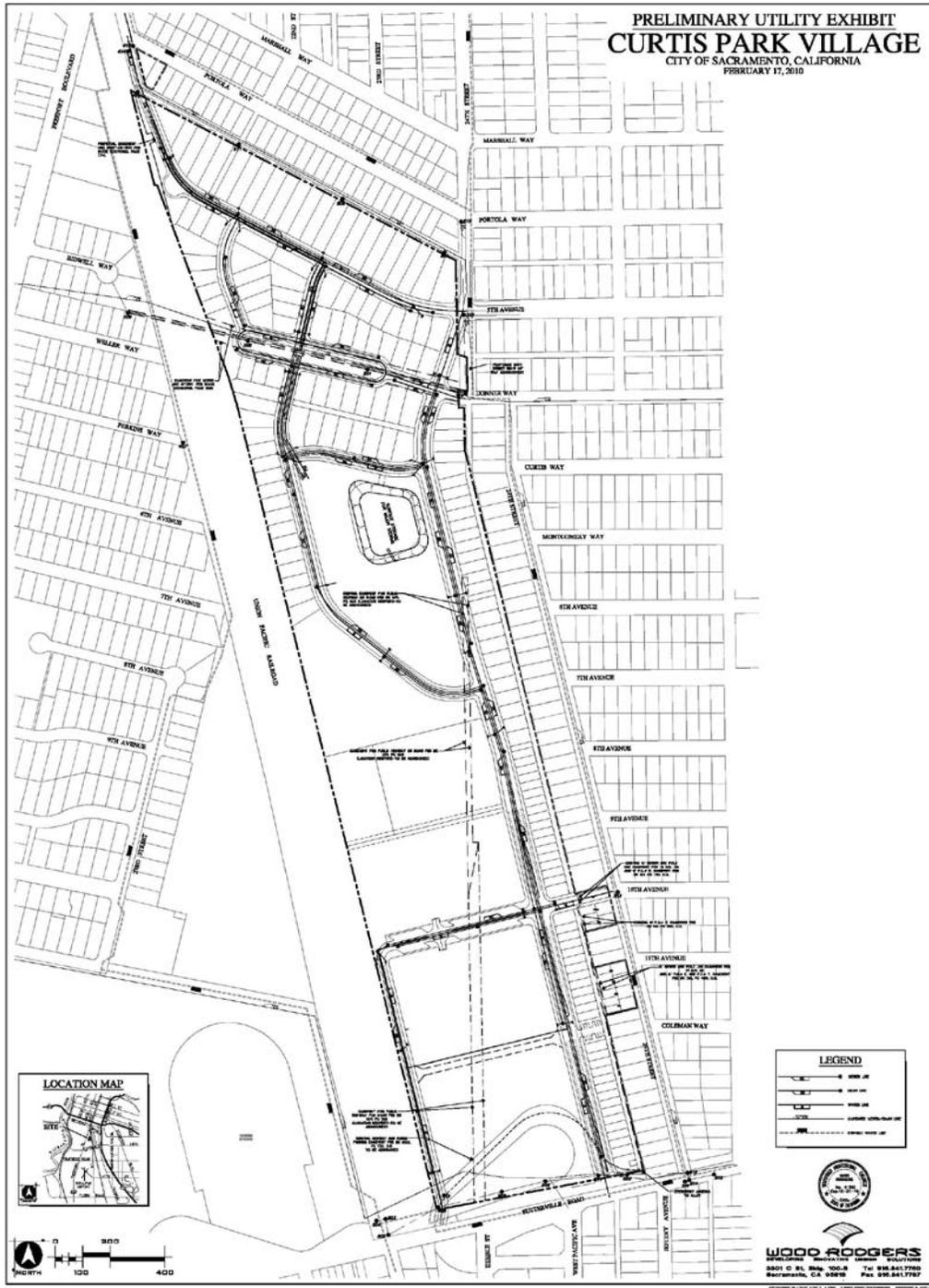
Attachment 13 – General Plan Land Use Designations



Legend 2030_GP_PREFERRED_LUD_04_10_08

-  Traditional Neighborhood Low
-  Traditional Neighborhood High
-  Traditional Center
-  Public

Attachment 14 – Utility Exhibit



Attachment 15 – SCNA Letter

SIERRA·CURTIS
NEIGHBORHOOD ASSOCIATION

February 9, 2010

Heather Forest
Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: Comments on Curtis Park Village (P04-109) December 18, 2009 Revised Version

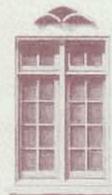
Dear Ms. Forest:

The Sierra Curtis Park Neighborhood Association (SCNA) submits these comments on the Curtis Park Village application.

Our comments are based on input SCNA has received from the dozens of public meetings held in our neighborhood to discuss the project. We have gathered feedback from hundreds of residents and met countless times with Petrovich Development in an effort to improve the proposed project.

SCNA thinks the project should be altered so it is consistent with the recently adopted Sacramento General Plan. Given increased understanding of global climate change, we support the goals of recently adopted legislation, including AB32 (the Global Warming Solutions Act of 2006) and SB 375 (Redesigning Communities to Reduce Greenhouse Gases), which specifically targets auto emissions by reducing vehicle miles traveled. SCNA is also mindful that this location is the second largest infill parcel in the city, near two light rail stations. It should be designed as a forward-looking, state of the art, infill development that will endure well into the next 50 years.

While SCNA understands there are significant financial demands on Petrovich Development stemming from the clean up of the toxics on site, we do not believe these circumstances should compel the City to accept a project that may be financially viable in the short term, but does not serve the surrounding neighborhoods or the City well in the long run. SCNA supports the City's statement that it has a responsibility to foster *"walkable, close-knit neighborhoods, distinctive, attractive communities with a strong sense of place, and supporting land use...that reduces vehicle emissions and improves air quality."* (See the City of Sacramento's Smart Growth Implementation Strategy, 2001).



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www.sierra2.org

SCNA is supportive of the proposed project if the following changes are made whether by incorporation into the Project's PUD Schematic Plan and Development Guidelines, by City-imposed conditions of approval or by other appropriate and enforceable means.

1) Reduce the size of the commercial zoning from 259,000 square feet of commercial/retail/office space to a maximum of 170,000 square feet of commercial/retail/office space. Curtis Park Village should reflect a Traditional Center Design as portrayed in the General Plan.

In past correspondence, SCNA has requested no more than 150,000 square feet of commercial zoning in the Curtis Park Village PUD. However, in recognition of the information contained in several SACOG letters (5/12/09 and 10/7/09) which analyzed the reduction in vehicle miles traveled per household based on commercial vs. multi-family housing, SCNA would support up to 170,000 square feet of commercial/retail/office space in the development. According to the SACOG letter, if the size of the proposed commercial zoning is greater than 170,000 square feet, it would create a "destination" development and can be expected to generate an increase in vehicle trips from outside the adjacent neighborhoods. We recognize the reduction in commercial space means there could be a corresponding increase in residential housing of up to 100 units.

SCNA is opposed to more than 170,000 square feet of commercial/retail/office space and supports a Traditional Center for the following reasons:

- The proposed 259,000 square feet of commercial space is a suburban, auto-oriented design that is not consistent with the Sacramento General Plan's designation of this area as a Traditional Center. A Traditional Center design is oriented towards walking, biking and transit and features a street grid.
- Due to the very limited access to this site, the commercial and residential density of the development should match the capacity of Sutterville Road and neighborhood streets.
- A commercial development of this proposed size can not be supported by residents of Curtis Park Village and its adjacent neighborhoods, nor is it economically sustainable. In order to be successful, this commercial space would require support from a very large number of households throughout the region and therefore does not meet the City's definition of "neighborhood serving" commercial and retail space.
- A commercial project of this size is not warranted given the large number of commercial retail properties in the region that have been vacated. In the SACOG letter of 10/7/09, SACOG cites recent research that reports *"over 890,000 square feet of commercial properties in the region have been vacated, of which 118,000 square*

feet are in this sub-market area." (Page 6). SACOG further states "These data indicate that regionally and nationally, retail may have been overbuilding in recent years and that demand for retail space may flatten or decline in the future." (Page 6).

- This oversized commercial space proposed by the applicant will damage the blossoming neighborhood-serving businesses on Broadway and Freeport and Franklin boulevards. After citing the most recent research it has conducted showing the increase in retail vacancies and the overbuilding of commercial space, SACOG (10/7/09) states, *"Given all of this, another reasonable planning question to ask is what effect the amount of retail on this Curtis Park Village site might have on retail viability in the surrounding area, including targeted areas for redevelopment such as Broadway, Freeport, Sutterville and Franklin Boulevard."* (Page 6). In the same letter, SACOG reports its last inventory of local general plans during the Blueprint study indicated a surplus of 79,000 acres of commercial-designated land in the region through at least 2050.
- The recommended commercial square footage of 170,000 is more appropriate because it will generate less out-of-the-area auto traffic, require less parking overall and eliminate the need for large suburban style parking lots.

2) Require a condition in the PUD's commercial zoning that limits the maximum size of any commercial/retail/office building to no more than 55,000 square feet of commercial/retail/office space to prevent "big box" retail stores.

In public meetings, the applicant has promised not to allow "big box" style commercial development and to support a commercial center that is in scale with the neighborhood. However, the proposed project application offers nothing to ensure this promise becomes a reality. SCNA asks that the City condition the PUD's commercial zoning by requiring that all commercial buildings be limited to no more than a 55,000 square feet footprint. In keeping an appropriate scale of commercial development, this condition must include a size limit to the parking lots associated with such commercial buildings to no more than a cumulative total of 225 parking spaces. (Note: SCNA is not endorsing multiple 225 space parking lots by making this recommendation.) Without these conditions, the City will not be able to guarantee that "big box" retail stores will not be built on this site in the future.

