

## CITY COUNCIL

Kevin Johnson, Mayor  
Angelique Ashby, Mayor Pro Tem, District 1  
Allen Warren, Vice Mayor, District 2  
Jeff Harris, District 3  
Steve Hansen, District 4  
Jay Schenirer, District 5  
Eric Guerra, District 6  
Rick Jennings, II, District 7  
Larry Carr, District 8

## CHARTER OFFICERS

James Sanchez, City Attorney  
Shirley Concolino, City Clerk  
John F. Shirey, City Manager  
Russ Fehr, City Treasurer



# Agenda

## City Council Financing Authority Housing Authority Public Financing Authority Redevelopment Agency Successor Agency

City Hall-Council Chamber  
915 I Street, 1<sup>st</sup> Floor

Published by the Office of the City Clerk  
(916) 808-5163

**Tuesday, August 18, 2015**  
**6:00 p.m.**

### **NOTICE TO THE PUBLIC**

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group. **Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.**

*Government Code 54950 (The Brown Act)* requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts meeting agendas on the City website, at City Hall as well as offsite meeting locations. The order and estimated time for agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The agenda provides a general description and staff recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. All meeting materials are also available at the meeting for public review. Contracts subject to the 10-day review period, as required by the Council Rules of Procedure, can be found on the City's website at: <http://portal.cityofsacramento.org/Clerk/Contract-Posting>

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams and indexed archives of meetings are available via the internet. Visit the City's official website at [http://sacramento.granicus.com/ViewPublisher.php?view\\_id=21](http://sacramento.granicus.com/ViewPublisher.php?view_id=21).

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

**Notice to Lobbyists:** When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

### **General Conduct for the Public Attending Council Meetings**

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

### **Members of the Public Addressing the City Council**

Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

**Speaker Time Limits.** In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

# AGENDA

**Tuesday, August 18, 2015**

**6:00 p.m.**

## ***City Hall – 915 I Street- First Floor Council Chamber***

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

### **Open Session - 6:00 p.m.**

#### **Roll Call**

#### **Pledge of Allegiance**

#### **Closed Session Report**

### **Consent Calendar Estimated Time: 5 minutes**

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

#### **1. (Pass for Publication) Greenfair Tentative Map (P14-040)**

Report # 2015-00655

**Location:** District 6

**Recommendation:** 1) Review a Resolution adopting the mitigated negative declaration and the mitigation monitoring and reporting program; 2) review a Resolution to amend General Plan designation from Traditional Neighborhood High Density to Traditional Neighborhood Low Density; 3) review an Ordinance to Rezone from Multi-unit Dwelling (R-3) zone to Single-unit or Duplex Dwelling (R-1A) zone; 4) review a Resolution approving a Tentative Map to subdivide the 6.85± acre site into 44 lots and site plan review for the tentative map; and 5) pass for publication the Ordinance titles as required by Sacramento City Charter section 32(c) to be adopted on August 25, 2015.

**Contact:** Elise Gumm, Associate Planner, (916) 808-1927; Antonio Ablog, Acting Senior Planner, (916) 808-7702, Community Development Department

#### **2. Citation and Arrest Authority for Designated Community Development and Public Works Employees**

Report # 2015-00679

**Location:** Citywide

**Recommendation:** Pass a **Resolution** granting citation and arrest authority to designated employees of the Community Development and Public Works Departments.

**Contact:** Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department

- 3. McKinley Village Community Facilities District No. 2015-04 (Improvements), Adopt Ordinance to Levy a Special Tax** (Passed for Publication 08/06/2015; Published 08/11/2015)  
Report # 2015-00296  
**Location:** District 3  
**Recommendation:** Pass 1) an **Ordinance** to levy a special tax on land within the McKinley Village Community Facilities District No. 2015-04 (Improvements); and 2) a **Resolution** creating an accounting fund for the district.  
**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 4. (Pass for Publication) Ordinance Amending Section 9.04.060 of the Sacramento City Code Relating to Public Nudity**  
Report # 2015-00716  
**Location:** Citywide  
**Recommendation:** 1) Review an Ordinance amending Sacramento City Code section 9.04.060 relating to public nudity; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on August 25, 2015.  
**Contact:** Katherine Lester, Police Captain, Central Command, (916) 808-4500, Police Department
- 5. Fourth Amendment to Revocable Permit Agreement for a Telecommunications Tower at Northgate Park**  
Report # 2015-00376  
**Location:** 2825 Mendel Way, District 3  
**Recommendation:** Pass a **Resolution** authorizing the City Manager or the City Manager's designee to execute the Fourth Amendment to Revocable Permit Agreement for Northgate Park (City Agreement No. 95-187), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS MPL 25-Year Sites Tower Holdings, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.  
**Contact:** Bill Sinclair, Facilities & Real Property Superintendent, (916) 808-1905; Jon Blank, Acting Facilities Manager, (916) 808-7914, Department of Public Works
- 6. Sixth Amendment to Revocable Permit Agreement for a Telecommunications Tower at Oki Park**  
Report # 2015-00377  
**Location:** 2701 Wissemann Drive, District 6  
**Recommendation:** Pass a **Resolution** authorizing the City Manager or the City Manager's designee to execute the Sixth Amendment to Revocable Permit Agreement for Oki Park (City Agreement No. 96-115), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.  
**Contact:** Bill Sinclair, Facilities & Real Property Superintendent, (916) 808-1905; Jon Blank, Acting Facilities Manager, (916) 808-7914, Department of Public Works

**7. Approval of 2015 Speed Lump Project**

Report # 2015-00676

**Location:** Citywide

**Recommendation:** Pass a Motion approving the 2015 Speed Lump Project.

**Contact:** Debb Newton, Program Analyst, (916) 808-6739; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

**Public Hearings**

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

**8. Third Party Appeal: Stockton and T Residential Mixed-Use (Noticed 08/07/2015)**

Report # 2015-00715      **Estimated Time: 25 minutes**

**Location:** District 6

**Recommendation:** Conduct a public hearing and upon conclusion pass 1) a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; and 2) a **Resolution** approving the Site Plan and Design Review and Tentative Subdivision Map to develop a 214 unit mixed-use use building and 21 single-unit dwellings in the General Commercial (C-2) Zone.

**Contact:** Antonio Ablog, Acting Senior Planner, (916) 808-7702; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

**Discussion Calendar**

Discussion calendar items include an oral presentation including those recommending “receive and file”.

**9. Ordinance Establishing the Sacramento Community Police Commission**

(Passed for Publication 08/11/2015; Published 08/14/2015)

Report # 2015-00724      **Estimated Time: 30 minutes**

**Location:** Citywide

**Recommendation:** Pass an **Ordinance** repealing and adding Chapter 2.110 and amending Section 2.40.030 of the Sacramento City Code to replace the Community Racial Profiling Commission with the Sacramento Community Police Commission.

**Contact:** Francine Tournour, Director, (916) 808-7345, Office of Public Safety Accountability

**Information Report**

This item is for information only and is not eligible for action at this time.

**10. Informational Report: Community Racial Profiling Commission First and Second Quarterly Reports for 2015 (January through June 2015)**

Report # 2015-00706

**Location:** Citywide

**Recommendation:** Receive and file.

**Contact:** Ken Bernard, Deputy Chief of Police, Field Services, (916) 808-0800, Police Department

**Public Comments-Matters Not on the Agenda** (2 minutes per speaker)

**Council Comments-Ideas, Questions and Meeting/Conference Reports**

**Adjournment**

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00655

**Title: (Pass for Publication) Greenfair Tentative Map (P14-040)**

**Location:** District 6

**Recommendation:** 1) Review a Resolution adopting the mitigated negative declaration and the mitigation monitoring and reporting program; 2) review a Resolution to amend General Plan designation from Traditional Neighborhood High Density to Traditional Neighborhood Low Density; 3) review an Ordinance to Rezone from Multi-unit Dwelling (R-3) zone to Single-unit or Duplex Dwelling (R-1A) zone; 4) review a Resolution approving a Tentative Map to subdivide the 6.85± acre site into 44 lots and site plan review for the tentative map; and 5) pass for publication the Ordinance titles as required by Sacramento City Charter section 32(c) to be adopted on August 25, 2015.

**Contact:** Elise Gumm, Associate Planner, (916) 808-1927; Antonio Ablog, Acting Senior Planner, (916) 808-7702, Community Development Department

**Presenter:** None

**Department:** Community Development Dept

**Division:** Planning

**Dept ID:** 21001221

**Attachments:**

- 01-Description/Analysis
- 02-Background
- 03-Aerial Map
- 04-Petition
- 05-Resolution (MND)
- 06-Resolution (GPA)
- 07-Exhibit A (GPA)
- 08-Ordinance (Rezone)
- 09-Rezone Exhibit
- 10-Resolution (Project)
- 11-Tentative Map

---

**City Attorney Review**

Approved as to Form  
Jeffrey Heeren  
8/12/2015 2:45:35 PM

**Approvals/Acknowledgements**

Department Director or Designee: Candace Noguchi - 8/10/2015 10:29:09 AM

## **Description/Analysis**

**Issue Detail:** The applicant proposes to reconfigure and subdivide 48 parcels totaling approximately 6.85± acres into 44 residential parcels in the proposed Single and Duplex Dwelling Unit (R-1A) Zone. To accommodate the project, a General Plan Amendment and Rezone are required. The current General Plan designation is Traditional Neighborhood High Density, and the applicant proposes to change it to Traditional Neighborhood Low Density. The current zone of the property is Multi-Unit Dwelling (R-3) Zone and the proposed new zone will be Single-unit and Duplex dwelling (R-1A) Zone. The project also requires approval of a tentative map for 44 single-unit residential lots and Site Plan Review for the proposed lots.

**Policy Considerations:** The 2035 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 proposed General Plan designation for the subject site is Traditional Neighborhood Low Density, which provides for low-intensity housing single-family detached and attached dwellings. The project proposes a density of eight (8) units per net acre, which is appropriate in the proposed Single-unit and Duplex Dwelling (R-1A) Zone.

The subject site, with its current R-3 zoning is one of the sites indicated in the Housing Element's Land Inventory that has an allowable density that can accommodate affordable housing. However, the land inventory currently has excess capacity and the proposed rezone to R-1A will not affect the City's ability to meet its Regional Housing Needs Allocation for 2013-2021. The proposed use is consistent with the Housing Element in that it promotes "quality residential infill development" (Policy H-2.2.1).

The proposed project meets the 2035 General Plan goals and policies and is consistent with the adjacent General Plan Designations that are Traditional Neighborhood Low Density at both north side and east side. The proposed reduction in zoning will allow for transition in scale and intensity of development between the existing single-unit neighborhood to the north and higher density apartments along Broadway at the south. The proposed General Plan Amendment and Rezone, which will provide an opportunity for ownership housing, has received support from neighbors.

**Economic Impacts:** None.

### **Environmental Considerations:**

The City of Sacramento prepared an Initial Study/ Mitigated Negative Declaration (IS/MND) for the Greenfair Tentative Map Project. In accordance with the California Environmental Quality Act (CEQA), the IS/MND was circulated for a 30-day public review period, which ended on June 8, 2015. The comment period was also advertised in a newspaper of general circulation and a notice of availability was sent to regulatory agencies, neighborhood associations, neighbors, and stakeholders in the project area.

Staff received four comment letters regarding the project during the public review period. The comments generally relate to land use and transportation. Comment letters and responses to comments are provided in the Initial Study as an attachment. Staff has made edits to the IS/MND for clarification purposes and the edits are outlined in the errata attached to the IS/MND. The comments raised and edits do not change the environmental determination made in the initial study. The Environmental Services Manager has determined that adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are appropriate actions under CEQA. The IS/MND for the project is available at the Community Development Department's webpage located at the following link:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>

**Sustainability:** Not applicable.

**Commission/Committee Action:** The Greenfair Tentative Map Project was heard by the Planning and Design Commission on June 25, 2015. Two members of the public spoke on the item—one representing the Tahoe Park Neighborhood Association, who was in favor and another who cited the attached petition (Attachment 7) and requested modifications to the subdivision design to address traffic concerns. At the close of public testimony, the Commission voted unanimously (12 ayes and 1 absent) to forward staff recommendation of approval of the Project to the City Council.

**Rationale for Recommendation:** The proposed project will provide a development opportunity for an underutilized site and will provide residential ownership housing options in the neighborhood. The project is compatible with the surrounding uses and is consistent with the goals and policies of the proposed Traditional Neighborhood Low Density General Plan designation and the applicable development standards of the proposed R-1A zone.

**Financial Considerations:** None.

**Local Business Enterprise (LBE):** Not applicable.

## **Attachment 2 – Background**

The project site is currently vacant except a few carports and four cul-de-sacs left from previous development. The site was developed as an apartment complex as part of the Greenfair experimental housing project. It was demolished by the Sacramento Housing Redevelopment Agency (SHRA) in 2002 due to numerous construction problems and neighborhood issues. Surrounding land uses include single-family residential to the north and east, commercial and medical facilities to the west, and open space to the south. Beyond the open space to the south is a multi-story senior residential building. The project site recently was sold to the applicant for development of single family homes based upon the outcome of extensive outreach with neighbors and the Tahoe Park Neighborhood Association.

### **Land Use/Zoning**

The project site is currently zoned Multi-Unit Dwelling (R-3). The applicant proposes to rezone the site to a Single-unit or Duplex Dwelling (R-1A) zone in order to provide a transitional density between the higher density Greenfair development site and the single-unit residential development to the north and east of the subject site. The rezone would ultimately allow the construction of 44 detached single family units.