3) Extend the street grid and require commercial buildings to face the street

SCNA does not support the changes the applicant has made to the street grid in the most recent revision. The current configuration reflects the auto-oriented circulation pattern of a suburban development. The proposed plan does not include secondary streets to create small blocks in the commercial area or access to the affordable senior housing and multi-family units. The Schematic Plan and tentative maps should be revised to add at least one additional north/south road to relieve traffic congestion on the main project thoroughfare and to mitigate the impact of the increased traffic on the neighborhood. We ask that the PUD

Guidelines require all nonresidential buildings to front onto a street rather than a parking lot. This may require more than one entrance for each building. It will also require the creation of a true *neighborhood* street grid. SCNA has attached an Alternative Schematic Plan proposal that would establish a true neighborhood street grid pattern along the lines of what is called for in the Sacramento General Plan. Equally important is the requirement of maximum street connectivity between the project and the neighborhood. Specifically, there should be two-way connections at 21st Street, 10th Avenue, 5th Avenue and Donner Way.

4) Allow further comment and development of the PUD Design Guidelines

The draft PUD Design Guidelines are incomplete and lack sufficient detail for a project of this scale and importance. The PUD Schematic Plan and Development Guidelines, as well as the Curtis Park Single Family Home Design Guidelines, are necessary to ensure Curtis Park Village (CPV) develops in a style and scale that is complementary to and compatible with the existing traditional neighborhoods. When will the applicant provide the complete PUD Design Guidelines for the City and SCNA to review? The City should not act on this project until adequate PUD Guidelines have been prepared and reviewed.

Provisions need to be in place for the future of the PUD when the development occurs. SCNA requests the City establish a CPV design review board, whose members would balance the rights of the property owner and the interests of the surrounding neighborhoods. This design review board's responsibility would be to review special permits and housing designs.

SCNA requests the opportunity to provide additional input into the PUD Guidelines when they are more fully developed in the coming weeks and we urge the Council to defer action on the project until the PUD Guidelines are complete. In the meantime, we request that the PUD Guidelines include these items:

- 1 All buildings should require a special permit review, not just buildings larger than 50,000 square feet.
- 2 Duplexes and granny flats should be allowed by right on single family lots. Also, include the option to build fourplexes and triplexes to allow for more affordable housing units and a wider variety of ownership housing types and sizes, including live-work units.
- 3 Establish a stricter ratio for parking spaces for retail (1 space for every 650 square feet) to reduce the dependence on the automobile and promote transit.
- 4 Require some small, pocket parks in the project so there is additional green space throughout the development. In particular, create a small pocket park around the large mother oak tree in the alley behind Portola Way.

5) Because of the serious safety issues related to the toxics; the Master Plan for the proposed park must be completed and approved before the State Department of Toxic Substances Control approves any revision of the Remedial Action Plan (RAP) and before the City approves the Curtis Park Village project.

In a recent public meeting, the applicant stated to SCNA that he intends to propose to the City Council a non-standard approval process where:

- a) The City Council would be asked to certify the EIR for the project at the April 1st City Council meeting.
- b) The Department of Toxic Substances Control (DTSC) could then use that EIR for amending the Remedial Action Plan (RAP) (after going through the public input process).
- c) After the RAP is amended, the City Council would act on the project entitlements (rezoning, tentative maps, PUD Guidelines, Schematic Plan etc.)

There is a fundamental problem with this process the applicant is proposing. The result of this non-standard approval process is that DTSC will decide on the needed remediation of the site **before** the City Council has decided what the ultimate land uses for the project will be. SCNA is very concerned about this unprecedented approach that would compromise Senate Bill 120, authored by then Senator Ortiz and Assembly Member Steinberg. Specifically, SB 120 protects the City's right to make decisions about land uses so that the clean-up process is driven by the City's approved land uses rather than DTSC.

Of particular concern is the effect of this non-standard process on the future utility of the 6.8 acre neighborhood park proposed for Curtis Park Village. SCNA is alarmed there is no requirement that the Master Plan for the park be completed before the tentative map goes before the City Council for approval. Such a Master Plan would provide needed guidance to DTSC on the requirements for this proposed land use (a 6.8 acre park) as required by SB 120 (see attached). The applicant has stated in public meetings that he will request that DTSC revise the RAP to allow disposal of the toxic soils beneath the park. If DTSC were to approve such a revision to the RAP, the action of DTSC, not the action of the City Council would determine what activities and uses may occur at the neighborhood park. The City, when it actually considers the development of the park, will be constrained by whatever RAP revision DTSC has approved. Accordingly, it is critical that the City approve the Master Plan for the neighborhood **before** DTSC considers any revision of the RAP.

SCNA urges the Master Plan for the park be completed and approved prior to the certification of the EIR and approval of the project, or that project approval be conditioned in a manner that assures appropriate development of the neighborhood park because:

- There are many unanswered questions related to the toxics that will be discussed during the public process to consider an amendment to the Remedial Action Plan

(RAP). If the City certifies the EIR and approves the project without a complete and approved Master Plan for the park and the RAP is amended, the City will lose its authority to establish specific development conditions for the park. Until the City has adopted a Master Plan for the park, DTSC can not know how the RAP should be revised.

- If DTSC approves the applicant's proposed revision to the RAP, then the proposed park will be built on top of the contaminated soil that will be capped with a geomembrane barrier material. While DTSC standards require only 1 foot of clean soil on top of the capped contaminants, the applicant has indicated his intention to have two feet of clean soil on the cap. Two feet of soil is barely enough dirt to provide for the 18 inch water drainage system for the park. Two feet of soil is insufficient for the subsurface drainage system required to keep surface water from seeping into the hazardous soil stored beneath the geomembrane and for the typical landscaping materials found in neighborhood parks.
- The applicant has also stated that a storm water storage basin will be built beneath the park's layer of toxics, leading to more concerns about the safety and monitoring of groundwater and river runoff.
- The residents of Curtis Park Village deserve a safe, functional neighborhood park. Parks usually contain amenities such as tot lots, adventure areas, sport fields, play equipment and group picnic areas. Design decisions related to shade trees, landscaping, irrigation, turf, ornamental trees and foundations for shade structures must be taken into consideration now, before DTSC amends the RAP. We do not believe a minimum of two feet of clean soil can support an adequate neighborhood park. (For example, in order for an average sized shade tree to be planted on top of the cap, a depth of clean soil of approximately 6-8 feet would be needed so the tree's roots would not disturb the geomembrane cap.) The best manner to ensure a safe, functional park with an adequate level of "clean soil," is to require a completed and approved Master Plan for the park as a condition of the tentative map.

6) Require a tentative map condition that establishes a Central Public Plaza or Village Green in the commercial area as a focal point and gathering space prior to the City's approval of any final subdivision map.

The City's definition of a Traditional Center provides for central, public gathering places, such as a village plaza or village square. We believe a Central Public Plaza or Village Green (a "Village Center") is essential for this project. This amenity would enliven the commercial area and give neighbors a place to gather. The size of the Village Center should be clearly stated in the tentative map. We urge the City to require a Village Center in the commercial area prior

to the City's approval of any final subdivision map.

7) Require a tentative map condition that conveys an easement to the City for the landing pad for a pedestrian overcrossing bridge between Sacramento City College and the Village Center prior to the City's approval of any final subdivision map.

The current application does not mention a pedestrian overcrossing bridge between Sacramento City College and the commercial area. This is a serious omission. A bona fide Transit-Oriented Development (TOD) would feature medium-density housing, reduced number of parking spaces, mixed-use commercial, prioritized pedestrian and bicycle access throughout the project and maximized access to both light rail stations to the west of the project. Such a configuration represents what this development needs to look like to be viable in 20-50 years due to the impacts of climate change and the rising costs of energy and transportation.

In previous designs, the applicant has designated landing space for a pedestrian bridge, but located it behind buildings and parking lots, not in a place where it would be an active focal point and feel safe to use. We urge the City to take the lead to ensure optimal space allocation for the landing pad. We also urge the City to continue to coordinate multiple funding sources to build a pedestrian connection. SACOG is on record offering to work with the City to pursue federal funding for the pedestrian overcrossing. We applaud the foresight of City Council member Lauren Hammond and the City for understanding the need for a pedestrian overcrossing and securing funding to complete the feasibility study for its design.

SCNA urges a tentative map condition that conveys an easement for the landing pad for the pedestrian bridge connecting with the Village Center because:

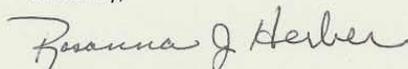
- The bridge will be a tremendous benefit for future residents of CPV. It will equally benefit Sacramento City College students and college staff who may wish to shop, work or live in Curtis Park Village. A recent Urban Land Institute report addressing climate change concluded that, "*one of the best ways to reduce vehicle travel is to build spaces where people can accomplish more with less driving.*" (The Sacramento Bee, September 23, 2007, page E6.)
- It is entirely unrealistic to expect students and faculty who drive to the campus to take bus service to the commercial area to purchase food or services. It is more logical that students and faculty would either drive their cars or walk over the pedestrian bridge to get to the commercial area.
- If there is a pedestrian overcrossing, many new residents who will live in the proposed apartment complex could more easily travel by transit to downtown jobs, lessening

the carbon footprint of this project.

- The combination of land use and light rail connection would epitomize the smart growth goal of "reducing vehicle emissions and improving air quality."

Thank you for the opportunity to comment on this project. We look forward to working with the City and the applicant to better shape this proposed project and get the development started. Should you have any questions, please contact me at (916) 952-1525.