The site's current R-3 zoning was meant to accommodate traditional types of apartments and is a remnant of the experimental housing that once occupied it. Rezoning the property to Single-Unit or Duplex Dwelling (R-1A) zone is compatible with the surrounding uses and will work in concert with the General Plan Amendment to allow for additional residential ownership opportunities in the neighborhood. The purpose of the R-1A zone is to permit single-unit or duplex dwellings, whether attached or detached, at a higher density than is permitted in the Single-unit Dwelling (R-1) zone. Usually the lot is narrower and smaller than lots in R-1 zone. This will provide transition in scale and intensity of housing type from the high density senior apartment at the south to the low density single family homes at the north. Staff recommends approval of the General Plan Amendment and Rezone as the project will provide ownership housing opportunities and is in compliance with the applicable General Plan goals and policies.

### **Tentative Map**

Map Design: The Tentative Map entitlement will subdivide the 48 existing parcels into 44 lots, totaling 6.85± gross acres for the development of the 44 detached single family units. The typical lot size is approximately 45 feet by 100 feet, ranging from 0.10 acre to 0.19 acre.

Vehicular Circulation: The project site is north of Broadway and the Fairgrounds Drive. Fairgrounds Drive will provide access from Broadway to the subdivision and four proposed cul-de-sacs will provide access to the lots within the project site.

Pedestrian Circulation: The project is required to construct subdivision improvements per City standards including a five foot separated sidewalk, and six and a half foot (6.5) foot landscape planter. The proposed sidewalk will connect to the existing sidewalk on Fairground Drive connecting to Broadway.

Walls, Fencing & Trees: The existing chain link fence at the west property line will be replaced with a six foot wood fence or other solid material.

The City Arborist surveyed the existing trees on the site and determined that all of them could be saved or removed at the developer's discretion.

Subdivision Review Committee: On May 20, 2015, the Subdivision Review Committee voted unanimously to recommend approval of the proposed Tentative Map subject to the recommended Findings of Fact and Conditions of Approval listed in Attachment 5.

City services are available to serve all of the proposed parcels and all improvements shall be designed and constructed to the satisfaction of the Development Engineering Division.

### **Site Plan Review for Review of the Tentative Map**

Although the applicant has not yet proposed house plans for review at this time, the proposed lots for future residential units have been reviewed in order to confirm they will be suitable for future homes. The following lot size, width, and depth are defined in the planning and development code for R-1A zone:

- A. Lot size. The minimum lot size is 2,900 square feet per dwelling unit.
- B. Lot width. The minimum lot width is 20 feet, except where abutting a lot in an R-1 zone, in which case the minimum lot width is 25 feet. The minimum lot width of corner lots is 38 feet.
- C. Lot depth. The minimum lot depth is 80 feet. The maximum lot depth is 160 feet.

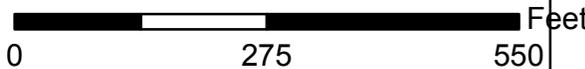
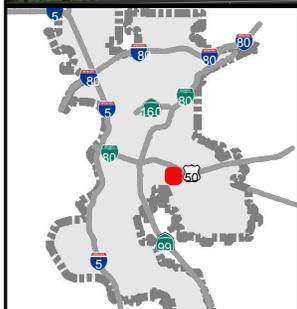
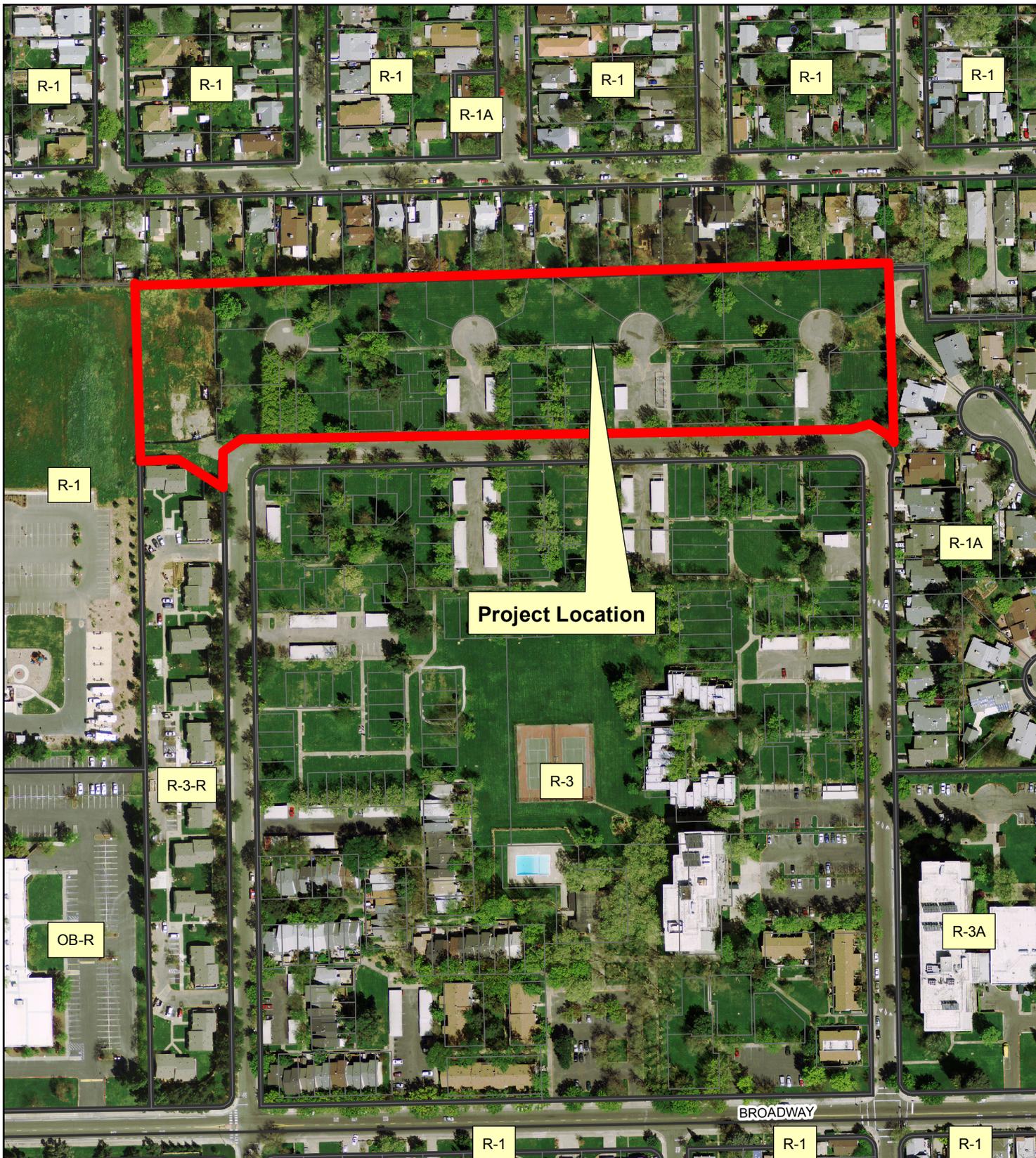
The proposed lots comply with the R-1A lot standards listed above.

## **Conclusion**

Staff finds that the proposal will provide a development opportunity for an underutilized site and will provide residential ownership housing options in the neighborhood. The project is compatible with the surrounding uses and is consistent with the goals and policies of the proposed Traditional Neighborhood Low Density General Plan designation and the applicable development standards of the proposed R-1A zone.

Table of Contents:

Exhibit 2A – Aerial and Zoning Map



**P14-040**  
**Aerial / Zoning Map**  
**Greenfair**



June 5, 2015

Community Development Department  
City of Sacramento  
300 Richards Blvd. 3<sup>rd</sup> Floor  
Sacramento, CA 95811

Dear Elise Gumm,

I'm writing you today on behalf of my friends and neighbors who asked me to send you their following signatures to ensure their will continue to be greenspace available for them to enjoy as they do now by walking around the property of their homes. My neighbors are concerned with the future plans of the GreenFair Project (P14-040) by limiting their greenspace.

Thank you for your time and consideration by some of the residents of the GreenFair Towers.

Sincerely,

Mary Fields  
600 Fairgrounds Drive  
Sacramento, CA 95817  
916-595-3881

*PS. The attached pages contain 106 signatures*

- 1 Anna Militan, FAIRGROUND #, #AR 76
- 2 MATRENA KARKIPOVA FOR FAIRGROUNDS DR HAS 413
- 3 LY LELIUKINA Tatiana FOR FAIRGROUNDS 419
- 4 Stepan POPAKONDREJE FAIR DR 416
- 5 Anna DOVBOUKO FAIRGROUND AR
- 6 Mariya Dronova Fairgrounds DR # 306
- 7 VALENTYNA LOTOKHO Fairgrounds Dr # 616
- 8 Viktor Tkhor, Fairgrounds Dr. # 913
- 9 Galina Tkhor, Fairgrounds Dr # 913
- 10 Neonila Fox 5403 Broadway #19
- 11 Victor Fox 5403 Broadway #19
- 12 VLADIMIR KISELEV, 5403 Broadway An 12.
- 13 Rimma Kiselev 5403 Broadway An 12.
- 14 AVEIK ALEKUAN GW-14 Broadway = 14
- 15 VINGIK TALEIYA Broadway #16
- 16 Vlad. Bugzels Fairgrounds DR 643 23
- 17 Tseronan Nikolajev FAIRGROUNDS
- 18 Tseronan Valentina 643 + 21
- 19 Tatyana Karpova FAIRGROUNDS FOR # 719

Signatures

Page	1	=	19
"	2		27
"	3		28
	4		<u>32</u>
			106

- 1 38 OLGA CRYNYSHYN 701 Fairgrounds DR 508  
 2 37 Anna Tsipo 701 Fairgrounds DR # 512  
 3 35 NATALIA YEPISHINA 701 Fairground dr # 510  
 4 36 Nadezda Kubinicheva 701 Fairground # 811  
 5 37 Vera Zhabka 701 Fairgrounds DR # 812  
 6 KOTENKO Aleksandra # 814 701 Fairground  
 DR: 815
- 7 38. Emmanuil Pobegalo 701 Fairgrounds DR 810  
 8 38. Nadesda Pobegalo 701 - " - 810  
 9 40 Oksandra Kovalchuk 701 Fairgrounds DR 305  
 10 41 Tamara Raissa 701 - - - D.R. 910.  
 11 42 SALFETNIKOVA 701 - PATROULAS A 608  
 12 42 Antonenco Mariya 643 Fairground  
 13 42 Antonenco Aleksander 643 Fairgrounds  
 14 45 Staritskaya Anna 643 Fairgrounds DR # 19  
 15 46 Nina Poglan'ska 643 Fair. - 18  
 16 47 Jureon Antonov 643 Fair. - 18  
 17 48 Anamij Gladkoj # 410 709 Fairgrounds DR 20  
 18 49 Valentina Gladkoj # 410 709 - " - " - 20  
 19 50 Sura Reytikh, 637 Fairgrounds DR apt 7  
 20 51 Lyubov Komova 643 Fairgrounds DR # 16  
 21 52 Prolova Mariya. 702 Fairground DR # 721  
 22 53 Gennady Krymor 5421 Broadway # 24  
 23 54 Mary Oreskina 702 Fairgrounds DR # 320  
 24 55 Anatolij Karpenko 639 Fairgrounds DR # 2  
 25 56 Larisa Kelyuzhne 701 Fairgrounds DR # 514  
 26 57 Chernenskiy 702 Fairgrounds DR - 218  
 27 58 MELNICHENKO MARIA 702 APT 2  
 204

- 1 59 Yuliya Kagan 5403 Broadway #20.
- 2 50 Ariy Kagan 5403 Broadway #20
- 3 51 Tamara Kononova 643 #24 Fairgrounds
- 4 52 Leonid Kononov 643 #24 Fairgrounds Pt.
- 5 Nikolay Gushul:  
702 Fairgrounds Dr. #212. N. Gushul
- 6 YOLPMA Muzychko 702 Fairgrounds 202
- 7 MARIA BATNECOVA 702 Fairgrounds #207
- 8 Yulita Baiduc 702 Fairgrounds #522
- 9 Taina ANROMTERA KILIMONOVNA 702 Fairgrounds -506
- 10 Anna Gigor'yeva 702 Fairgrounds Dr. #606
- 11 Lyubov Shubran skoye 702 Fairgrounds #607
- 12 Aleksandra Shubran skoye #314
- 13 Anatoliy Glushchenko 702 Fairgrounds Dr. #605
- 14 " Maria Abramchuk 702 Fairgrounds DR #608
- 15 Valentina EvriKH 702 Fairgrounds DR #422
- 16 Nina Lineitshi 702 Fairgrounds Dr 508 ; Theresa ?
- 17 Mariya Lavdyr 702 Fairgrounds Apt 213
- 18 Veniamin Rozvodovskiy 643 Fairgrounds DR APT. 25
- 19 Yefrosiniya Rozvodovskaya 643 Fairgrounds DR APT 25
- 20 Emma Dolinskaya apt Fairground 701
- 21 Galina Kondratyuk apt. #28 Broadway 5423
- 22 Vasiliy Kondratyuk apt. #28 Broadway 5423
- 23 Leonid Goncharenko 5423 Broadway CW27
- 24 Svetlana Gorkharevko 5423 Broadway CW22
- 25 Andrey Plugovay 701 Fairgrounds Dr #406 95817
- 26 Liliya Plugovaya 701 Fairgrounds Dr #406 95817
- 27 KAN KIRICLER 643-FAIRGROUNDS DR #611
- 28 NINA TOPCHASHKA 643 ORA 13