Sincerely,



Rosanna Herber
SCNA President

cc: Councilmember Lauren Hammond
Mayor Johnson and City Councilmembers
City Manager Ray Kerridge
Department of Toxic Substances Control
Petrovich Development

Attachments:

Senate Bill 120
SCNA proposed Schematic Plan

CURTIS PARK VILLAGE

PROJECT UPDATE - MAY 2009

PROPOSED STREET GRID

Land Use Summary	
<i>(Total site is +/-72 acres)</i>	
Single Family Units	178
Commercial - Retail/Office	+/- 170,000 s.f.
Commercial - Entertainment	89,000 s.f.
Multi-Family Units <i>(not incl. affordable)</i>	212
Senior Housing Units <i>(affordable)</i>	80
Park and Open Space	7.5 acres



Single Family	<i>Acres (highlighted area):</i>	+/-33.3
	<i>Housing Units:</i>	178
	<i>Notes:</i>	Consistent with existing Curtis Park homes

Park/ Open Space	<i>Acres (total two areas):</i>	+/-7.5
	<i>Notes:</i>	Detention facilities for city and project, tot lots, sports fields

Multi-Family	<i>Acres:</i>	+/-7.8
	<i>Multi-Family Units:</i>	212
	<i>Notes:</i>	Condos, mix of unit sizes

Mixed-Use Commercial Area #3	<i>Acres:</i>	+/-4
	<i>Commercial (s.f.):</i>	89,000
	<i>Notes:</i>	Restaurants and entertainment

Mixed-Use Commercial Area #2	<i>Acres:</i>	+/-1.5
	<i>Commercial (s.f.):</i>	16,000
	<i>Notes:</i>	Small commercial space

Multi-Family (affordable)	<i>Acres:</i>	+/-1.7
	<i>Multi-Family Units:</i>	80
	<i>Notes:</i>	Senior units

Commercial Area #1	<i>Acres:</i>	+/-17
	<i>Commercial (s.f.):</i>	154,000
	<i>Notes:</i>	Neighborhood serving retail stores and restaurants



Attachment 16 – LPCA Letter



September 18, 2009

Heather Forest, Associate Planner
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento CA 95811

RE: Curtis Park Village (P04-109)

Dear Ms. Forest,

The Land Park Community Association (LPCA) wishes to express its support for the Curtis Park Village project in concept. We also wish to compliment Petrovich Development Co. for engaging the community in a sustained, healthy dialogue on this project. Similarly, we laud the Sierra Curtis Park Neighborhood Association for their thorough and responsible monitoring and review of this project over the past several years. Land Park has its own perspective on the project. In particular, our concerns center on traffic and design.

Traffic

While we recognize that more homes and businesses will bring both more amenities and traffic to Land Park, we are concerned that the project design does not adequately address the risks of traffic congestion.

Early last year, the City converted 21st Street into a neighborhood-friendly residential street, with two-way traffic and a 25 mph speed limit. The conversion, strongly supported by the neighborhood, has improved the quality of life and safety of residents, bicyclists and pedestrians. We are concerned that the current configuration of the development plan will funnel most of the project's residential commuter traffic on to 21st and overwhelm the street's traffic capacity during commute times, reversing the gains achieved by the recent conversion.

We are also concerned that Sutterville Road will be impacted from Interstate 5 to Highway 99. We ask that the final designs incorporate more traffic mitigation measures and auto-alternatives. In addition, we ask that a concerted effort be made to include a pedestrian/bicycle overpass in the design at the City College light rail station with the understanding that all stakeholders will share funding.

Design Guidelines

Land Park and Curtis Park are both traditional neighborhoods with smaller scale houses and lots, distinctive and varied architectural styles, walkable streets and a tangible sense of "place." We fear that the current development proposal contains many elements of a more contemporary, car-oriented suburban type of



development; elements that are inconsistent with our existing neighborhoods and that would undermine their unique character. To assuage these concerns, we urge you to examine the commercial development plan and impose the strictest design guidelines possible consistent with the present character of our neighborhoods.

Similarly, the design of the multi-family elements of the project will not evidently follow an urban model and may instead be more consistent with a car-oriented, suburban community. We ask that those aspects of the project also be subject to the City's urban design review guidelines to better conform with the residential communities nearby.

We think this project is potentially a catalyst for responsible infill in our neighborhood and Sacramento in general. To reach this potential, however, we believe that particular attention must be given to the items we have mentioned. As Ludwig Mies van der Rohe, one of history's greatest architects once said: "God is in the details." It is these details that we ask you to ensure here.

Jon Jensen
LPCA Land Use Committee Chair

Cc: City Councilmember Rob Fong
Petrovich Development Company
Mayor and City Council members
Planning Commission members

Attachment 17 – South of Sutterville Letter

SOUTH OF SUTTERVILLE IMPROVEMENT ASSOCIATION
2774 14th Street
Sacramento, CA 95818 (916) 812-2446

October 28, 2009

Heather Forest
Associate Planner
City of Sacramento
2300 Richards Blvd.
Sacramento, CA 95811

RE: Curtis Park Village PO 4109

Dear Ms. Forest:

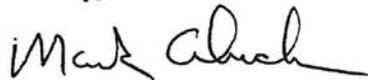
The South of Sutterville Improvement Association (SSIA) was initially formed to represent the interests of the businesses and landowners directly to the south of Sutterville Road in response to the adverse vehicle and pedestrian access issues that we envisioned might be created by the development of Curtis Park Village. We have worked closely with the developer and city officials to help mitigate some of the inherent problems that will result due to the change in access to both Curtis Park Village and our commercial district, which encompasses Deeble Street and West Pacific Avenue. In fact, our organization helped finance one of the traffic studies illustrated in the EIR. We appreciated both the developer's and City's rapid response and attention to our concerns, but due to changing traffic patterns seen over the past several months, we remain very concerned.

New metering at the northbound onramp at Sutterville at Highway 99 has substantially increased wait times to cross Franklin Blvd at 12th Avenue (Sutterville Road), with as many as 3 light changes. The stacking creates congestion west of Franklin Blvd. and influences the 4 existing entrances to the Curtis Park neighborhood. We can only assume that the new commercial district at the south end of Curtis Park Village will add to the existing problem. It is very predictable that traffic will be stacked by cars both turning northbound from Sutterville Road at Road A into Curtis Park Village and also from cars proceeding east towards Franklin Blvd. Drivers who will want to avoid this stacking will simply turn south onto West Pacific Avenue and either proceed into the residential neighborhood at Wilmington or take the West Pacific Bypass and proceed under the Sutterville overpass into the southwest corner of Curtis Park Village. Delivery trucks servicing the commercial district will also utilize this rear entrance the village. This creates an unacceptable potential for increased and unsafe traffic.

SOUTH OF SUTTERVILLE IMPROVEMENT ASSOCIATION
2774 14th Street
Sacramento, CA 95818 (916) 812-2446

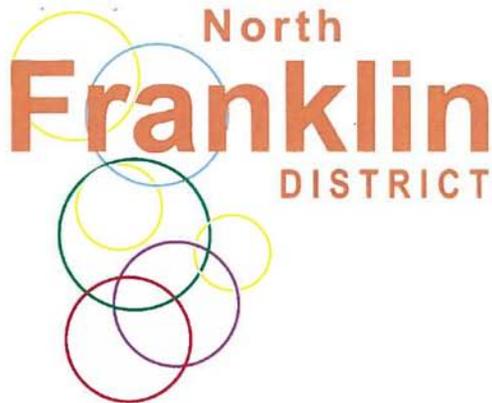
We consider the development of Curtis Park Village a highly desirable, harmonious complement to Land Park, Curtis Park, and the South of Sutterville Improvement District and complement the developer for his efforts to accommodate the varied interests. A solution to the existing and future traffic issues would be the construction of a 4-way light at the intersection of Sutterville Road and Road A, **constructed concurrently with the development of Curtis Park Village**. Entrance into our area must be designed per modern standards to safely accommodate the existing and future additional traffic from Curtis Park Village and regional traffic. This will also help further the City's goal of traffic calming in the existing residential neighborhood. We appreciate that the developer is obligated to provide signaling into his development only. We contend that the traffic problems, which already exist, are a regional issue that must be examined on a regional basis. In other words, funding to construct a 4-way intersection should be provided by all of the stakeholders represented, including taxpayers. Similarly, sincere efforts must be made by the same stakeholders, public and private, to help fund a pedestrian/bicycle bridge, bringing together Sacramento City College, Curtis Park Village, the neighborhoods to the south of Sutterville and the City College light rail station.

Sincerely,



Mark Abrahams
President
South of Sutterville Improvement Association

Attachment 18 – North Franklin District Letter



October 30, 2009

Ms. Heather Forest, Associate Planner
City of Sacramento
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

Dear Ms. Forrest:

The North Franklin District Business Association is in favor of the CPV Project however we have several concerns. Our concerns still center on traffic congestion and accessibility for our businesses on West Pacific and Deeble streets.

Recently, a metering light was installed on the northbound on-ramp to Interstate 99 from Sutterville Road. The level of service at the signalized intersection at Sutterville Road and Franklin Boulevard and Sutterville Road and 30th Street at commute times is now unacceptable and has further added to the risk of traffic congestion on Sutterville Road. We do not believe the applicant's traffic study addresses the addition of the metering light.

Vehicles stacked west of the Sutterville Road and 30th intersection queue into the Sutterville Road and Franklin Boulevard intersection frequently every day.

Secondly vehicles stacked west of the Sutterville Road and Franklin Boulevard intersection are waiting two and three light changes to proceed through the intersection. Many vehicles are diverting through the surrounding residential areas and the Mercado Loco, one of our member business' parking lot.

Franklin Boulevard already is an escape route for Interstate 99 during the rush hours and this project will impact the traffic congestion even more.

The applicant writes on page 5, "In addition to Road A, circulation to and from Area 1 for service and general vehicles will be facilitated via the existing Western Pacific Road underpass". In addition to the commercial traffic, residents of CPV will use the Western Pacific Road underpass to avoid the tremendous congestion that will exist leaving CPV at commute times and

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Ms. Heather Forrest
October 30, 2009
Page Two

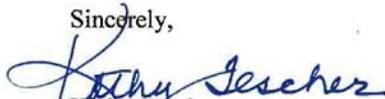
traveling east to the freeway. This will cause congestion in our area, which will spill into the nearby neighborhoods. Additionally, the intersection at West Pacific Avenue and Sutterville Road is not designed for the additional traffic volume. The additional traffic volume will create an unsafe situation for pedestrians and vehicles and result in accidents.