1. Galina Semenyuk 637 Fairgrounds DR AS
2. Aleksander Semenyuk 637 Fairgrounds DR Ap S
3. Mykhaylo Zhyhaylo 637 Fairgrounds dr ap 1
4. Mariya Zhyhaylo 637 Fairgrounds dr ap 1
5. Yelena Zheretkova 702 Fairgrounds dr # 705
6. cyrano slopenco 701 Fairgrounds Dr, # 807
7. Tokayeva Zos Templova 701 Fairgrounds Dr, # 411
8. Maevskaia Natalie 701 # 211 Fairgrounds dr
9. Tsayeva Lyubov 701 = 214 Fairgrounds
10. Tsayev Ivan 701 = 214 Fairgrounds
11. Zakharov Viktor 207 - 701 Fairgrounds Dr.
12. Rodionicheva 701 - 201 Anna
13. Vera Stepanovna 701 Fairgrounds DR # 312
14. Feodosiya Zhmed 701 Fairgrounds Dr # 306
15. Gutekal Olga 701 Fairgrounds dr # 309
16. ANNAARENCHKOVSKAYA Deepse 701 FAIRGROUNDS <sup>#308</sup>
17. OLGA TAFIVCHIK 701 Fairgrounds <sup>#308</sup>
18. Nina Melkonyan ap 805 Fairground
19. Savchenko Yekaterina 701 Fairgrounds DR # 803
20. Raisa Tatiana 70 Fairgrounds DR 910
21. Vladimir Krasnov 701 Fairgrounds 914
22. Mariya Krasnova 701 Fairgrounds 914
23. Mariya Usor 701 Fairgrounds 913.
24. Nikolay Usor 701 Fairgrounds # 913.
25. Vasile Shendrya 701 Fairgrounds DR # 911
26. Tamara Tutelya 702 Fairgrounds DR SIS
27. Kortsemal Ligiya 701 Fairgrounds DR # 714
28. Cheorghi Lazarey
29. Maria Angethova 701 Fairgrounds dr # 307
30. Polshchuk Anna 701 Fairgrounds # 304
31. E. REPETSKY 201 FAIRGROUNDS DR IVE
32. Mariya Dyndra 701 Fairgrounds DR 507

## **RESOLUTION NO. 2015-**

Adopted by the Sacramento City Council

August 25, 2015

### **ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GREENFAIR TENTATIVE MAP PROJECT (P14-040)**

#### **BACKGROUND**

- A. On June 25, 2015, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Greenfair Tentative Map Project; and
- B. On August 25, 2015, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.010(A)(2)(b) and received and considered evidence concerning the Greenfair Tentative Map Project.

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

Section 1. The City Council finds as follows:

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

- 1. On May 18, 2015, a Notice of Intent to Adopt the MND (NOI) dated May 18, 2015 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to

other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On May 18, 2015 the NOI was published in the Sacramento Bulletin, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.
3. The Initial Study was revised for clarification purposes after public notice of its availability; however, none of the conditions requiring recirculation (CEQA Guidelines section 15073.5(b)) is applicable to the project. The mitigation measures were replaced with either equal or more effective measures pursuant to Section 15074.1 of the CEQA Guidelines, revisions to the project do not result in new avoidable significant effects, and the new information added to the Negative Declaration makes insignificant modifications.

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

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

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

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring and Reporting 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 and Reporting Program.

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

## Greenfair Tentative Map (P14-040)

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

Table of Contents:

Exhibit 3A: Mitigation Monitoring and Reporting Program

Exhibit 3A: Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Greenfair Project are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

Greenfair Tentative Map (P14-040)

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>3-1 <i>Prior to construction, the project contractor shall initiate preconstruction surveys of the project site to determine if burrowing owls are present during the non-nesting season prior to any breeding season construction (nesting season is active during the dates of February 1 - August 30 annually). The results of the preconstruction surveys shall then be submitted to the City for review. If burrowing owls are not present, further mitigation is not required. If occupied burrows are found during the non-breeding season, the project contractor shall implement standard "passive relocation" measures to exclude burrowing owls from burrows that need to be disturbed, consistent with CDFW guidelines. If breeding owls are found on-site during the nesting season, the project contractor shall establish a no-disturbance buffer around nesting burrows until the nesting is completed. The buffer distance and verification of completion of nesting shall be determined by a qualified biologist with experience working with burrowing owls and construction activities. If it is not feasible to avoid removal of nesting burrows, the project contractor shall consult with the CDFW to determine if any options for active nest relocation are feasible.</i></p>	<p>Prior to construction</p>	<p>Community Development Department</p>	
<p>3-2 <i>One of the following mitigation options shall be implemented by the project contractor to avoid disturbing or removing any active nest tree during construction:</i></p> <ul style="list-style-type: none"> <li>• <i>If project construction plans require removal of a tree that represents potential nesting habitat for migratory birds or other raptors including Swainson's hawk, the project contractor shall remove such trees during the non-nesting season, (nesting season is active during the dates of March 1 - September 15 annually), prior to initiation of major construction.</i></li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• <i>If construction is planned during the nesting season for the species, preconstruction surveys shall be conducted</i></li> </ul>	<p>Prior to construction, if construction is planned during the nesting season for Swainson's hawk</p>	<p>Community Development Department</p>	

Greenfair Tentative Map (P14-040)

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>to determine if migratory birds or other raptors including Swainson’s hawk are using suitable nest trees prior to construction. The results of the preconstruction surveys shall then be submitted to the City for review. If active nests are present on the property, construction shall be avoided within a buffer area designated to protect the nesting pair. The size of the buffer shall be determined by a qualified biologist with experience in nest protection and will be based on the location of the nest, the background level of disturbance in the nest area, and observed reactions of the nesting species to human activity. Further action is not required if active nests are not identified on the project site during preconstruction surveys.</i></p>			
<p>3-3 <i>If tree removal or construction activities on the project site are to begin during the nesting season for raptors or other protected bird species in the region (generally February 15-September 15), a qualified biologist shall be retained by the project applicant to conduct preconstruction surveys in areas of suitable nesting habitat for common raptors and other bird species protected by the MBTA or California Fish and Game Code located within 500 feet of project activity. Surveys shall be conducted no more than 10 days before tree removal or ground disturbance is expected to occur. The preconstruction surveys shall be submitted to the City’s Community Development Department.</i></p> <p><i>If active nests are not found, further mitigation is not required. If active nests are found, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around the nest. The appropriate buffer size for all nesting birds shall be determined by a qualified biologist, but shall extend at least 50 feet from the nest. Buffer size will vary depending on site-specific conditions, the species of nesting bird, nature of the project activity, the extent of existing disturbance in the area, visibility of the disturbance from the nest site, and other</i></p>	<p>No more than 10 days before tree removal or ground disturbance if tree removal or construction activities would occur between February 15<sup>th</sup> and September 15<sup>th</sup></p>	<p>Community Development Department</p>	

Greenfair Tentative Map (P14-040)

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>relevant circumstances.</i></p> <p><i>Construction activity shall not occur within the buffer area of an active nest until a qualified biologist confirms that the chicks have fledged and are no longer dependent on the nest, or the nesting cycle has otherwise completed. Monitoring of the nest by a qualified biologist during construction activities shall be required if the activity has the potential to adversely affect the nest. The qualified biologist shall determine the status of the nest at least weekly during the nesting season. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance shall be increased until the agitated behavior ceases.</i></p>			
<p>3-4 <i>Prior to issuance of a grading permit, the project applicant shall comply with tree permit requirements in effect at the time of project approval for removal, pruning, or soil disturbance within the canopy dripline of a Heritage or City Street Tree. In addition, the following measures shall be implemented to reduce impacts from the removal of City Street Trees:</i></p> <ul style="list-style-type: none"> <li><i>• Replacement trees for City Street Trees shall be replanted within the City right-of-way in coordination with the City's Urban Forester. If replacement trees for City Street Trees cannot be accommodated in the City's right-of-way, they shall be planted on site and incorporated into the project landscape plan or be planted at another off-site location at the City's direction.</i></li> <li><i>• Replacement plantings shall consist of shade tree species recommended by the Urban Forestry Director.</i></li> <li><i>• Tree planting shall comply with the City's landscaping requirements (City Code Sections 17.612.010 and 17.612.040).</i></li> <li><i>• Canopy or root pruning of any retained City Street Trees to accommodate construction and/or fire lane access shall be conducted according the American National</i></li> </ul>	<p>Prior to issuance of a grading permit</p>	<p>Community Development Department</p>	

Greenfair Tentative Map (P14-040)

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>Standards Institute (ANSI) creates standards and the International Society of Arboriculture (ISA) creates best management practices (BMPs) All City Street Trees shall be protected from construction-related impacts pursuant to Sacramento City Code Section 12.64.040 (Heritage Trees) and Section 12.56.060 (City Street Trees).</i></p> <p><i>The aforementioned measures shall be reflected on the grading plans, subject to review and approval by the City's Community Development Department.</i></p>			
<p><i>4-1 If archaeological artifacts or unusual amounts of stone, bone, or shell are uncovered during construction activities, work within 50 feet of the specific construction site at which the suspected resources have been uncovered shall be suspended. At that time, the property owner shall retain a qualified professional archaeologist. The archaeologist shall conduct a field investigation of the specific site and recommend mitigation deemed necessary for the protection or recovery of any archaeological resources concluded by the archaeologist to represent significant or potentially significant resources as defined by CEQA. The mitigation shall be implemented by the property owner to the satisfaction of the Planning Division prior to resumption of construction activity.</i></p>	<p>If archaeological artifacts or unusual amounts of stone, bone or shell are uncovered during construction activities</p>	<p>Planning Division</p>	
<p><i>4-2 In accordance with Section 7050.5 of the Health and Safety Code and Sections 5097.94 and 5097.98 of the Public Resources Code, if human remains are uncovered during project construction activities, work within 50 feet of the remains shall be suspended immediately, and the City of Sacramento Planning Division and the County Coroner shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The property owner shall also retain a professional archaeological consultant with Native American burial experience. The archaeologist shall conduct a</i></p>	<p>If human remains are uncovered during project construction activities</p>	<p>Planning Division County Coroner Native American Heritage Commission</p>	

Greenfair Tentative Map (P14-040)

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>field investigation of the specific site and consult with the Most Likely Descendant identified by the NAHC. As necessary, the archaeological consultant may provide professional assistance to the Most Likely Descendant including the excavation and removal of the human remains. The property owner shall implement any mitigation before the resumption of activities at the site where the remains were discovered.</i></p>			
<p>12-1 <i>Unless otherwise agreed upon by the Sacramento Department of Utilities and the developer, the project applicant shall submit the fair share fee towards the construction of the water main extension from the six-inch private water line within Fairgrounds Drive. Payment of the fair share fee shall be submitted to the Sacramento Department of Utilities prior to issuance of a grading permit.</i></p>	<p>Prior to issuance of a grading permit</p>	<p>Sacramento Department of Utilities</p>	

## **RESOLUTION NO. 2015-**

Adopted by the Sacramento City Council

August 25, 2015

### **RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP FROM 6.85± ACRES OF TRADITIONAL NEIGHBORHOOD HIGH DENSITY (TNHD) TO 6.85± ACRES OF TRADITIONAL NEIGHBORHOOD LOW DENSITY (TNLD) FOR THE GREENFAIR TENTATIVE MAP PROJECT LOCATED NORTH OF FAIRGROUNDS DRIVE (P14-040)**

#### **BACKGROUND**

- A. On June 25, 2015, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Greenfair Tentative Map Project; and
- B. On August 25, 2015, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 17.812.010(A)(2)(b) and received and considered evidence concerning the Greenfair Tentative Map 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 Greenfair Tentative Map Project, the City Council approves the General Plan Amendment for the Greenfair Tentative Map project.
- Section 2 The 6.85± acre area described on the attached Exhibit A is hereby designated on the City of Sacramento's 2035 General Plan land use map **from** 6.85± acres of Traditional Neighborhood High Density (TNHD) **to** 6.85± acres of Traditional Neighborhood High Density (TNHD) based on the following findings of fact:

- A. As amended, this title complements, supports, and facilitates the implementation of the goals, policies, and other provisions of the 2035 General Plan; and
- B. The amendment promotes the public health, safety, convenience, and welfare of the city.

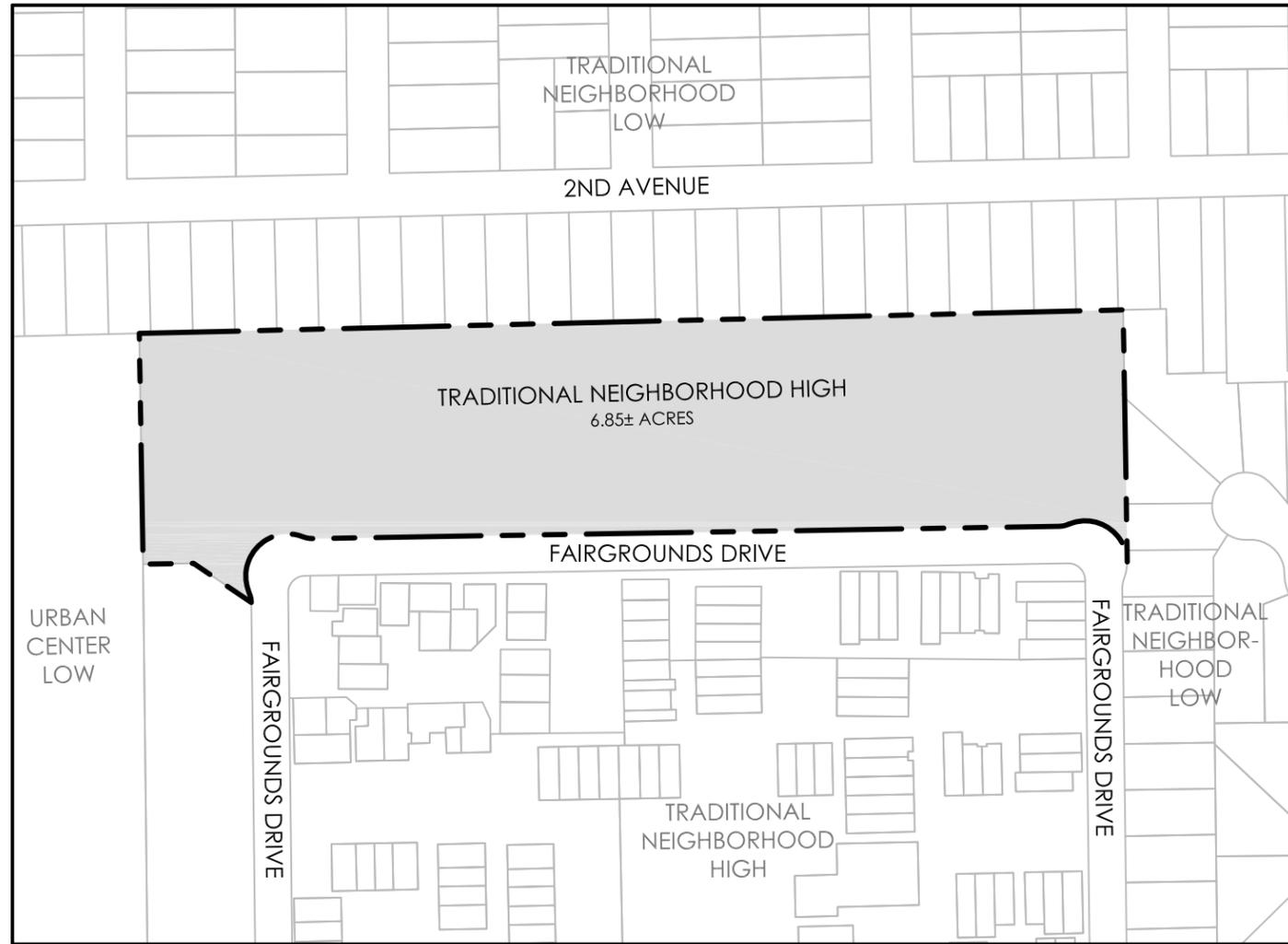
Table of Contents:

Exhibit 4A: General Plan Amendment Exhibit

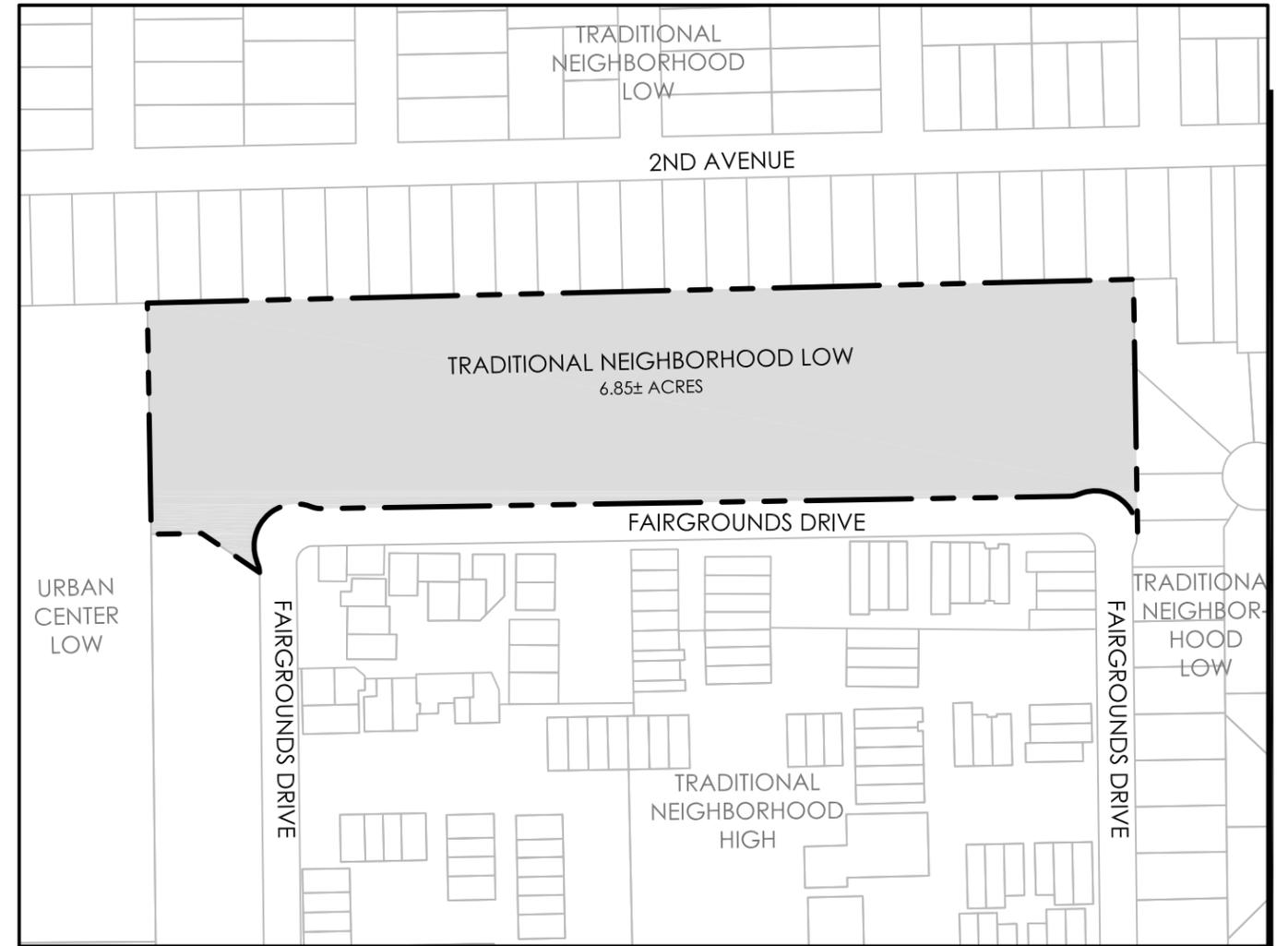
GENERAL PLAN AMENDMENT

**GREENFAIR**

CITY OF SACRAMENTO, CALIFORNIA  
SEPTEMBER 4, 2014



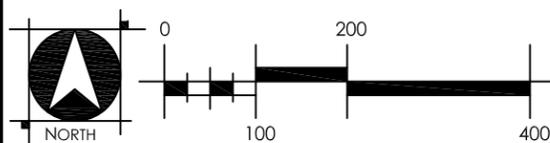
Existing General Plan



Proposed General Plan

**GENERAL PLAN AMENDMENT SUMMARY TABLE**

DESIGNATION	EXISTING	PROPOSED	DIFFERENCE
TRADITIONAL NEIGHBORHOOD HIGH	6.85	0.0	-6.85
TRADITIONAL NEIGHBORHOOD LOW	0.0	6.85	+6.85
	6.85	6.85	



## **ORDINANCE NO 2015-**

Adopted by the Sacramento City Council

### **AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE BY REZONING 6.85± ACRES FROM THE MULTI-UNIT DWELLING ZONE TO 6.85± ACRES OF SINGLE AND DUPLEX DWELLING UNIT ZONE LOCATED NORTH OF FAIRGROUNDS DRIVE (P14-040)**

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

#### SECTION 1

As used in this ordinance, "**Property**" means the real property depicted in attached Exhibit 5A and generally described, known and referred to as Greenfair Tentative Map Project (APN: 011-0350-001-0000 through 011-0350-023-0000; 011-0350-044-0000, 011-0360-001-0000 through 011-0360-023; 011-0360-040-0000; 011-0360-041-0000; and 011-0360-043-0000), consists of 6.85± acre.

#### SECTION 2

Title 17 of the Sacramento City Code ("the Planning and Development Code") is hereby amended by rezoning the Property from Multi-Unit Dwelling (R-3) zone to Single-unit or Duplex Dwelling (R-1A) zone.

#### SECTION 3

The rezoning of the Property by this ordinance is consistent with the applicable land-use designation, use, and development standards in the City's General Plan; with the goals, policies, and other provisions of the General Plan; and with any applicable specific plan. The amendment promotes the public health, safety, convenience, and welfare of the City.

#### SECTION 4

The City Clerk is hereby directed to amend the City's official zoning maps to conform to this ordinance.

Table of Contents:

Exhibit 5A: Rezone Exhibit

REZONE  
**GREENFAIR**  
CITY OF SACRAMENTO, CALIFORNIA  
SEPTEMBER 4, 2014

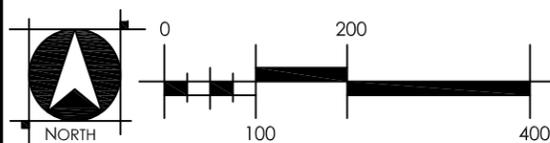


Existing Zoning



Proposed Zoning

REZONE SUMMARY TABLE				
DESIGNATION	LAND USE	EXISTING	PROPOSED	DIFFERENCE
R-3	MULTI-FAMILY	6.85	0.0	-6.85
R-1A	SINGLE UNIT OR DUPLEX DWELLING ZONE	0.0	6.85	+6.85
		6.85	6.85	



## **RESOLUTION NO. 2015-**

Adopted by the Sacramento City Council

August 25, 2015

### **RESOLUTION APPROVING THE GREENFAIR TENTATIVE MAP PROJECT (P14-040)**

#### **BACKGROUND**

- A. On June 25, 2015, the City Planning and Design Commission conducted a public hearing on, and forwarded to the city Council a recommendation to approve with conditions the Greenfair Tentative Map Project; and
- B. On August 25, 2015, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 17.812.010(A)(2)(b) and received and considered evidence concerning the Greenfair Tentative Map 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 Greenfair Tentative Map Project, the City Council approves the Tentative Map for 44 residential lots and Site Plan Review for lots without buildings based on the Findings of Fact as set forth below.

**Section 2** The City Council approves the Project entitlements based on the following findings of fact:

- A. The **Tentative Map** to subdivide ±6.85 acres into 44 parcels for single family development in the Single-Unit or Duplex Dwelling (R-1A) zone is **approved** based on the following Findings of Fact:
  - 1. None of the conditions described in Government Code Section 66474, inclusive, exist with respect to the proposed subdivision;
    - a. The proposed subdivision is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code;

- b. The design and improvement of the proposed subdivision is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code;
  - c. The site is physically suitable for the type of development proposed;
  - d. The site is suited for the proposed density of the development;
  - e. 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;
  - f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
  - g. 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 (Gov. Code §66473.5);
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1).
5. The Planning & Design Commission has considered the effect of the approval of this tentative map on the ownership 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. Site Plan Review** for review of the tentative map is **approved** based on the following Findings of Fact:

1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan in that it is consistent with the goals and policies of the proposed general plan land use designation of Traditional Residential Low Density. The proposed lots meet the intent of the General Plan classification as it will create opportunities for residential uses that allow for transitions in scale and intensity of development to the established neighborhoods surrounding the project site.
2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the proposed lots comply with the applicable standards related to lot size, width, and depth.
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards in that the project has been analyzed by City departments and it is determined that all streets and other public access ways and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards.
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood, including the adjacent low density residential uses to the north and east.
5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and the use of renewable energy sources is encouraged, in that the project proposes to redevelop an infill land. The project is advised, to the extent possible, incorporate green building methods in the construction of the proposed structures.
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that: 1) the site provides adequate circulation for vehicles and pedestrians, 2) the project will

provide adequate open space for each unit, and 3) the lot sizes are compatible with the surrounding uses, which include both single and multi-unit residential uses.

**Section 3** The City Council approves the project to subdivide 44 single family residential units lots based on the following Conditions of Approval:

**A.** The **Tentative Map** to subdivide approximately 6.85± acres into 44 parcels for single family development in the proposed Single-Unit or Duplex Dwelling (R-1A) zone is **approved** based on the following Conditions of Approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P14-040). The design of any improvement not covered by these conditions shall be to City standard.**

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

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to the Zoning Administration 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**

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 Public Works after consultation with the U.S. Postal Service.

3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-040).
4. Show all continuing and proposed/required easements on the Final Map.

## **PUBLIC WORKS**

5. 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.
6. 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 Public Works. 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 adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.
7. Dedicate and construct Fairgrounds Drive as a 53-ft right-of-way street cross-section (half-street only) adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.
8. Dedicate and construct Court A, Court B, Court C, and Court D, as depicted on attached Exhibit, as a City standard 53-ft right-of-way street cross-section with City standard cul-de-sac to the satisfaction of the Department of Public Works.
9. At its discretion, the City may require the inclusion of traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, undulations, additional 4-way intersections, etc. Undulations will be required on certain streets adjacent to school/park combinations, as determined by the Department of Public Works.