We propose the applicant sever its connection to this area via Western Pacific Road or create a four way intersection at the corner of Road A and Sutterville Road which is properly designed to accommodate the additional traffic volume the CPV project is introducing to our area.

Additionally, we feel this development should include a pedestrian/bicycle bridge, bringing together Sacramento City College, Curtis Park Village, the neighborhoods to the south of Sutterville and the City College light rail station.

In sum, we support this project in concept but remain concerned about traffic congestion and its effect on the North Franklin District and lack of accessibility for our West Pacific and Deeble streets businesses.

Sincerely,



Kathy Tescher
Executive Director

cc: Vice Mayor Lauren Hammond
Mayor and City Council Members
Petrovich Development Company
Planning Commission Members

Attachment 19 – WALK Sacramento Letter



January 31, 2010

Heather Forest, Associate Planner
City of Sacramento, Development Services Department
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

RE: Curtis Park Village (P04-109)

Dear Ms. Forest:

Thank you for the opportunity to comment on the Curtis Park Village project (P04-109). WALKSacramento submits this letter based on the December 2009 project routing for Curtis Park Village.

The December 2009 revision of the Curtis Park Village project retains many of the good characteristics of earlier proposals – connections to Curtis Park neighborhoods; multi-family housing; and a mix of uses, including residential, office, retail, and commercial.

The latest revision has several changes that are positive. The senior multi-family housing has been moved from the east side to the west side of road A. This will improve access to the retail and restaurants by eliminating the need for seniors to cross what is projected to be the busiest street in the project. The residential streets, with the exceptions of Road A and Road G, have been narrowed to 30'. This width should reduce average vehicle speeds and increase safety for pedestrians and bicyclists.

The most noticeable change in the December 2009 drawings is the removal of the roundabout. The three-way intersection at Road A and 10th Avenue has been moved to the east and changed to a conventional four-way intersection with signal lights.

1. Restore the roundabout at Road A and 10th Avenue

The use of roundabouts instead of signalized intersections can result in less severe collisions and injuries for pedestrians, bicyclists, and vehicle occupants. Roundabouts also moderate speeds through intersections and provide comparable throughput for all streets of the intersections.

The revised design of Road A may contribute to higher vehicle speeds compared to the October 2008 design for several reasons. Road A now has a 2800' long straight segment whereas the longest straight segment on the previous tentative subdivision map was about 1200'; the signals lights at 10th Avenue will usually be green for

north-south traffic; there are only three public-street intersections and three driveways along the straight section of Road A; along the park the street is wide for the projected traffic volumes; and between the park and 10th Avenue the street is wider than on the previous map. We believe these conditions make a stronger case for a roundabout at Road A and 10th Avenue.

2. Locate the senior housing closer to Area 1

The senior housing was placed about 300' farther from Area 1 when it was moved from the east side of Road A to the west side. Access to the stores and restaurants for seniors will be improved if the senior housing were moved south of its current location.

Many of the issues raised in our previous comment letters (October 20, 2008 and December 18, 2008) still remain and are restated below.

3. Increase the width of Road J as it approaches Portola Way

Road J between Portola Way and the elbow northwest of Road H is shown as a 42' ROW One-Way Residential street. Road J is the most direct route to the 4th Avenue / Wayne Hultgren Light Rail Station and there is no accommodation for bicycle travel in both directions. Both Road J and Portola Way south of 4th Avenue to Road J should be changed to two-way streets. If Road J and Portola Way cannot be widened, then the respective sidewalk sections should be widened to 10' to allow for mixed bicycle and pedestrian traffic.

4. Add tree wells and traffic circles to the north-south alley

The alley parallel to 24th Street is about 1800' long from Donner Way to 10th Avenue and about 950' long from 10th Avenue to the turnaround near Sutterville Road. The alleys are straight; except for a slight bend about 240' from Donner Way. We are concerned that some vehicle speeds may be dangerously high on these alleys. The design guidelines encourage one street tree per residence between the alley right-of-way and rear-yard fence, but there is no guidance regarding the east side of the alley where the existing fence will present a 1560' long uninterrupted flat wall along the northern section. Tree wells, perhaps one for every one or two lots, on the east side of the alley in addition to trees on each lot will present a low-speed driving environment. Traffic circles at the east end of access alleys Lot V and Lot X would also calm traffic on the alley.

5. Move park site to the north and add bulb-outs to park side of street

The park, like the commercial in Area 1, is not located in a place accessible to the greatest number of residents. It should be placed farther north with more homes to the south.

6. Provide public access parallel to Road A from Road E to 10th Avenue

Road A is the only north-south street where Village 4, 5, and 6 multi-family housing and Lot B health club, entertainment, and commercial uses are proposed. *WALKSacramento* recommends block sizes of 400' in urban settings. This would lead to adding a street by extending Road C north from 10th Avenue to connect to road E at the northwest corner of Village 6. However, a public pedestrian walkway from Road E through Village 6, between Villages 4 and 5, and through Lot B to 10th Avenue could provide the connection for pedestrians and bicyclists without the expense of constructing a public street.

7. The grocery store and neighborhood-serving retail should be close to the homes

Grocery stores, parks, and restaurants are popular destinations for walking trips within neighborhoods, and most of those trips are one-half mile or less. The revised map has the park in an ideal position – near the higher density multi-family residential and towards the geographic centroid of the single-family residential. The grocery store in Lot 1, though, is in the least desirable place to encourage walking because it's in the most remote location with parking between it and the housing. The residents of Curtis Park and the future residents of Curtis Park Village will have better access if the grocery store is closer to their homes.

We believe the best location for the grocery store is at the north end of Lot 1 with parking on the south side of the building. This location would provide the most convenient access for pedestrians approaching from the north (the apartments and most of the Curtis Park Village houses), the east (the senior housing and Curtis Park houses), and the west (the potential east-side landing of the pedestrian bridge from the Sacramento City College Light Rail Station).

8. Add Class I bike trail and narrow the width of Road A

The on-street bike lanes could be removed and north-south travel could be provided by a Class I bike trail along the western edge of the project site, as identified on the City of Sacramento Bike Master Plan proposed map.

WALKSacramento encourages people to walk and bicycle in their communities. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality and a stronger sense of cohesion and safety in local neighborhoods. *WALKSacramento* is a member of the Partnership for Active Communities. The Partnership is working to support increased physical activity such as walking and bicycling in local neighborhoods as well as helping to create community environments that support walking and bicycling.

Thank you for your consideration of these comments and recommendations. If you have questions or need additional information, please contact me at (916) 709-9843 or cholm@walksacramento.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Holm". The signature is fluid and cursive, with the first name "Chris" being more prominent than the last name "Holm".

Chris Holm
Project Analyst

WALKSacramento
909 12th Street, Suite #122
Sacramento, CA 95814

Attachment 20 – SACOG Letters

Sacramento Area Council of Governments

1415 L Street, Suite 300 Sacramento, CA 95814

tel: 916.321.9000 fax: 916.321.9551 tdd: 916.321.9550 www.sacog.org



May 28, 2009

Heather Forest Associate Planner 300 Richards Boulevard, 3rd Floor Sacramento, CA 95811

Dear Ms. Forest:

I am writing this letter in regards to the revised Curtis Park Village Plan, project P04-109. In 2005, SACOG Director Lauren Hammond requested that we analyze the preferred site plan for Curtis Park Village. We conducted our analysis and submitted a letter to the city council commending the Curtis Park Village plan for its outstanding site plan. The 2005 plan was in the spirit of the Blueprint growth principles. After a revised site plan was prepared in June 2008, we analyzed it and wrote a second letter. That letter expressed our disappointment in the June 2008 plan as it had changed significantly from a higher density, balanced plan to a plan with segregated low density land uses including 216 low density residential units and large commercial sites totaling over 305,000 square feet. As the plan has been revised as of November 2008, we would like to take this opportunity to analyze the current version of the plan.

SACOG staff evaluated the developer’s current site plan against the Blueprint growth principles. The developer’s site plan proposes a mixed use community comprised of 178 single family dwelling units, 212 multi-family units, 80 senior housing units, approximately 260,000 square feet of commercial, and a 7.5 acre park on approximately 72 acres. We understand from the developer that he is open to either commercial or multi-family uses on the parcel known as Mixed-Use Commercial Area #3. Our analysis of the project treats each of these options as equal possibilities. In this letter, these two options will be referred to as Option A (commercial on Area #3) and Option B (multi-family on Area #3). For Option B, the multi-family option, we assumed the 89,000 square feet of commercial space are removed and applied the site’s average multi-family density of 31 dwelling units per acre to the 4-acre site, for the addition of 124 dwelling units to the site plan. The following are our findings from the technical analysis on both development options:

- Two commonly used measures within the planning profession to determine whether automotive transportation is reduced are vehicle miles traveled (VMT) and vehicle trips (VT). VMT is the amount of mileage the average residential household and/or employee in an area will travel in one day. VT is the number of vehicle trips made by the average residential household of an area in one day. SACOG was able to analyze the developer’s site plan (Options A and B) and the developer’s prior two plans in a regional travel model to compare VMT/HH and VT/HH. A table summarizing these results is presented below.