10. Install all-way stops at the intersection of Court A and Fairgrounds Drive per City standards to the satisfaction of the Department of Public Works.
11. Install a stop sign along Court B at the intersection of Fairgrounds Drive and Court B per City standards to the satisfaction of the Department of Public Works.
12. Install a stop sign along Court C at the intersection of Fairgrounds Drive and Court C per City standards to the satisfaction of the Department of Public Works.
13. Install a stop sign along Court D at the intersection of Fairgrounds Drive and Court D per City standards to the satisfaction of the Department of Public Works.
14. Install a speed hump along Fairgrounds Drive between Court B and Court C per City standards to the satisfaction of the Department of Public Works.
15. Install a red curb at the outer radius of the Fairgrounds Drive elbow (east) and throughout the Fairgrounds Drive frontage of Lot #44 to prohibit on-street parking per City standards to the satisfaction of the Department of Public Works.
16. Install ramps that comply with the Americans with Disabilities Act (ADA) at all corners of all proposed intersections within the project site per City standards to the satisfaction of the Department of Public Works.
17. 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 Public Works. The center lines of such streets shall be aligned.
18. 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 Public Works.

## **SMUD**

19. Dedicate a 12.5-foot public utility easement for overhead/underground facilities and appurtenances adjacent to all streets.
20. Maintain existing and proposed 21kV routes along Fairgrounds Drive.
21. Future SMUD facilities located on the customer's property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the customer's property.

## **SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT**

22. Developing this property may require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

## **DEPARTMENT OF UTILITIES**

23. Per City Code Section, 13.04.070, multiple water service to a single lot or parcel may be allowed if appropriate DOU Development Review and Field staff have reviewed the proposed number of taps and associated location and have no issues or concerns. Any new water services (other than fire) shall be metered. Excess services shall be abandoned to the satisfaction of the DOU.

24. There is an existing 6" private water main that surrounds the project site. If the applicant chooses to tap into the existing private water main then the following shall apply:

The applicant shall obtain a written permission from the owner of the private water system for the water service connections to the 44 individual homes. A copy of this letter shall be provided to the department of Utilities.

A public water easement shall be dedicated for the meter and the placement of the meter shall be to the satisfaction of the Department of Utilities.

25. If the connection to the existing 6" private water system is not feasible, then a public water main shall be extended in Fairgrounds Drive or the applicant shall pay the fair share cost for the City's water distribution installation project in Fairgrounds Drive. The public water main extension shall be looped and constructed to the satisfaction of the DOU.

26. This project is served by the Combined Sewer System (CSS), however, based on the project description, there will be no significant impact to the CSS. The project site used to have 47 homes; the applicant is proposing 44 homes.
27. Some of the residential lots does not front an existing public sewer main. Therefore, a sewer main extension may be required in Fairgrounds Drive, Court A, Court B, Court C, and Court D to the satisfaction of the DOU.
28. A sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the DOU.
29. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
30. All lots shall be graded so that drainage does not cross property lines.
31. Prior to or concurrent with the submittal of improvement plans, the applicant shall prepare a project specific drainage study and overland release map for review and approval by the DOU. The 10-year and 100-year hydraulic grade lines (HGL's) for the drainage study shall be calculated using the City's Storm Water Management Model (SWMM). The study is required to show the sizes of all drainage pipes in street right-of-ways. The drainage study shall include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. This development is located within Drainage Shed 110. The DOU has completed a SWMM model for this shed and the surrounding area. The applicant is advised to contact the City of Sacramento Utilities Department Drainage Section (916-808-1400) at the early planning stages to address any drainage related requirements.
32. There is an existing public drainage main that crosses a portion of lots 7, 14, 15, 16, and 17. Either a 15-ft minimum drainage easement shall be dedicated at no cost to the City, shall be free and clear of all encumbrances and liens, and shall be to the satisfaction of the City Attorney and the DOU or the applicant shall relocate the main to the public street to the satisfaction of the DOU.

33. Per City Code section 13.04.230, no permanent structures shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the City Attorney. (Note: The existing drainage main thru lots 14, 15, 16 and 17 may need to be relocated to the public street.)
34. 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.
35. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is less than 20 acres, only source control measures are required. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Stormwater Quality Design Manual for the Sacramento and South Placer Regions (May 2007)" for appropriate source control measures.

## **FIRE**

36. Dead ends exceeding 150 feet in length require an approved Fire Department turnaround (45' radius cul-de-sac or city standard hammerhead). CFC 503.2.5
37. 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. CFC 503.2.1
38. 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
39. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105.

## **SPECIAL DISTRICTS**

NONE

## **PARKS**

40. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
41. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or other means of mitigating the impact of the project on the park system to the satisfaction of the City Attorney's Office. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Public Improvement Financing, Special Districts Project Manager).

## **ABANDONMENT CONDITIONS**

### **PUBLIC WORKS**

42. The applicant shall satisfy the conditions of approval of the abandonment of public works easements in accordance with the Tentative Map.
43. Final Map shall be recorded concurrently with the recordation of the abandonment.

### **DOU**

44. The applicant shall satisfy all of the Department of Utilities' conditions for P14-040. The existing drainage main shall be relocated and a 15-foot minimum easement shall be dedicated to the City to the satisfaction of the Department of Utilities.

### **PG&E**

45. Any current facilities will need to be relocated out of the Public Utility Easement (PUE) at the developer's expense. As part of the relocation, the developer will be required to provide PG&E equal land right for its facilities.
46. The developer will submit an application to deactivate the gas line and at the same time request to abandon the existing PUE. PG&E will then be able to confirm the deactivation of the existing in-place gas facilities

and provide a no objection letter to the abandonment.

## **SMUD**

47. SMUD will conditionally approve of the abandonment provided the "continuing-use" clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment.
48. Abandonment will be granted only after the developer works with SMUD to provide new rights, install the infrastructure required and pay the SMUD costs to reroute or relocate the existing facilities that need to remain. The developer will need to submit an application for those removals and or relocations. Once the new service is constructed and energized, SMUD can agree to the Abandonment of the old easements & P.U.E's.

## **ADVISORY NOTES**

49. 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.
50. House plans shall comply with City Code Chapter 18.08 related to Driveway Permits, which includes:
  - 18.08.040.C All driveways shall be at least 20-ft apart from another driveway.
  - 18.08.040.F All driveways shall be at least 10-ft away from a pedestrian ramp.
  - 18.08.050.A Residential driveways shall have a width of at least 10-ft and a depth of at least 20-ft measured from the right-of-way line.
51. The proposed project is located in the Flood zone designated as Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) effective August 16, 2012. Within the Shaded X zone, there are no requirements to elevate or flood proof.

52. The applicant is encouraged to consider Low Impact Development (LID) strategy for the site design and utilize LID practices (i.e. stormwater planters) for stormwater treatment. The applicant can obtain LID runoff reduction credits following the guidance in the Stormwater Quality Design Manual. LID runoff reduction will reduce the required treatment volume which could potentially reduce the surface area requirements for the stormwater treatment measures. Contact City of Sacramento Utilities Department Stormwater Program (808-1449) if you have additional questions.
53. 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 recordation of the final map. The Quimby fee due for this project is estimated at \$81,972. This is based on 44 new single-family lots and an average land value of \$115,000 per acre for the Fruitridge Broadway (North of Fruitridge) Community Plan Area, plus an additional 20% for off-site park infrastructure improvements. 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) The Park Development Impact Fee (PIF) (in accordance with Chapter 18.44 of the Sacramento City Code), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$255,816. This is based on 44 new single-family residential units at the standard rate of \$5,814 per single-family unit. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
  - c) Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**B. Site Plan Review** for review of the tentative map is **approved** based on the following Conditions of Approval:

1. Future House Plans are subject to additional Site Plan and Design Review.

Table of Contents:

Exhibit 6A: Tentative map



**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00679

**Title:** Citation and Arrest Authority for Designated Community Development and Public Works Employees

**Location:** Citywide

**Recommendation:** Pass a Resolution granting citation and arrest authority to designated employees of the Community Development and Public Works Departments.

**Contact:** Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department

**Presenter:** None

**Department:** Community Development Dept

**Division:** Neighborhood Code Compliance

**Dept ID:** 21001313

**Attachments:**

1-Description/Analysis

2-Resolution

---

**City Attorney Review**

Approved as to Form

Michael Benner

8/3/2015 2:44:16 PM

**Approvals/Acknowledgements**

Department Director or Designee: Ryan Devore - 7/30/2015 3:56:20 PM

## **Description/Analysis**

**Issue:** The attached Resolution provides the names of specific individuals in the Community Development and Public Works Departments who have received the required training and who will be granted Citation and Arrest Authority by this City Council action.

**Policy Considerations:** The staff recommendation is consistent with the City Council priority to improve and expand public safety.

**Economic Impacts:** None

**Sustainability:** The accompanying resolution does not constitute a project under the California Environmental Quality Act (CEQA) Guidelines Section 15378. The resolution is an administrative/organizational activity that will not result in direct or indirect physical changes in the environment.

**Commission/Committee Action:** Not applicable.

**Rationale for Recommendation:** In accordance with Sacramento City Code, Title 2, Chapter 2.12.030 and California Penal Code Section 836.5, the City Council is required to issue a Resolution assigning specific persons the authority to enforce codes through means of citation and arrest. The Community Development and Public Works Departments regularly update the list of those individuals who are assigned citation and arrest authority to enable staff to fulfill their enforcement duties and responsibilities.

**Financial Considerations:** The granting of Citation and Arrest Authority has no financial impact.

**Local Business Enterprise (LBE):** Not applicable. No goods or services are being purchased.

## RESOLUTION NO.

Adopted by the Sacramento City Council

### GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE COMMUNITY DEVELOPMENT AND PUBLIC WORKS DEPARTMENTS FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE AND/OR STATE LAW

#### BACKGROUND

- A. On June 3, 1997, the City Council adopted Resolution 97-285 which granted City enforcement staff Citation and Arrest Authority for specified titles of the Sacramento City Code, and California Vehicle Code. Periodically there are changes in the staffing, and it is necessary to update the list of individuals who shall be granted this authority.
- B. In accordance with Sacramento City Code, Title 2, Chapter 2.12.030, the City Council is required to issue a resolution granting certain individuals the authority to enforce codes through mean of citation and arrest.

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

SECTION 1 In order to enforce certain provisions of the City Code, California Vehicle Code, and California Labor Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those purposes only.

#### NAMES

Ryan DeVore  
Carl Simpson

Joy Patterson  
Robert Rose  
Sandra Yope  
Noel Eusebio  
Julia Mason  
Belinda Rogers  
Jean Crippes  
Stephen Grove  
William Hutcheon  
Donna M. Barton  
Shawn Bartosh

#### JOB CLASSIFICATIONS

Director of Community Development  
Chief of Housing & Dangerous  
Buildings  
Principal Planner  
Code Enforcement Manager  
Senior Planner  
Senior Code Enforcement Officer  
Senior Code Enforcement Officer  
Senior Code Enforcement Officer  
Zoning Investigator  
Zoning Investigator  
Zoning Investigator  
Code Enforcement Officer  
Code Enforcement Officer

Randall Cry	Code Enforcement Officer
Larry Eccleston	Code Enforcement Officer
Linda Douglas	Code Enforcement Officer
James Harrison	Code Enforcement Officer
Bruce Lewis	Code Enforcement Officer
Pamela Maestas	Code Enforcement Officer
Jose Rodriguez	Code Enforcement Officer
Benjamin Rolison	Code Enforcement Officer
Keona Savage	Code Enforcement Officer
Dia Siefker	Code Enforcement Officer
Brian Strong	Code Enforcement Officer
Ricardo Vargas	Code Enforcement Officer
Michelle Wright	Code Enforcement Officer
Beverly Howell	Code Enforcement Officer
Darin Noonan	Code Enforcement Officer

## **TO ENFORCE CITY CODES**

### Title 5.

#### **Permits**

Chapter 5.04 - Adult Related Establishments  
Sections 5.04.020 and 5.04.050 A-C

#### **Arcades**

Chapter 5.12 – Amusement

All Sections

Chapter 5.16 – Astrology

All Sections

Chapter 5.20 – Billiard and Pool Parlors

All Sections

Chapter 5.24 – Bingo

All Sections

#### **Food Vending Vehicles**

Chapter 5.68

All Sections

#### **Shopping Carts**

Chapter 5.82

All Sections

#### **Auctions and Other Sales**

Chapter 5.88 - Street and Sidewalk Vending

Sections 5.88.010 through 5.88.030

Chapter 5.88 - Old Sacramento Third of July Celebration

Sections 5.88.040 and 5.88.050

Chapter 5.88 - Vendor Permit Requirements

Section 5.88.080

Chapter 5.88 - Outdoor Sales and Display of Merchandise  
Sections 5.88.190 through 5.88.210  
Chapter 5.94 – Pedicabs  
All Sections  
Chapter 5.108 - Entertainment Establishments  
All Sections  
Chapter 5.112 - Self-Service Tobacco Merchandising  
All Sections  
Chapter 5.124 – Somatic Practitioners  
All Sections  
Chapter 5.136 – Taxicabs  
All Sections  
Chapter 5.138 -Tobacco Retailers  
All Sections  
Chapter 5.140 - Tobacco Vending Machines  
All Sections  
Chapter 5.144 – Tow Vehicles  
All Sections

**Medical Marijuana Dispensaries**

Chapter 5.150 – Medical Marijuana Dispensaries  
All Sections

Title 8.

**Housing Code**

Chapter 8.100 – Housing Code  
Sections 8.100.550 and 8.100.560 (L) (O) and  
Section 8.100.650

**Nuisance Code**

Chapters 8.04, 8.16, 8.20, 8.24, 8.28, 8.76, 8.56  
All Sections

**Noise**

Chapter 8.68 - Noise Standards  
Sections 8.68.060 through 8.68.110, 8.68.130, 8.68.150 through  
8.68.210

**Smoking Ordinance**

Chapter 8.80  
Sections 8.80.020 through 8.80.270 A through F

**Vector**

Chapters 8.96 – Dangerous Building  
Section 8.96.110 N  
Section 8.96.120 through 8.96.400  
Chapter 8.100 – Housing Code  
Section 8.100.650  
Section 8.100.700 through 8.100.910

- Title 9.       **Public Peace, Morals and Welfare**  
Chapter 9.16.090 – Swimming pools – Fence or cover required.
- Title 10.       **Motor Vehicles and Traffic**  
Chapter 10.36 - Stopping, Standing and Parking on Street  
    Section 10.36.080 (A) 1 through 6, (B) & (C) and  
    Section 10.36.120 (A)(B)(C)  
Chapter 10.44 - Off Street Parking and Loading Facilities  
    Sections 10.44.010 (A)(B)(C); 10.44.020 (A)(B)(C - 1 through 6)  
    (D)(E); Section 10.44.110  
Chapter 10.52 - Vehicle Repair in Residential Zones  
    Sections 10.52.010 through 10.52.050
- Title 12.       **Streets and Sidewalks**  
Chapter 12.08.110 - Use of Streets for Storage of Building Material  
Chapter 12.24 - Sidewalk Obstructions; Pedestrian and Vehicle  
Interference  
    Sections 12.24.020, 12.24.030, 12.24.100  
Chapter 12.28 - Obstructions to Visibility at Intersections  
    Sections 12.28.010, 12.28.020, 12.28.030 and 12.28.040  
Chapter 12.76 – Sacramento Boat Harbor
- Title 13.       **Article XI - Outdoor Water Conservation**  
Chapter 13.04  
    All Sections
- Garbage, Rubbish, Weeds, and Waste Matter**  
Chapter 13.10  
    All Sections
- Title 15.       **Trailer Camps and Public Camps**  
Chapter 15.140 - General  
    Sections 15.140.010 and 15.140.050  
Chapter 15.144 - Trailer and Trailer Camps  
    Sections 15.144.010 through 15.144.050  
Chapter 15.148 - Signs  
    All Sections
- Building Code**  
Chapter 15.64 - Swimming Pools  
    Section 15.64.070
- Title 17.       **Comprehensive Zoning Ordinance**  
All Chapters  
    All Sections

**CALIFORNIA LABOR CODE**

Section 6404.5 – Smoking in Workplace

## **CALIFORNIA VEHICLE CODE**

Section 4000 - Registration Required.

Section 5204 - Registration tabs shall indicate year and month of expiration.

Section 22500 - Prohibited Stopping, Standing or Parking

- (f) On a sidewalk except electric carts when authorized by local ordinance.

Section 22523 - Abandonment Prohibited

Section 22651 - Circumstances Permitting Removal

- (b) When any vehicle is parked or left standing upon a highway in a position so as to obstruct the normal flow of traffic upon a highway.
- (e) Illegally parked blocking fire hydrant.
- (j) When any vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, vehicle may be impounded.
- (k) When any vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal.
- (l) Parked in highway construction, repair, or cleaning area; when notice of removal posted for 24 hours or more.
- (n) Parked or left standing where parking is prohibited, must be posted.
- (o) When any unoccupied vehicle is found upon a highway, public lands, or off-street parking facility, with a registration expiration in excess of six months before the date it is found on the highway.
- (r) When any vehicle is illegally parked and blocks the movement of a legally parked vehicle.

Section 22669 - Removal of Abandoned Vehicles

- (a) When there are reasonable grounds to believe that a vehicle has been abandoned, as determined pursuant to Section 22523, may remove the vehicle from a highway or from public or private property.
- (d) Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city.

## **CALIFORNIA STREETS AND HIGHWAYS CODE**

Section 5610 - The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law, or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

SECTION 2 In order to enforce certain provisions of the City Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those limited purposes only.

### **NAMES**

Ryan DeVore  
Carl Simpson  
John Leno  
Don Verga  
Willie Harris  
Elia Kentera  
Patrick Melanson  
Richard Leiker  
Don Marcheschi  
Josh Pino  
John Vanella  
Michael Bernino  
John Briel  
David Brock  
Andy Chavez  
Arthur Cosley  
Charles Donahue  
Leonard Duclos  
Scott Ensor  
Chad Garber  
Kim Hagen  
Bruce Holmes  
Tim McMillan  
Charles Monsen  
Doug Pierson

### **JOB CLASSIFICATIONS**

Director of Community Development  
Chief of Housing & Dangerous Buildings  
Principal Building Inspector  
Principal Building Inspector  
Supervising Building Inspector  
Supervising Building Inspector  
Supervising Building Inspector  
Building Inspector IV  
Building Inspector IV  
Building Inspector IV  
Building Inspector IV  
Building Inspector III  
Building Inspector III

David Salinovich  
Maurice Schranz  
Charles Sherman  
John Souza

Building Inspector III  
Building Inspector III  
Building Inspector III  
Building Inspector III

**TO ENFORCE CITY CODES:**

- Title 5.     **Medical Marijuana Dispensaries**  
Chapter 5.150 – Medical Marijuana Dispensaries  
All Sections
- Title 8.     **Health and Safety**  
All Chapters  
All Sections
- Title 9.     **Public Peace, Morals and Welfare**  
Chapter 9.16.090 - Swimming pools - Fence or cover required
- Title 12.    **Streets, Sidewalks and Public Places**  
Chapter 12.08.110 - Use of streets for storage of building material  
Chapter 12.24.020 - Signs, posts, structures, etc.
- Title 13.    **Public Services**  
**Article XI - Outdoor Water Conservation**  
Chapter 13.04 - All Sections  
Chapter 13.04.290 – Installation of water meters on water service connections made on or after January 1, 1992  
Chapter 13.04.845 – Irrigation service for area exceeding five acres  
Chapter 13.04.850 – Substandard water fixtures prohibited  
Chapter 13.04.860 – Water runoff prohibited  
Chapter 13.04.870 – Outdoor conservation of water  
Chapter 13.04.880 – New landscaping  
Chapter 13.04.890 – Penalties for violation  
Chapter 13.04.900 – Appeal  
Chapter 13.04.910 – Declaration of water shortage  
Chapter 13.04.920 – Access to customer premises – Compliance  
Chapter 13.04.950 – City water use
- Title 15.    **Buildings and Construction**  
All Chapters  
All Sections
- Title 17.    **Zoning**  
All Chapters  
All Sections

SECTION 3 In order to enforce certain provisions of the City Code and California Penal Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those limited

purposes only.

**NAMES**

Jace Huggins  
Ken Douglas  
Clinton Nelms  
Julian Reynaga  
Marek Sliwa  
John Sorrels  
Kerry Jones  
Allison Nielson  
Casandra Scannell

**JOB CLASSIFICATIONS**

Senior Animal Control Officer  
Animal Control Officer II  
Animal Control Officer I  
Animal Control Officer I  
Animal Control Officer I

**TO ENFORCE CITY CODES**

Title 9. **Public Peace, Morals, and Welfare**  
Chapter 9.44 Animals  
All Sections

**CALIFORNIA PENAL CODE**

Sections 597-597.7 – Malicious and intentional aiming mutilation, torture, wounding or killing animals; confinement and medical treatment  
Section 597a – Unnecessary torture, suffering or cruelty  
Section 597b – Fighting animal and birds  
Section 597c – Training animals to fight, or being present  
Section 597e – Impounding without water or food  
Section 597f – Permitting animals to go without care – veterinary care for injured cats and dogs  
Section 597h – Fastening live animals to machines or devices to lure dogs  
Section 597i – Trading, selling, bartering, exchanging, or possessing implements for fighting birds  
Section 597j – Possession of gamecocks for fighting purposes  
Section 597k – Use of bristle bur, tack bur, etc. prohibited - penalty  
Section 597l – Maintenance of pet shops and animals in the care and control  
Section 597s – Abandonment of dog or cat  
Section 597t – Confinement of Animals  
Section 597z – Sale of dogs under 8 weeks of age

SECTION 4 This resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code. Nothing herein shall be read to limit the power or authority of any duly appointed law enforcement officer of the City to enforce those chapters of the City Code heretofore set forth.

SECTION 5 Resolution Nos. 2012-0047 and 2012-348 are hereby rescinded.

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00296

**Title:** McKinley Village Community Facilities District (CFD) No. 2015-04 (Improvements), Adopt Ordinance to Levy a Special Tax (Passed for Publication 08/06/2015; Published 08/11/2015)

**Location:** District 3

**Recommendation:** 1) Pass an Ordinance to levy a special tax on land within the CFD; and 2) pass a Resolution creating an accounting fund for the CFD.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

**Presenter:** None

**Department:** Finance

**Division:** Public Improvement Finance

**Dept ID:** 06001321

**Attachments:**

- 1-Description/Analysis
- 2-Background
- 3-Schedule of Proceedings
- 4-Ordinance Levy Of Special Tax
- 5-Resolution

---

**City Attorney Review**

Approved as to Form  
Joseph Cerullo  
8/12/2015 5:44:40 PM

**Approvals/Acknowledgements**

Department Director or Designee: Leyne Milstein - 8/3/2015 8:59:22 AM

## Description/Analysis

**Issue Detail:** On June 23, 2015, Council passed Resolution No. 2015-0197 calling for a special mailed-ballot election on whether to levy a special tax within the boundaries of the “McKinley Village Community Facilities District No. 2015-04 (Improvements)” (the **CFD**) and on whether to issue bonds supported exclusively by the special tax to partially reimburse the developer for the cost of public infrastructure. The vote was in the affirmative, and on August 6, 2015, Council passed for publication an ordinance levying the special tax. Staff recommends that City Council adopt the ordinance and pass a resolution creating an accounting fund for the CFD.

**Policy Considerations:** The Mello-Roos Community Facilities Act of 1982 prescribes the procedures for forming the CFD (Government Code, §§ 53311-53368.3) (the **Mello-Roos Act**). Formation of the CFD is consistent with the City’s *Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing for Infrastructure and Public Facilities*, as amended, adopted August 9, 1994, by Resolution No. 94-491 (the **Mello-Roos Policy**).

**Environmental Considerations:** Neither passage of the resolution nor adoption of the ordinance is a “project” subject to the California Environmental Quality Act because (a) neither has the potential to cause a significant effect on the environment and (b) each pertains to creation of a government funding mechanism not involving a commitment to a specific project that may result in a potentially significant physical effect on the environment. (14 Cal. Code Regs. §§ 15061(b)(3) & 15378(b)(4).)

**Rationale for Recommendation:** The recommended actions are required by the Mello-Roos Act to complete the formation process for the CFD.

**Financial Considerations:** The Developer will initially use its own funds to finance construction of the public improvements and to pay development fees associated with public improvements. Later, if and when sufficient bond proceeds and special taxes are available, the City will reimburse the Developer consistent with the City’s Mello-Roos Policy and with associated agreements. The bond proceeds and special taxes will be used for the sole purposes of (a) funding construction-cost and development-fee reimbursements to the Developer and (b) paying the City’s administrative expenses. This may be done from bond proceeds, directly from special taxes on a pay-as-you-go basis, or from a combination of proceeds and taxes. There are no obligations placed on other funds of the City. The bond sale is anticipated to occur in the fall of 2015, depending on market conditions.

**Local Business Enterprise (LBE):** Not applicable.

## **Background**

The McKinley Village Project (the **Project**) is proposed for a site that was in agricultural use and under cultivation until at least the late 1980s as part of Mize's Farm. The eastern portion of the site was planted with a peach orchard, and the remainder was regularly plowed and planted with an assortment of vegetables. The orchard was removed in late 2006.

The site has had multiple development proposals since the 1990s, including a discount shopping mall and two other residential developments with higher densities than the Project. As approved by the City Council on April 29, 2014, the Project will result in a 336-unit residential subdivision with a 4,200-square-foot recreation center and multiple neighborhood parks. The Project comprises several types of housing, including single-family-detached units, condominiums, and optional second units. Construction of the financed improvements is estimated to be completed by 2016, and one bond sale is anticipated.

### **Purpose of the Proposed Community Facilities District**

The "City of Sacramento McKinley Village Community Facilities District No. 2015-04 (Improvements)" (the **CFD**) will finance certain development fees and public improvements within the public right-of-way and adjacent public-utility easements of the major public roads intersecting, serving, or bordering the CFD's boundary.

### **CFD Special Election Proceedings**

The CFD was formed in compliance with the Mello-Roos Community Facilities District Act of 1982, which requires a special election on the special tax. The City may not levy the tax unless at least two-thirds of the votes cast were in favor of it. Because there are no registered voters residing within the CFD, the vote was by landowners, with each landowner (in this case, just one) having one vote for each acre or portion of an acre owned within the CFD. The vote was in the affirmative.

### **Special Tax Formula**

The special tax is applied to both developed and undeveloped properties. The initial maximum annual special-tax rates for residential parcels in Fiscal Year (FY) 2015/16 range from \$900 to \$1,800 a residential unit, depending on parcel size. The initial maximum annual special-tax rate for undeveloped parcels in FY2015/16 is between \$13,180 and \$18,750 an acre, depending on the tax zone. Each of the maximum annual special-tax rates increases 2% annually to adjust for inflation.

### **Tax Burden on the Land**

City policy limits the total tax-and-assessment burden on a residential parcel to 2% of the parcel's fair-market value (i.e., sales price). The actual practice has, in fact, been a burden of 1.7%. The price points expected in the Project result in a total tax burden,

including ad valorem property taxes and all other special taxes and assessments, of less than 1.5%.