Auburn Citrus Heights Colfax Davis El Dorado County Elk Grove Folsom Galt Isleton Lincoln Live Oak Loomis Marysville Placer County Placerville Rancho Cordova Rocklin Roseville Sacramento Sacramento County Sutter County West Sacramento Wheatland Winters Woodland Yolo County Yuba City Yuba County

Curtis Park Village Scenarios	Housing Units	Commercial Square Footage	Vehicle Trips per Household	Vehicle Miles Traveled per Household
2005 Developer Site Plan	549	200,000	7.72	32.57
June 2008 Developed Site Plan	216	305,000	10.73	45.16
Nov 2008 Developer Site Plan, commercial on Mixed-Use Area #3	470	259,000	9.14	38.37
Nov 2008 Developer Site Plan, multi-family option on Mixed-Use Area #3	594	170,000	7.47	31.46

- On a per household basis, both the Nov 2008 site plan Option A and Option B perform better than the June 2008 site plan, with 15% and 30% fewer VMT/HH, respectively. However, the Option B site plan outperforms the Option A site plan and slightly outperforms the 2005 site plan. The differences between Option B and Option A are more notable in vehicle trips per household: Option B generates 18% fewer VT/HH than Option A. The better travel benefits of the Option B site plan are due in part to the higher housing density of the plan combined with the site's location in a highly walkable neighborhood with good transit access.
- Infill, particularly on constrained sites such as this project, is a strategy essential to the success of the Blueprint. We recognize that the site's access presents challenges, but also applaud the efforts of the city and developer to make use of this infill opportunity. We understand that the developer has preserved a landing for a pedestrian bridge connecting the site to Sacramento City College. We understand such a bridge would be a significant cost; we are willing to work with the city to explore funding possibilities if short term funding is not available. To maximize use of the pedestrian bridge, housing at its eastern landing would be the most optimum situation, since most users of the bridge will likely be traveling from Curtis Park to the Sacramento City College light rail station.
- The Blueprint principle of providing transportation choice states that development should be designed to encourage the use of alternative modes of transportation. In areas around light rail stations, this means placing higher densities within walking distance of the stations and providing maximum circulation for all modes of transportation. The Curtis Park Village development is ideally situated to provide transportation choices as it is within ¼ mile of two light rail stations and has frequent bus service. We are pleased to see the numerous pedestrian and bicycle connections into, out of, and within the site. The pedestrian/bicycle connection at 10th Avenue is especially important to a future pedestrian bridge. In keeping with the site plan's efforts to blend the development into the existing neighborhood, we encourage the city to adopt transportation option 1, the "neighborhood connection option," which continues both 5th Avenue and Donner Way across 24th Street into the site. This option would maximize the travel benefits for all modes of travel into and out of the site.

- Compact development and a variety of housing options are important to the Blueprint planning principles. The proposed project provides a variety of housing options including traditional single family homes, duplexes, brownstones, and attached multi-family units.
- Mixed-use development has proven to create active, vital neighborhoods and is a key Blueprint planning principle. The Option A site plan, with an estimated 900 retail employees (based on proposed square footage), clearly is intended to draw retail customers from beyond the immediate local area. The ratio of retail employees to households for the project is 1.9 (assuming approximately 300 square feet per employee), more than six times the regional average of 0.3. As indicated in our first finding, above, the lower ratio of the Option B site plan, due to more housing and less commercial area, is the primary reason for its greater travel benefits. SACOG would like to see vertical mixed-use where residential is built above commercial or office uses; our understanding is the developer is not proposing this. To ensure a true mixed-use environment, the horizontal mixed use planned for the southern half of the site should have a more urban than suburban design to ensure pedestrian and bicycle access between the residential and mixed commercial uses.
- The design details of a land use development affect the attractiveness of a neighborhood and influences how often people walk or bicycle. These design details include street pattern and design, good architectural design, and the relationship of structures to the street. The detached single family homes in the proposed project appear to bring the front of the house closer to the street while placing the garage towards the rear of the house, which creates a more pedestrian-supportive environment. It is critical also that the multi-family housing and commercial buildings, especially those portions that abut the street, should also be designed to a pedestrian scale and oriented so that fronts on the street. In the commercial areas, pedestrian and bicycle traffic should be protected from crossing large expanses of parking lot, as such site design discourages pedestrian and bicycle travel. As part of the design for these areas, structured parking could be explored. If this is not feasible in the short term, the site plan could be designed to anticipate future structured parking when it becomes economically feasible. As with any proposed infill development, it will be essential that the City's design review process carefully examine the design of the proposed structures to ensure the attractiveness of the new neighborhood and its enhancement of the surrounding area.

Thank you again for your consideration.

Sincerely,



Mike McKeever
Executive Director

Sacramento Area Council of Governments: Basis for Comment on Development Proposals

The Sacramento Area Council of Governments (SACOG) is comprised of six counties and 22 cities in the region, including the City of Sacramento. SACOG's primary responsibility is developing and implementing the Metropolitan Transportation Plan (MTP), a document that establishes transportation spending priorities throughout the region. The MTP must be based on the most likely land use pattern to be built over the 25-year planning period, and it must conform with federal and state air quality regulations.

The MTP must effectively address two, linked, challenges. Current land use patterns, transportation funding levels, and transportation investment priorities are projected to lead to an increase in vehicle miles traveled that exceeds population growth, an increase in congestion levels of 50%, and increases in mobile source emissions, particularly carbon dioxide and particulates¹. To attempt to solve these challenges two and one-half years ago the SACOG Board initiated the Blueprint project, an extensive study of the linkages between transportation, land use and air quality. The study has examined a number of growth alternatives at the neighborhood, county and regional scales and reached several important conclusions, including:

- The region will experience strong growth for the next 50 years, approximately doubling the number of jobs, people and houses;
- The structure of the population will change significantly, with two-thirds of the growth in households 55 years and older, and only 21 percent of the growth in households with school aged children;
- Older households have different housing needs and preferences than younger households – over two-thirds of today's householders over 55 express housing preferences for what might be termed non-traditional products in this marketplace – homes on small lots and attached housing;
- The rapid increase in housing prices in the region in the past few years has priced many people out of the home-buying market, emphasizing the need for alternative products such as small lot single family and attached housing that can be priced in a range that more people can afford;
- There is a strong connection between land use patterns, travel behavior and air quality;
- Specific land use patterns that lead to increased walking, biking and transit use and shorten the length of automobile trips include higher density housing and employment, locating jobs and housing near each other, and providing strong connectivity in the design of street and bicycle/pedestrian systems.

¹ SACOG Metropolitan Transportation Plan, 2002

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October 7, 2009

Lauren Hammond
Councilmember/SACOG Director
City of Sacramento
City Hall – Fifth Floor
915 I Street
Sacramento, CA 95814

Re: Proposed Plan for the Curtis Park Railyards

Dear Director Hammond:

This letter provides additional information related to the letter we submitted to you on August 6, 2009, which reported our travel model results for the Sierra Curtis Neighborhood Association’s (SCNA) proposal for the Curtis Park Village development project. Since you last invited us to model that alternative, we received an updated site plan from the project proponent, and an updated proposal from SCNA. We have modeled these plans, as well as the 2008 Developer Option B plan, using SACOG’s tour-based activity model (SACSIM). SACSIM is the best tool for analyzing alternative development proposals like this, because it uses parcel-level land use data and accounts for factors like proximity to transit, and mix of land use (e.g. combining retail and service uses with residential) in a much more detailed way than SACOG’s older, zone-based model (SACMET). SACSIM is the state-of-the-art travel model in the field. This letter describes the model results of the three plans, and, in response to Phil Harvey’s request to both of our offices, provides some additional information regarding travel behavior associated with the retail portion of the project.

The three scenarios we modeled can be described as follows:

Developer Option B Plan

This plan was presented to SACOG by the developer as an acceptable alternate version of the developer’s 2008 plan. It includes 594 housing units (416 multi-family and 178 single-family units) and 170,000 square feet of commercial space. The plan is distinguished, from the developer’s 2008 plan in the conversion of Mixed-Use Commercial Area #3 from commercial to multi-family.

Developer August 2009 Plan

This plan was provided to SACOG by the developer in August 2009. It includes 631 housing units (337 multi-family and 294 single-family units) and 249,000 square feet of commercial space. This plan differs from the developer’s 2008 plan in 10,000 fewer square feet of commercial and 161 additional housing units.

- Auburn*
- Citrus Heights*
- Colfax*
- Davis*
- El Dorado County*
- Elk Grove*
- Folsom*
- Galt*
- Isleton*
- Lincoln*
- Live Oak*
- Loomis*
- Marysville*
- Placer County*
- Placerville*
- Rancho Cordova*
- Rocklin*
- Roseville*
- Sacramento*
- Sacramento County*
- Sutter County*
- West Sacramento*
- Wheatland*
- Winters*
- Woodland*
- Yolo County*
- Yuba City*
- Yuba County*

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SCNA Plan

This plan was provided to SACOG by the Sierra Curtis Neighborhood Association in September 2009. It includes 690 housing units (446 multi-family units and 244 single-family units) and 153,500 square feet of commercial space. Of the commercial area, 50,000 square feet are in a vertical mixed use format with 132 of the multi-family units.

In all three of the above plans, the majority of the single family housing is located in the north half of the site, the majority of the multi-family housing is located in the middle of the site, and all of the commercial is located in the south half of the site. Table 1 provides a summary of the housing and employment characteristics of the three scenarios.

Table 1	Project Housing and Employment Information			
	Total Housing Units	Multi-Family Units	Single-Family Units	Commercial Sq. Ft.
Scenario				
Developer Option B Plan	594	416	178	170,000
Developer August 2009 Plan	631	337	294	249,000
SCNA Plan	690	446	244	153,500

Travel Forecasting Results

As mentioned above, SACOG used its SACSIM travel demand simulation model for this evaluation. The measures we focused on in the model were: vehicle miles traveled (VMT) transit trips and walk/bike trips. VMT is of interest for two general reasons. First, it is a good indicator of the transportation-related greenhouse gas emissions (GHG) generated by the project. Second, VMT is a good measure of the “fit” between land use and transportation—the lower is VMT (all else being equal), the better is the fit. Travel by transit is of unique interest for this site, because of its proximity to two light rail stations with frequent service throughout the day.