### Site Plan



## SCHEDULE OF FORMATION PROCEEDINGS

### MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT (CFD) NO. 2015-04 (IMPROVEMENTS)

- |                        |  |
|------------------------|--|
| June 23, 2015          | City Council – Initiate Proceedings <ul style="list-style-type: none"><li>o Pass Resolution of Intention To Form CFD and Levy Special Tax (sets hearing date and approves boundary map)</li><li>o Pass Resolution of Intention to Incur Bonded Indebtedness</li></ul>      |
| June 24, 2015          | Mail Notice of Public Hearing & Record Boundary Map  |
| July 14, 2015          | City Council – Declaration to Reimburse Fees   |
| July 17, 2015          | Publish Notice of Hearing  |
| July 28, 2015          | City Council – Public Hearing and Notice for a Special Election <ul style="list-style-type: none"><li>o Conduct Public Hearing</li><li>o Pass Resolution of Formation</li><li>o Pass Resolution to Incur Debt</li><li>o Pass Resolution Calling Special Election</li></ul> |
| July 29, 2015          | Special Election Ballots Due   |
| August 6, 2015         | City Council <ul style="list-style-type: none"><li>o Pass Resolution Declaring Results of Special Election</li><li>o Pass for Publication Ordinance to Levy Tax</li></ul>  |
| August 7, 2015         | Record Notice of Special Tax   |
| <b>August 18, 2015</b> | <b>City Council</b> <ul style="list-style-type: none"><li>o <b>Adopt Ordinance to Levy Special Tax</b></li></ul>   |

## ORDINANCE NO.

Adopted by the Sacramento City Council

### LEVYING A SPECIAL TAX FOR FISCAL YEAR 2015-2016 AND FOLLOWING FISCAL YEARS SOLELY WITHIN, AND RELATING TO, THE CITY OF SACRAMENTO MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2015-04 (IMPROVEMENTS)

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

1. On July 28, 2015, the City Council adopted Resolution No. 2015-0242 (the "**Resolution of Formation**"), thereby establishing the City of Sacramento McKinley Village Community Facilities District No. 2015-04 (Improvements) (the "**CFD**").
2. In accordance with sections 53328 and 53340 of the Government Code (the "**Code**"), the Resolution of Formation, and the Rate and Method of Apportionment of Special Tax attached as Exhibit D to the Resolution of Formation (the "**RMA**"), a special tax is hereby levied on all taxable parcels within the CFD for the 2015-2016 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized special tax under the Resolution of Formation until collection of the special tax by the City Council ceases and a notice of cessation of special tax is recorded in accordance with section 53330.5 of the Code. This amount may be adjusted annually, subject to the maximum authorized special tax under the Resolution of Formation.
3. The City Treasurer or the City Treasurer's designee (in the instance of the use of debt financing) or the Finance Director or the Finance Director's designee (when no debt has been issued) is the Manager of the CFD (the "**Manager**"). The Manager shall serve as the "Administrator" of the RMA (i.e. as "the City official responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax"; section A of the RMA) with the aid of the appropriate officers and agents of the City. The Manager is hereby authorized and directed, without further action by the City Council, to do the following:
  - (a) calculate the appropriate amount of the special tax each year (as authorized by, and as provided in, the Resolution of Formation and the RMA);
  - (b) prepare the annual special-tax roll in accordance with the Resolution of Formation and the RMA; and
  - (c) provide to the Sacramento County Auditor-Controller all information in proper form, and in proper time, that is necessary and appropriate to effect

the correct and timely billing and collection of the special tax on the secured property-tax roll of Sacramento County (the “**County**”).

4. As provided in section 53340 of the Code, the Resolution of Formation, and the RMA, the special tax is to be collected in the same manner and at the same time and to be subject to the same enforcement mechanism and the same penalties and interest for late payment as regular *ad valorem* taxes, except that the City Council reserves the right to utilize any other lawful means of billing, collecting, and enforcing the special tax, including direct billing, supplemental billing, and, when lawfully available, judicial foreclosure of the special-tax lien.
5. The appropriate officers and agents of the City are hereby authorized to make adjustments to the special-tax roll before the final posting of the special taxes to the County tax roll each year, as may be necessary to achieve a correct match of the special-tax levy with the assessor's parcel numbers used by the County in sending out property-tax bills. The County may deduct its reasonable and agreed-upon charges for collecting the special tax from the amounts collected before remitting the special-tax collections to the City.
6. Any taxpayer may appeal the levy of the special tax by filing a written notice of appeal in accordance with section J of the RMA, which is supplemented as follows:
  - (a) A taxpayer may file a notice of appeal with the Manager not more than two years after the end of the tax year for which the taxpayer is contesting the levy, and the taxpayer's failure to do so within that time constitutes a bar to appeal. The notice of appeal must specify in detail the grounds of the appeal, which are limited to (1) clerical errors in assigning an amount of tax to a parcel and (2) an error in defining the use of a parcel or its classification. No other appeals are allowed.
  - (b) Not more than 30 days after an appeal is filed, the Manager shall review the appeal, meet with the taxpayer (if necessary), and mail the taxpayer a written decision on the appeal. If the Manager finds that the special tax should be modified, then the Manager shall correct the special-tax levy or grant the taxpayer a credit against the next year's special-tax levy, as appropriate under the circumstances. The Manager's failure to timely mail a written decision will constitute a decision denying the appeal.
  - (c) If the taxpayer disagrees with the Manager's decision, and if the taxpayer is current on payments of the special tax, then the taxpayer may appeal to the City Council by filing a written notice of appeal with the City Clerk not more than 30 days after the Manager mails the notice of decision or has failed to timely mail a written decision, and the taxpayer's failure to do so constitutes a bar to further appeal. The notice of appeal must specify in detail the grounds of appeal. The City Council shall, in accordance with

chapter 1.24 of the City Code, either hear the appeal itself or refer the appeal to a hearing officer. The hearing on the appeal from the Manager's decision is to be conducted not more than 30 days after the taxpayer files the appeal with the City Council, and the City Council or the hearing officer, as appropriate, shall mail a written decision to the taxpayer not more than 30 days after the hearing concludes. The decision of the City Council or the hearing officer will be final for all purposes. The failure of the City Council or the hearing officer to hear the appeal or to render a decision within the specified time will constitute a denial of the appeal.

7. The filing of an appeal under section 6 of this ordinance will not relieve the taxpayer of the obligation to pay the special tax when due.
8. If for any reason a court with jurisdiction finds any portion of this ordinance to be invalid or finds the special tax to be inapplicable to any particular parcel, then the balance of this ordinance and the application of the special tax to the remaining parcels will not be affected.

**RESOLUTION NO.**

**Adopted by the Sacramento City Council**

**August 18, 2015**

**ESTABLISHING AN ACCOUNTING FUND FOR THE  
MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2015-04  
(IMPROVEMENTS)**

**BACKGROUND**

- A. Formation of McKinley Village Community Facilities District No. 2015-04 (Improvements) (the “**District**”) was approved by the City Council on July 28, 2015. Fiscal Year 2015/16 is the first year that landowners within the District will be subject to the special tax. A new accounting fund needs to be created in accordance with article IX, section 114, of the City Charter.
- B. The District will levy special taxes in an amount sufficient to reimburse the developer for public improvements and fee-related public improvements and to reimburse the City for administrative expenses.

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

- Section 1 The statements in Background paragraphs A and B are true and correct.
- Section 2 The City Manager is authorized and directed to create a new accounting fund to be designated as McKinley Village CFD 2015-04 (Improvements).

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00716

**Title: (Pass for Publication) Ordinance Amending Section 9.04.060 of the Sacramento City Code Relating to Public Nudity**

**Location:** Citywide

**Recommendation:** 1) Review an Ordinance amending Sacramento City Code section 9.04.060 relating to public nudity; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on August 25, 2015.

**Contact:** Katherine Lester, Police Captain, Central Command, (916) 808-4500, Police Department

**Presenter:** None

**Department:** Police

**Division:** Central Command

**Dept ID:** 11001171

**Attachments:**

1-Description/Analysis

2-Background

3-Ordinance (Redlined Copy)

4-Ordinance (Clean Copy)

---

**City Attorney Review**

Approved as to Form

Michael Fry

7/31/2015 4:27:29 PM

**Approvals/Acknowledgements**

Department Director or Designee: Sam Somers - 7/30/2015 10:11:14 AM

## Description/Analysis

**Issue:** Multiple incidents have occurred where officers from the Sacramento Police Department encountered individuals on a public sidewalk or right of way who were nearly naked or their genitals were visible. The officers arrested the subjects, but the District Attorney was unable to prosecute since the incidents did not meet the criteria under state law for lewd conduct or the City of Sacramento's ordinance regarding public nudity. Section 9.04.060 of the Sacramento City Code is only applicable to nudity in public parks, playgrounds, beaches or adjacent waterways. The current ordinance is inapplicable to nudity on streets, sidewalks, or private property visible from the public right of way. State law does not regulate public nudity or otherwise make it a criminal offense to be observed naked while in public. To constitute a criminal offense under state law, an individual must be nude coupled with some type of lewd, obscene, or indecent exposure pursuant to Penal Code section 314. Consequently, local municipalities have the ability to regulate situations of persons appearing, disrobing, or otherwise being observed naked in public.

**Policy Considerations:** The City Council has a long history of supporting policies that protect its residents from quality of life crimes that threaten the health, morals, safety, comfort, convenience, and/or welfare of the community.

**Economic Impact:** None.

**Environmental Considerations:** Not applicable.

**California Environmental Quality Act (CEQA):** This proposal does not constitute a "project" and is therefore exempt from the CEQA process, per Sections 15061(b)(3) and 15378(a) of the CEQA Guidelines.

**Sustainability Considerations:** Not applicable.

**Commission/Committee Action:** On May 12, 2015, the Law and Legislation Committee reviewed the proposed ordinance and approved the item for forwarding to the City Council.

**Rationale for Recommendation:** Local municipalities have the ability to prohibit persons from appearing, disrobing, or otherwise being observed naked in public. The City of Sacramento has a long standing commitment to ensuring its residents are not subject to conduct that is considered alarming or offensive to individuals in public places. The proposed amendment will expand the scope of the existing ordinance by instituting a more comprehensive definition of prohibited activities concerning nudity in public places and upon private property that is visible from the public right of way.

**Financial Considerations:** There is no financial impact associated with implementing the proposed amendment.

**Local Business Enterprise:** Not applicable.

## **Background**

Public nudity laws are often classified with public nuisance laws to address quality of life crimes that annoy, offend, or endanger the comfort, health, safety or public peace. The current City ordinance concerning nudity (Section 9.04.060) is limited in its application to certain locations of public property. For example, an individual could be nude on the sidewalk in front of Cesar Chavez Park while children are present and to most people, it would be considered offensive or socially repugnant, yet it would not be a crime unless the individual stepped off the pavement and onto park grounds, or simultaneously engaged in lewd or sexually gratifying behavior.

Multiple incidents have occurred when officers from the Sacramento Police Department contacted individuals upon the sidewalk or public right of way who were almost completely naked or where their genitals were visible. Neither individual could be charged under state law with indecent exposure (Penal Code section 314.1) because they did not willfully expose their genitals, make sexual comments, or do anything that would be considered to have lewd intent or sexually gratifying behavior. Since the existing City ordinance did not prohibit public nudity on the street, sidewalk, or public right of way, there was nothing illegal about the conduct observed by the officers.

The proposed amendment would also expand the prohibition against public nudity to include any portion of private property that is visible from public property.

Exceptions to the amended ordinance include children under the age of ten, breastfeeding mothers, theatrical performances, and nudity upon public property within a fully enclosed structure such as a locker room. Violation of the ordinance is a misdemeanor and may result in criminal sanctions, civil sanctions and administrative penalties.

**ORDINANCE NO.**

Adopted by Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 9.04.060 OF THE SACRAMENTO CITY CODE RELATING TO PUBLIC NUDITY**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO

**SECTION 1.**

Section 9.04.060 of the Sacramento City Code is amended to read as follows:

**9.04.060 Public nNudity.**

~~It is unlawful for any person to appear, bathe, sunbathe, walk or be in any public park, playground, or beach, or the waters adjacent thereto, located within the city, in such a manner that the genitals, vulva, pubis, pubic hair, buttocks, perineum, anus, anal region, or pubic hair region of any person, or any portion of the breast at or below the upper edge of the areola thereof on any female person, is exposed to public view or is not covered by an opaque covering.~~

~~A. This section shall not apply to children under the age of ten (10) years.~~

~~B. This section shall not apply to live theatrical performances performed in a theater, concert hall, or other similar establishment located on public land.~~

A. Definitions. For purposes of this section, the following words and phrases are defined as follows:

“Nude” or “nudity” means exposure of the genitals, pubic area, anus, or buttocks with less than a fully opaque covering; or exposure of a female breast below a horizontal line across the top of the areola at the areola’s highest point with less than a fully opaque covering.

“Public property” means any property owned or controlled by the city of Sacramento, including, but not limited to, any building, street, sidewalk, bike path, alley, parking lot, plaza, park, playground, pool, beach or adjacent waters, or other place open to the public.

B. Public Nudity Prohibited. No person shall be nude upon public property or upon any portion of private property that is visible from public property.

C. Exceptions.

This section shall not apply to:

1. Children under the age of ten years;

2. The exposure of a breast while breastfeeding a nursing child;
3. Theatrical performances in a theater, concert hall, or other similar establishment located on public property;
4. Nudity within a fully enclosed structure intended to allow brief nudity, such as a bathroom, locker room, dressing room, or changing room; and
5. Any act that is expressly permitted or prohibited by any law of the State of California.