Table 2 provides a summary of the travel forecasting results. Indicators are provided for two areas: the project area alone, and an expanded area of neighborhoods adjacent to the project (and inclusive of the project area). These areas are shown in Figure 1. Three basic indicators are provided: vehicle miles traveled; transit trips; and bike-plus-walk trips. The Table shows results of SACOG’s analysis of the three alternatives described above. The project area indicators include trips which either start or end within the project area; indicators for the expanded project area include the project area, and the surrounding area shown in Figure 1.

In terms of VMT to, from and within the project area itself, the Developer Option B is the lowest in both total and on a per unit (population plus jobs) within the project area. The SCNA is the next lowest in total, with about 2,500 more miles per weekday; the Developer Aug. 2009 Plan is the highest, with 4,400 more total miles. The Developer Option B is lowest in VMT, because it has the fewest dwellings, the highest share of multi-family dwellings (which tend to have lower travel demand), and a relatively low share of non-residential development.

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Looking at VMT per person-plus-job on the project site, the Developer Option B is the also lowest (6.7 miles), and the SCNA alternative is slightly higher than the Developer Aug. 2009 Plan (7.4 compared to 7.3 miles). All project alternatives are significantly lower than the regional average in VMT per person-plus-job (11.3 miles). From a regional perspective, this site very clearly is a high priority development opportunity site for reducing regional VMT and greenhouse gas emissions; growth that goes here means less growth will locate on the urban fringes of the region, where VMT is much higher than the regional average.

Table 2	Year 2035 Weekday Travel Indicators for Curtis Park Village and Surrounding Area		
	Developer Option B	Developer Aug.2009 Plan	SCNA Plan
<i>Project Area Only /1/</i>			
Vehicle Miles Traveled	12,830	17,198	15,343
VMT Per Person+Job	6.7	7.3	7.4
Transit Trips	156	177	202
Transit Mode Share	3.8%	3.5%	4.3%
Bike+Walk Trips	474	591	560
Bike+Walk Mode Share	11.7%	11.7%	11.9%
<i>Expanded Project Area /2/</i>			
Vehicle Miles Traveled	571,499	575,327	571,534
VMT Per Person+Job	16.3	16.2	16.2
Transit Trips	9,909	10,441	9,998
Transit Mode Share	6.3%	6.6%	6.4%
Bike+Walk Trips	13,930	14,135	14,110
Bike+Walk Mode Share	8.9%	9.0%	9.0%
Source: Sacramento Area Council of Governments, October 2009. All indicators are produced using the SACSIM regional travel demand model. Notes: /1/ Project area includes the Curtis Park Village area only, and indicators include all trips and VMT for trips within CPV, and one-half of person trips with one end in CPV and the other outside CPV. /2/ "Expanded Project Area" is shown in Figure 1. Travel indicators are tallied in a similar manner to those shown for CPV. The "Expanded Project Area" also includes the CPV area.			

For the expanded project area, some of these VMT differences begin to change, but not completely. The SCNA alternative is the lowest in total VMT, just slightly below the Developer Option B; the Developer Aug. 2009 Plan is the highest in total VMT by about 3,700 miles per day.

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In terms of transit and bike-plus-walk travel, all project alternatives are significantly higher than the regional average in mode share. Transit mode share for the project area ranges from 3.5 to 4.3 percent, compared to 2.4 percent for the region as a whole. The bike-plus-walk share is also significantly above the regional average (8.3 percent) for all project alternatives. The project's proximity to two light rail stations is a major reason for the above regional average performance on both transit and bike-plus-walk travel.

You also asked us to look the amount of trips that currently need to leave Curtis Park due to the lack of commercial services within the neighborhood and to measure the effect of the proposed project on shortening or reducing those trips. Statistical data on retail leakage in the area was provided to us, although no analysis of the data from Claritas was included. Therefore, we are left to assume that the point of the data was that the retail included in the Developer August 2009 Plan might reduce overall VMT by replacing longer distance retail trips with shorter distance trips for people who live close to the site.

The leakage study we received covers a geographic area much larger than the Curtis Park neighborhood – covering between 37,000 and 55,000 households for a 2-mile to 2.5 mile radius. While “retail catchment area,” or market area, varies depending on the retail sector, type and size of retailer, and income and demographics of the surrounding population, we believe that the leakage data provided cover too large an area to assess the market leakage of a neighborhood commercial area. We also note that many of the retail sectors in the study are not proposed by any of the site plans, and two of the major proposed uses (grocery store and fitness center) are not included in the study. The retail sectors that were identified with the highest opportunity, or gap (about \$170 million of the \$220 million), were “automotive vehicle and parts dealers” and “general merchandise stores” (e.g. department stores, warehouse clubs and supercenters). Neither of these types of uses has been proposed for the site, and both would obviously draw from a much larger market than just the Curtis Park neighborhood.

We also examined the influence of the proposed project on the retail jobs-to-housing ratio (R/H) for the areas surrounding Curtis Park Village (see Figure 1), and the areas immediately south of Curtis Park. Today, without the project, the neighborhood ratio is 0.29 retail jobs per household, just below the regional average of 0.3 R/H. Keep in mind that the regional average of 0.3 R/H takes into account all scales of retail, from convenience stores to regional malls and auto dealerships. At a neighborhood scale, we would expect a lower average ratio than 0.3. We project in our adopted Metropolitan Transportation Plan that by 2035 the average for the area, without Curtis Park Village, will increase to 0.35, higher than the regional average. This indicates that at least in terms of gross square footage and employment the retail opportunities in this area will be greater than needed to serve a neighborhood area. It is important to point out that this level of analysis does not take into account specific retail niches that may be underserved in the area.

Table 3 shows that all three versions of the project discussed in this letter, increase the R/H ratio beyond the regional average, with the Developer Aug 2009 plan at the highest ratio. It indicates that a higher retail ratio will likely attract more trips from out of the area.

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Table 3	Retail Jobs-to-Housing Unit Ratio	
	Year 2005	Year 2035
Adjacent Neighborhoods without Project	0.29	0.35
Adjacent Neighborhoods with:		
Developer Option B Plan	0.32	0.37
Developer August 2009 Plan	0.35	0.40
SCNA Plan	0.31	0.36
Source: SACOG, October 2009.		

We looked at the results of our own travel demand modeling for any evidence of the impact of the varying levels of non-residential development on the project site. Table 4 provides a breakdown of the VMT indicators for the expanded project area in Table 2, according to how much of the VMT is internally captured within the expanded project area, versus how much VMT is generated from trips coming from outside the expanded project area. Developer Option B and the SCNA plan both show little change to travel coming from outside the expanded project area. Nearly all (95%) of the increase in VMT for the Developer Aug. 2009 Plan comes from outside the expanded project area (3,639 of 3,828 miles).

Table 4	Year 2035 Weekday VMT To, From, and Withing Expanded Project Area		
	Developer Option B	Developer Aug. 2009 Plan	SCNA Plan
VMT w/in Exp.Proj.Area	11,887	12,077	11,960
<i>Diff from Opt.B</i>	<i>Na</i>	<i>+190</i>	<i>+72</i>
VMT btwn Exp.Proj.Area and External Areas	559,612	563,250	559,574
<i>Diff from Opt.B</i>	<i>na</i>	<i>+3,639</i>	<i>-38</i>
Total VMT	571,499	575,327	571,534
<i>Diff from Opt.B</i>	<i>na</i>	<i>+3,828</i>	<i>+35</i>
Source: Sacramento Area Council of Governments, October 2009. All indicators are produced using the SACSIM regional travel demand model.			

Related to the topic of commercial space, SACOG has also been researching retail trends in preparation for an updated growth forecast for the next Metropolitan Transportation Plan. Because it appears timely and relevant to this project, we are sharing some of our preliminary findings with you. Nationally, CoStar reports that total commercial square feet per person grew over 10 percent over the last 20 years with a 20 percent increase in the square feet in shopping

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centers.¹ According to CB Richard Ellis, current commercial vacancies in the submarket that includes the project site (area south of Highway 50, north of Meadowview and east of I-5) are 10.8 percent, or over 484,000 vacant square feet.² Over the last 12 months, 890,000 square feet of commercial properties in the region have been vacated, of which 118,000 square feet are in this submarket area. In addition to these figures, SACOG's last inventory of local general plans during the Blueprint study indicated a surplus of 79,000 acres of commercial-designated land in the region through at least 2050.

On the demand side of retail, a Brookings Institution report has noted that personal consumption was a stable 62 percent of the Gross Domestic Product (GDP) 1960 through 1980. By 2008, personal consumption reached 70 percent on the GDP while personal debt grew from 55 percent of the nation income in 1960 to 133 percent of the national income in 2007.³ These data indicate that regionally and nationally retail may have been overbuilding in recent years and that demand for retail space may flatten or decline in the future. Given all of this another reasonable planning question to ask is what effect the amount of retail on this Curtis Park Village site might have on retail viability in the surrounding area, including targeted areas for redevelopment such as Broadway, Freeport, Sutterville and Franklin Boulevard. We will be developing much more detailed data on this topic for the next MTP over the next two years.

Again, thank you for inviting SACOG's involvement in this very important project. I want to stress, again. This is an important site for redevelopment in this city and the region. As we have noted in multiple prior letters, the various plans that have been developed for this site over the last couple years are consistent with many of the Blueprint principles. We, frankly, are concerned about the level of controversy surrounding this project that has appeared in the press of late. We hope that the information contained here will assist the city, applicant and stakeholders to reach agreement on final refinements to the plan so that can proceed with entitlements and construction. We are ready to assist in any way you would like to help the City achieve this.

Sincerely,



Mike McKeever
Executive Director

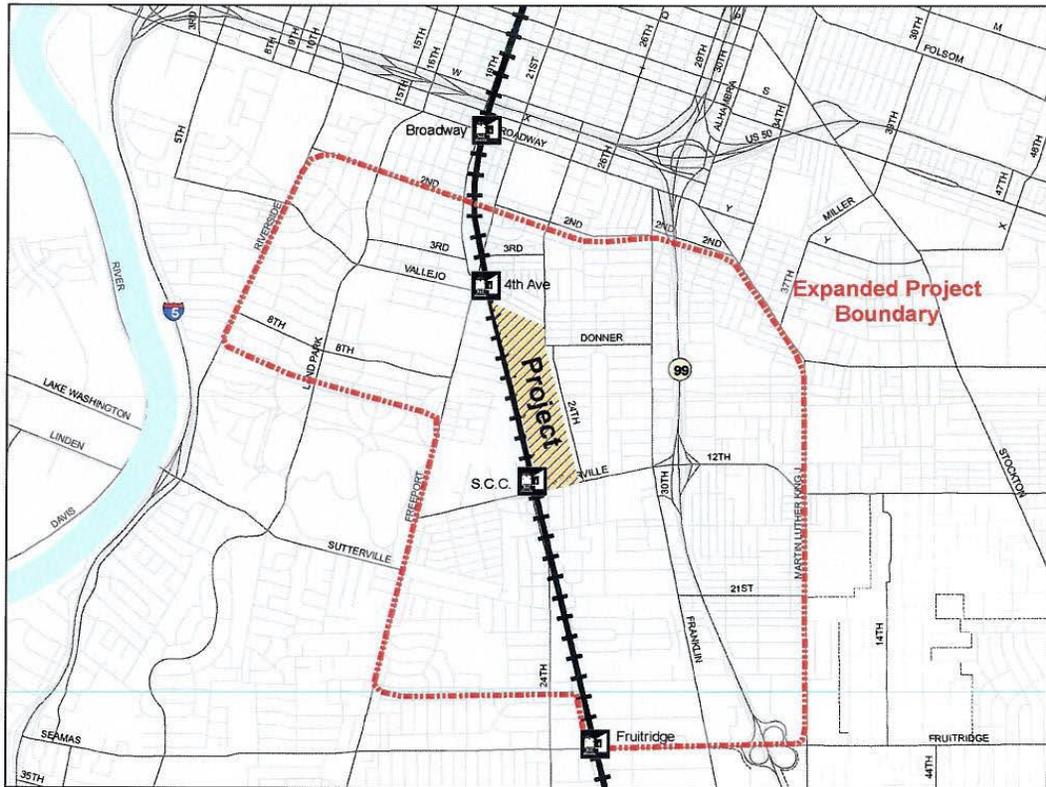
cc: Heather Forest, City of Sacramento
Phil Harvey, Petrovich Development Company
Rosanna Herber, Sierra Curtis Neighborhood Association
Joseph Hurley, Sacramento Metropolitan Air Quality Management District
Paul Marx, Sacramento Regional Transit

¹ CoStar, Kennedy, Kiplinger Business Resource Center, August 20, 2009. CoStar, Pardy, CoStar Headlines, May 16, 2007.

² CB Richard Ellis, MarketView Sacramento Retail, July 2009.

³ Brooks, New York Times, September 29, 2009

Figure 1. Curtis Park Village Project Area and Expanded Project Area



Source: Sacramento Area Council of Governments, October 2009.

Attachment 21 – MATRIX Contact List

Matrix Team Lead Contacts			
Department	Contact Person	Telephone	Email
Current Planning	Heather Forest	808-5008	hforest@cityofsacramento.org
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Parks	Mary deBeauvieres	808-8722	mdebeauvieres@cityofsacramento.org
Environmental Planning Services	Jennifer Hageman	808-5538	jhageman@cityofsacramento.org

Attachment 22 – Revisions to Chapter 2, Section 5.2, of the Final EIR and Response from Caltrans on the Final EIR

The following is the revised Section 5.2, of Chapter 2, of the Final EIR. This is the Section 5.2 that will be included in the final version of the Final EIR that will be prepared following certification. Some of the necessary corrections to the Traffic and Circulation chapter of the Draft EIR were inadvertently left out of the Final EIR.

Also attached are two letters from Caltrans in response to the Final EIR and a memorandum from a City traffic engineer regarding the responses. To date we have not received any other responses on the Final EIR.

5.2 TRANSPORTATION AND CIRCULATION

The text is corrected on page 5.2-3 of the DEIR, second paragraph, as follows:

24th Street is a four-lane arterial road from Sutterville Road south through Sacramento Executive Airport and the Florin Area of Sacramento to terminate near Meadowview Park in southern Sacramento. At Sutterville Road, the roadway is offset about 1,000 feet to the east and travels north near the project vicinity. It operates primarily as a two-lane collector road until around ~~Castro Street~~ 2nd Avenue where it widens to four-lanes and continues through Midtown Sacramento to the Southern Pacific railroad tracks just south of the American River.

For clarification purposes, page 5.2-3 of the DEIR, fifth paragraph is revised as follows:

Freeport Boulevard extends from I-80/I-50 south to the city limit. To the north, it continues as 19th Street and to the south, it becomes River Road. Between G Street and just south of 4th Avenue, it operates as a one-way southbound arterial roadway. As with 21st Street, a portion of Freeport Boulevard was recently converted to two-way traffic operations. It serves as an alternative route to connect to I-80/I-50.

Text in the first paragraph on page 5.2-5 of the DEIR is hereby corrected as follows:

The Sacramento Regional Transit District (RT) provides bus and light rail services near the project site. Three ~~Four~~ bus routes operates in the project area: Routes 62 (Freeport), 63 (24th Street-Hogan), ~~64 (24th Street City College)~~, and 83 (14th Avenue). Route 62 provides ~~daily service between Rush River Drive and the downtown area in 30 minute intervals~~ 30 minute service intervals Monday through Friday, hourly service on Saturdays, and no service on Sundays. It operates from about 6:00 am to 11:00 pm on weekdays, and 7:00 am to 10:00 pm on Saturdays, ~~and 9:00 am to 10:00 pm on Sundays.~~ Route 63 ~~and Route 64~~ provides service between Meadowview Road and the downtown area. Route 63 ~~While both routes converges~~ converges on 24th Street near the project site, ~~Route 63 and~~ and travels up Franklin Boulevard ~~and Route 64 up 24th Street~~ for much of their routes. ~~Service on both routes is provided on 60 to 75 minute intervals from about 5:30 a.m. to 8:00 p.m.~~

~~during weekdays. Service on Route 63 is provided on 60- to 75-minute intervals between 5:30 a.m. and 6:30 p.m. on weekdays, but is not offered during the weekends or holidays. Route 64 operates from about 7:00 a.m. to 6:30 p.m. on Saturdays. Route 63 has no Saturday service and neither routes have Sunday and holidays service.~~ Route 83 provides service between Riverside Boulevard and University/65th Street. In the project vicinity, it operates along Sutterville Boulevard at 30 minute intervals between 6:20 am ~~and to 8:00~~ 7:00 pm on weekdays. There is no service on weekends and holidays.

For clarification purposes, page 5.2-6 of the DEIR, last paragraph is revised as follows:

Sidewalks are provided along almost all of the streets in the project area ~~except for the elevated section of Sutterville Road.~~

For clarification purposes page 5.2-9 of the DEIR is revised as follows:

At locations where Year 2007 counts are not available, Year 2005 traffic volumes were adjusted based on Year 2007 counts at adjacent locations if the approach volumes are projected to be higher than Year 2005 counts. Traffic volumes were adjusted for the analysis of project impacts to account for the conversion of Freeport Boulevard and 21st Street to two-way operations. Please refer to the Baseline Conditions section.

To correct text, page 5.2-12 of the DEIR, is revised as follows:

While the 1988 General Plan was in place at the time this study was initiated, the City ~~is currently working on updating the General Plan, with adoption expected in early~~ adopted the 2030 General Plan in March 2009. In general, the *Draft 2030 General Plan* (City of Sacramento, May 2008) update includes similar goals with respect to the transportation system that were described in the 1988 General Plan. However, the goal related to roadway LOS is significantly different under the Draft 2030 General Plan update:

The following clarification has been added to page 5.2-22 under the Access Section:

The last scenario was evaluated qualitatively only based on a comparison of how trips would be distributed, and the remaining scenarios were analyzed quantitatively. With the installation of the proposed signalized intersection on Sutterville Road between West Pacific Avenue and Jeffrey Avenue (Road A), the traffic signal at the Sutterville Road/24th Street intersection would be eliminated. A majority of the through and neighborhood traffic north of the project traversing 24th Street has been reassigned onto the new Road A in this analysis.

The text on page 5.2-36, Mitigation Measure 5.2-1(b) is revised as follows:

5.2-1(b) *At the Sutterville Road / Road A intersection, provide overlap signal phasing to allow the southbound Road A right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and prohibit U-turns for the eastbound left turning movement; ~~and~~ add a southbound left-right lane to provide one left-turn lane, one left-right lane, and one right turn lane, and provide a dedicated right turn lane for the westbound Sutterville Road approach to the intersection. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

Page 5.2-43, Mitigation Measure 5.2-7 is revised as follows:

~~5.2-7(b) The project applicant shall modify the design at the intersection of the Road J extension/Portola Way, 4th Avenue, and Marshall Way to physically prohibit the northbound left turning movement from the Road J extension/Portola Way.~~

5.2-7(e**b**) *The site design shall be modified to reduce the potential for vehicles leaving parking stalls to back across pedestrian crosswalks. This change may require the elimination of some angle parking spaces.*

The first paragraph on Page 5.2-45 is revised to read:

The findings indicate that the peak parking demand for shared parking spaces at Curtis Park Village is ~~1,563~~182 spaces and would occur between 7:00 pm and 8:00 pm on a typical December weekend evening. This does not include the parking demand from the single-family homes as their requirements are assumed to be fulfilled by the individual garage provided for each unit.

To correct the text, Mitigation Measure 5.2-10(b) on page 5.2-54 is revised as follows:

5.2-10(b) *24th Street / Portola Way – The project applicant shall pay a fair share contribution to install a traffic signal at this intersection. ~~convert the intersection from all-way stop control to two-way stop control with stop signs only for the Portola Way approaches to the intersection.~~ This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a **less than significant** level.*

For clarification purposes, page 5.2-54, Mitigation Measure 5.2-10(e) is revised as follow:

5.2-10(e) *Sutterville Road / Road A – apply Mitigation Measure ~~4~~5.2-1(a**b**) which would provide overlap signal phasing to allow the southbound Road A Right turning traffic to proceed on a green arrow simultaneously with the eastbound left turning movement, and*

*prohibit U-turns for the eastbound left turning movement; ~~and~~ provide one left-turn lane, one left-right lane, and one right-turn lane on the southbound approach; ~~Also,~~ provide a dedicated right turn lane for the westbound Sutterville Road approach to the intersection; provide an actuated exclusive pedestrian phase to serve pedestrians crossing Sutterville Road; and optimize signal timing. This mitigation measure would reduce the impact of the Proposed Project and Access Scenarios 2 and 3 to a **less than significant** level.*

To correct the text, the first paragraph of the Mitigation Measure section on page 5.2-60 is revised as follows:

Implementation of Mitigation Measure 5.2-8(j) 10(h) would reduce the traffic queue at the northbound 12th Avenue off-ramp for the Proposed Project and all access scenarios to **less than significant** levels.

DEPARTMENT OF TRANSPORTATION
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February 26, 2010

03-2010-SAC-0009
03-SAC-99 PM 23.128
Curtis Park Village
Final Environmental Impact Report (FEIR)
SCH#: 200482020

Ms. Jennifer Hageman
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Dear Ms. Hageman:

Thank you for the opportunity to review and comment on Curtis Park Village FEIR (Project). The Project proposes to construct a mixed-use urban infill development on a 72-acre site located just south of the existing Curtis Park area. The development is composed of 183 single-family units, an 80 unit senior living apartment building, 212 multi-family units, 171,000 sq ft of commercial area, two restaurants, and one dinner theater. As stated in the FEIR, the Project has the potential to result in significant impacts to the State Route (SR) 99/12th Avenue southbound and northbound off-ramps and ramp intersections.

Our comments are as follows:

- The mitigation measures in the FEIR fall short of what is required at the Southbound (SB) off ramp at the SR 99/Sutterville Road interchange. Attached is our June 15, 2009 DEIR comment letter, where we expressed our safety concerns of vehicle queuing onto mainline SR 99. In this letter, we requested the City to widen the terminus of the Sutterville Road off-ramp to four lanes and to lengthen the deceleration lane to provide additional vehicle storage and preclude queuing on mainline under normal pm peak hour conditions. The mitigation measures in the FEIR calls for a three lane widening and no deceleration ramp. This falls short of the required mitigation for the Project, and we do not believe this mitigation will provide adequate after Project Level of Service (LOS). The City needs to construct four lanes at the ramp terminus and lengthen the deceleration lane.

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Ms. Jennifer Hageman
 February 26, 2010
 Page 2

- 5.2-1(c), Mitigation Measures, on page 37, state:
 Modify the southbound approach to the Sutterville Road / SR99 SB Ramps intersection to provide a left-turn lane, a combination left-through-right lane, and a right-turn lane. This change would consist of adding right-turning movements to the existing combination left-through lane and allow that movement to occur under signal control. This mitigation measure is required at five percent of development based on trip generation. The design of the mitigation is subject to the approval of the City's Transportation Department and Caltrans. This mitigation measure would reduce the impact of the Proposed Project and all access scenarios to a less than significant level during the p.m. and Saturday peak hours.

The Project Traffic Study, as referenced below, states that the cumulative impacts on the SB off-ramp will be LOS F (Table 5.2-18) and that there will not be adequate capacity (Table 5.2-19).

Table 5.2-18

State Route 99 Interchange Operations - Cumulative
 Southbound SR 99
 12th Ave. Off-Ramp
 AM LOS C, 27.50, 1,143 LOS D, 28.07, 1,209
 PM LOS F, 49.57, 1,349 LOS F, 50.97, 1,510
 Saturday LOS F, 41.43, 1,193 LOS F, 43.00, 1,372

Table 5.2-19

SR 99 Ramp Queues - Cumulative
 Proposed Project Available Capacity
 I-5 SB Off-ramp to Sutterville Rd.
 AM 975- No, 850- No
 PM 1175- No, 1500- No
 Saturday 1075- No, 1300- No

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Ms. Jennifer Hageman
February 26, 2010
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Given the need to address potential safety issues that would be exacerbated by the Project, Caltrans would like to meet with the City to clarify exactly the Project mitigation and potential ramp improvements. If you have any questions about these comments please contact Terri Bridges at (916) 274-0648. Caltrans staff is available for a meeting on the Project and its access issues.

Sincerely,



ALYSSA BEGLEY, Chief
Office of Transportation Planning—South

Attachment: Caltrans District 3 DEIR Comment Letter Dated June 15, 2009

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

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March 11, 2010

03-SAC-0009A PM 23.128
Curtis Park Village
Final Environmental Impact Report (FEIR)
SCH #200482020

Ms. Jennifer Hageman
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Dear Ms. Hageman:

This letter is an addendum to the Caltrans letter dated February 26th, 2010 regarding the Curtis Park Village FEIR. Based on recent discussions with the City of Sacramento and preliminary Caltrans field review, our additional comments are as follows:

- At your request and using the new information you sent, Caltrans performed another traffic operational analysis concerning the impact of the Curtis Park Village development on the ramps and intersections of the State Route (SR) 99/12th Avenue interchange. A field review for this analysis was conducted on March 10, 2010. As has been stated previously by Caltrans and as documented in the Curtis Park Village environmental document, existing high traffic demand from southbound SR 99 to westbound 12th Avenue creates unacceptable traffic congestion on the off-ramp. Insufficient lane capacity and lane storage exists for the off-ramp.
- Additional traffic congestion is created from eastbound 12th Avenue to northbound SR 99 movement onto the metered on-ramp. Insufficient lane capacity and lane storage exists for the left turn movement on the eastbound 12th Avenue structure, as well as on the northbound SR 99 on-ramp. An eastbound 12th Avenue traffic queue forms to the west and blocks all intersections in the area.
- Increased traffic volumes would cause these traffic movements to deteriorate further, as stated in the Curtis Park Village environmental document.

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Ms. Jennifer Hageman
March 11, 2010
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- The following mitigation improvements are recommended for the southbound SR 99 off-ramp and the northbound SR 99 on-ramp. These improvements would be necessary to provide adequate safety and operational traffic conditions at this interchange and should be provided by the responsible parties. It is understood that funding for some of these improvements may not be available at this time. It is Caltrans Traffic Operations opinion, based upon the field review, that the additional suggested improvements, the 600 ft. deceleration lane and the reconfiguration of the northbound SR 99/12th Avenue on-ramp, are technically feasible and do not require right of way, or excessively extensive earthwork, pavement, construction staging or traffic management plan work.
 1. Construct a 4-lane configuration at the southbound SR 99 off-ramp ramp terminus. The two right lanes should be as long as possible. The mitigation measure is already provided for in the Curtis Park Village environmental document. The traffic signal should be modified to accommodate two left turn only moves, one right/through move, and one right only move.
 2. Provide two left turn moves on eastbound 12th Avenue to northbound SR 99 off-ramp by restriping. The mitigation measure is already included in the Curtis Park Village environmental document.
 3. Construct a 600 ft deceleration lane for the southbound SR 99 to 12th Avenue off-ramp, if feasible. Design of the deceleration lane can be addressed during design of the 4-lane intersection configuration. Details from the Traffic Operations field review are provided below and illustrate that the improvement, from a technical perspective, is considered feasible.
 - Terrain is relatively flat with no retaining walls required. Approximately 25 ft of width from the edge of travel way (ETW) to the face of sound wall is available. A 12-foot lane with 8-foot shoulders is possible for the 600 ft length.
 - Remove approximately 600 ft of Type E gutter - replace with Type A Dike, and modify drainage as necessary.
 - With construction of the deceleration lane, a two lane exit is possible creating a trap on the deceleration lane and an option on the second lane.

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Ms. Jennifer Hageman
March 11, 2010
Page 3

4. Reconfigure and widen the 12th Avenue on-ramp to northbound SR 99, if feasible. Details from the Traffic Operations field review are provided below and illustrate that the improvement, from a technical perspective, is considered feasible.
- Restripe the on-ramp for two receiving lanes, which will extend 420 ft from the intersection at 12th Avenue northerly to the existing CHP enforcement area. Some earth work and pavement work would be required. Shoulder width is available and shoulders should be constructed.
 - Remove a portion of the island at the intersection to accommodate two 12 ft lanes.
 - Realign the right turning movement from westbound 12th Ave to the northbound on ramp to merge into the two new lanes over 150' distance.

Thank you for the continued coordination with Caltrans on the traffic and safety issues on the State Highway System related to this project. If you have any questions about the comments, contact Terri Bridges at (916) 274-0648.

Sincerely,



ALYSSA BEGLEY, Chief
Office of Transportation Planning - South



DEPARTMENT OF
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March 12, 2010

**Honorable Mayor and
Members of the City Council**

Subject: Caltrans letter dated March 11, 2010 regarding Curtis Park Village

Caltrans provided comments and recommendations about detailed improvements to the SR 99 southbound off ramp at 12th Ave intersection and the northbound SR 99 off ramp terminus at 12th Ave.

Their recommended improvements are included in the Curtis Park EIR and the Mitigation Monitoring Plan, as Mitigation Measures 5.2-1(c) and 5.2-10(h). The very detailed designed recommendation shall be worked out with Caltrans staff at the time of implementation of both mitigation measures since both mitigation measures are subject to review and approval by the City of Sacramento and Caltrans.

The mitigations in the Final EIR addresses Caltrans' concerns and no revisions to the EIR are necessary.

Sincerely,

Samar Hajeer

Samar Hajeer
Senior Engineer

cc: Hector Barron, City Traffic Engineer