D. Violation.

1. In addition to any other remedy allowed by law, any person who violates this section is subject to criminal sanctions, civil actions, and administrative penalties pursuant to chapter 1.28.
2. Any person who violates this section is guilty of a misdemeanor.
3. Violations of this section are hereby declared to be public nuisances and the city attorney is authorized to bring and prosecute an action in a court of competent jurisdiction to enjoin the violations.

**SECTION 2.**

If any provision of this Ordinance or its application to any person or circumstance is held invalid or ineffective by any court of competent jurisdiction, or by reason of any preemptive legislation, that invalidity shall not affect the validity of the remaining provisions of this Ordinance. The City Council declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or words be declared invalid.

**ORDINANCE NO.**

Adopted by Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 9.04.060 OF THE SACRAMENTO CITY CODE RELATING TO PUBLIC NUILITY**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO

**SECTION 1.**

Section 9.04.060 of the Sacramento City Code is amended to read as follows:

**9.04.060 Public nudity.**

A. Definitions. For purposes of this section, the following words and phrases are defined as follows:

“Nude” or “nudity” means exposure of the genitals, pubic area, anus, or buttocks with less than a fully opaque covering; or exposure of a female breast below a horizontal line across the top of the areola at the areola’s highest point with less than a fully opaque covering.

“Public property” means any property owned or controlled by the city of Sacramento, including, but not limited to, any building, street, sidewalk, bike path, alley, parking lot, plaza, park, playground, pool, beach or adjacent waters, or other place open to the public.

B. Public Nudity Prohibited. No person shall be nude upon public property or upon any portion of private property that is visible from public property.

C. Exceptions.

This section shall not apply to:

1. Children under the age of ten years;
2. The exposure of a breast while breastfeeding a nursing child;
3. Theatrical performances in a theater, concert hall, or other similar establishment located on public property;
4. Nudity within a fully enclosed structure intended to allow brief nudity, such as a bathroom, locker room, dressing room, or changing room; and
5. Any act that is expressly permitted or prohibited by any law of the State of California.

D. Violation.

1. In addition to any other remedy allowed by law, any person who violates this section is subject to criminal sanctions, civil actions, and administrative penalties pursuant to chapter 1.28.

2. Any person who violates this section is guilty of a misdemeanor.

3. Violations of this section are hereby declared to be public nuisances and the city attorney is authorized to bring and prosecute an action in a court of competent jurisdiction to enjoin the violations.

**SECTION 2.**

If any provision of this Ordinance or its application to any person or circumstance is held invalid or ineffective by any court of competent jurisdiction, or by reason of any preemptive legislation, that invalidity shall not affect the validity of the remaining provisions of this Ordinance. The City Council declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or words be declared invalid.

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00376

**Title:** Fourth Amendment to Revocable Permit Agreement for a Telecommunications Tower at Northgate Park

**Location:** 2825 Mendel Way, District 3

**Recommendation:** Pass a Resolution authorizing the City Manager or the City Manager's designee to execute the Fourth Amendment to Revocable Permit Agreement for Northgate Park (City Agreement No. 95-187), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS MPL 25-Year Sites Tower Holdings, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.

**Contact:** Bill Sinclair, Facilities & Real Property Superintendent, (916) 808-1905; Jon Blank, Acting Facilities Manager, (916) 808-7914, Department of Public Works

**Presenter:** None

**Department:** Public Works Department

**Division:** Real Estate/Asset Management

**Dept ID:** 15004551

**Attachments:**

1-Description/Analysis

2-Resolution

3-Fourth Amendment to Revocable Permit Agreement for Northgate Park

---

**City Attorney Review**

Approved as to Form

Gerald Hicks

8/3/2015 2:28:39 PM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 7/14/2015 9:48:48 AM

**Description/Analysis:**

**Issue Detail:** City Agreement No. 95-187 (Agreement) was executed on October 10, 1995 by the City and Sacramento Cellular Telephone Company for the operation of a telecommunications tower and associated equipment at Northgate Park. Sacramento Cellular Telephone Company became New Cingular Wireless PCS, LLC through a series of mergers and acquisitions. New Cingular Wireless PCS, LLC MPL 25-Year Sites Tower Holdings LLC (Permittee) is the successor in interest to New Cingular Wireless PCS, LLC and has assumed all of the rights and obligations under the Agreement. The Permittee is interested in continuing the Agreement with the City. The recommended amendment to the Agreement will extend the term for five years with three five-year renewal options.

**Policy Considerations:** The recommendation in this report is in accordance with City Code Chapter 3.76 regarding revocable permits, as well as the 2035 General Plan regarding telecommunication infrastructure.

**Economic Impacts:** None

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** No environmental review is necessary as the recommendation in this report involves a continuing administrative activity and is not considered to be a project in accordance with Section 15378(b) (2) of the CEQA Guidelines.

**Sustainability:** Not applicable

**Commission/Committee Action:** None

**Rationale for Recommendation:** Executing the recommended amendment to the Agreement will allow for continued telecommunications coverage in an area where there are few nearby telecommunications towers. Without the continued operation of the subject telecommunications facility, cellular coverage and data capacity would be considerably slower in the surrounding neighborhoods.

The following table provides information about the prior amendments:

Amendment No.	Date	Purpose
First	7/5/2002	3G equipment upgrade, and \$500 increase in monthly rent
Second	9/14/2011	Minor equipment modification
Third	12/9/2014	Minor equipment modification, change notification address

**Financial Considerations:** Revenue from the amendment will be recorded in the General Fund (Fund 1001) in the Citywide and Community Support budget in accordance with Resolution No. 2012-020 adopted by City Council on January 31, 2012. The recommended amendment includes an initial term of five years with three five-year renewal options, and annual rental increases of three percent. Annual revenue will begin at \$22,899 in the first year and increase to \$25,773 by the fifth year, for a total of \$121,573 at the end of the fifth year. If all renewal options are exercised, the agreement will expire on July 31, 2035.

**Local Business Enterprise (LBE):** No goods or services are being purchased as a result of this report.

## **RESOLUTION NO. 2015-**

Adopted by the Sacramento City Council

August 6, 2015

### **AUTHORIZING A FOURTH AMENDMENT TO REVOCABLE PERMIT AGREEMENT FOR A TELECOMMUNICATIONS TOWER AT NORTHGATE PARK**

#### **BACKGROUND**

- A. City Agreement No. 95-187 (Agreement) was executed on October 10, 1995 by the City and Sacramento Cellular Telephone Company for the operation of a telecommunications tower and associated equipment at Northgate Park. Sacramento Cellular Telephone Company became New Cingular Wireless PCS, LLC through a series of mergers and acquisitions. New Cingular Wireless PCS, LLC MPL 25-Year Sites Tower Holdings LLC (Permittee) is the successor in interest to New Cingular Wireless PCS, LLC and has assumed all of the rights and obligations under the Agreement. The Permittee is interested in continuing the Agreement with the City. The recommended amendment to the Agreement (Exhibit A) will extend the term for five years with three five-year renewal options.
- B. The recommendation in this report is in accordance with City Code Chapter 3.76 regarding revocable permits, as well as the 2035 General Plan regarding telecommunication infrastructure.
- C. Revenue from the recommended amendment will be recorded in the General Fund (Fund 1001) in the Citywide and Community Support budget in accordance with Resolution No. 2012-020 adopted by City Council on January 31, 2012. The recommended amendment includes an initial term of five years with three five-year renewal options, and annual rental increases of three percent. Annual revenue will begin at \$22,899 in the first year and increase to \$25,773 by the fifth year, for a total of \$121,573 at the end of the fifth year. If all renewal options are exercised the agreement will expire on July 31, 2035.

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

- Section 1. The City Manager or the City Manager's designee is authorized to execute the Fourth Amendment to Revocable Permit Agreement for Northgate Park (City Agreement No. 95-187), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS MPL 25-Year Sites Tower Holdings, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.

#### **Table of Contents:**

Exhibit A - Fourth Amendment to Revocable Permit Agreement

**FOURTH AMENDMENT TO REVOCABLE PERMIT AGREEMENT  
FOR NORTHGATE PARK**

WHEREAS, **Sacramento Cellular Telephone Company, doing business as AT&T Wireless Services of California**, and the City of Sacramento, a municipal corporation ("City"), previously entered into a Revocable Permit for use of a certain portion of **NORTHGATE PARK** – 2825 Mendel Way, Sacramento, CA 95833, dated October 11, 1995, and identified as City Agreement No. **95-187** (the "Revocable Permit"); and

WHEREAS, AT&T Wireless Services of California subsequently converted to AT&T Wireless Services of California, LLC, which through a series of mergers and acquisitions, became New Cingular Wireless PCS, LLC, a Delaware limited liability company ("New Cingular Wireless"). NCWPCS MPL 25 - Year Sites Tower Holdings LLC ("NCWPCS") is the successor in interest to New Cingular Wireless and has assumed all of the rights and obligations under the Revocable Permit; and

WHEREAS, NCWPCS has granted CCATT LLC, a Delaware limited liability company, a Limited Power of Attorney to review, negotiate and execute this Third Amendment; and

WHEREAS, Sacramento Cellular Telephone Company, AT&T Wireless Services of California, LLC, New Cingular Wireless, NCWPCS and CCATT LLC shall hereafter be referred to collectively and singularly as the Permittee; and

WHEREAS, Permittee entered into the First Amendment to Revocable Permit Agreement, dated July 5, 2002, further identified as City Manager Agreement No. 95-187-1, and Second Amendment to Revocable Permit Agreement, dated September 14, 2011, further identified as City Manager Agreement No. 95-187-2, and Third Amendment to Revocable Permit Agreement, dated December 9, 2014, further identified as City Manager Agreement No. 95-187-3 (collectively the "Revocable Permit"); and

WHEREAS, the Revocable Permit had an initial term that commenced on August 1, 1995 and expired on July 31, 2005. The Revocable Permit provides for one (1) extension of ten (10) years. According to the Revocable Permit, the extension expires July 31, 2015; and

WHEREAS, Permittee and the City of Sacramento desire to further amend the Revocable Permit as provided herein.

NOW THEREFORE,

- 1) Except as specifically provided herein, all terms and conditions of the Revocable Permit identified as City Agreement No. 95-187, 95-187-1, 95-187-2, and 95-187-3, including the total annual rent, shall remain in full force and effect.

FOURTH AMENDMENT TO REVOCABLE PERMIT  
NORTHGATE PARK

- 2) Pursuant to Paragraph 5(c) of the Revocable Permit, Permittee shall continue to maintain and operate its facilities in a manner that does not interfere with City's communications systems.
- 3) Paragraph 3.b. of the Revocable Permit is hereby deleted and the following is inserted in its place:

Permittee shall have the right to renew the Revocable Permit for an additional ten (10) year term (the "Ten-Year Renewal Term"), followed by four (4) additional terms of five (5) years each (each a "Five-Year Renewal Term"). The Revocable Permit shall automatically be extended for each successive Five-Year Renewal Term unless Permittee notifies the City of its intention not to renew at least ninety (90) days prior to the expiration of the then-current five year term.

The City and Permittee hereby acknowledge that Permittee has exercised the Ten-Year Renewal Term, leaving a balance of four (4) Five-Year Renewal Terms, with the final extension expiring on July 31, 2035.

- 4) Paragraph 4 of the Revocable Permit is hereby deleted and the following is inserted in its place:

4. RENT

- a. Throughout the Ten-Year Renewal Term, and for each and every Five-Year Renewal Term exercised by Permittee, the rent shall increase, commencing on August 1, 2015, and every year thereafter on the anniversary date of the Revocable Permit, by three percentage points (3.0%).
  - b. The rent paid by Permittee is currently paid on a monthly basis. During the Ten-Year Renewal Term and for each successive Five-Year Renewal Term, rent shall continue to be paid on a monthly basis unless Permittee requests in writing that payments be made in one lump sum on each anniversary date, approval of which shall not be unreasonably withheld.
- 5) If requested by Permittee, the City will reasonably cooperate in executing, at Permittee's sole cost and expense, all documents required by any governmental authority in connection with any development of, or construction on, the premises, including documents necessary to petition the appropriate public bodies for certificates, permits, licenses and other approvals deemed necessary by Permittee in Permittee's absolute discretion to utilize the premises for the purpose of constructing, maintaining and operating communications facilities, including without limitation, tower structures, antenna support structures,

FOURTH AMENDMENT TO REVOCABLE PERMIT  
NORTHGATE PARK

cabinets, meter boards, buildings, antennas, cables, equipment and uses incidental thereto. The City agrees to be named applicant if requested by Permittee. Execution of any documents on behalf of Permittee will not unduly obligate the City. The City shall take no action that would adversely affect the status of the premises with respect to the proposed use by Permittee. The City shall be entitled to no further consideration with respect to any of the foregoing matters.

- 6) a) The City and Permittee agree that Permittee is the current permittee under the Revocable Permit, the Revocable Permit is in full force and effect, as amended herein, and the Revocable Permit contains the entire agreement between the City and Permittee with respect to the premises.
- b) The City agrees that any and all actions or inactions that have occurred or should have occurred prior to the date of this Third Amendment are approved and ratified and that no breaches or defaults exist as of the date of this Third Amendment.
- c) The City represents and warrants that the City is duly authorized and has the full power, right and authority to enter into this Third Amendment and to perform all of its obligations under the Revocable Permit as amended.
- 7) The following addresses are to replace those listed in Section 13 of the Revocable Permit:

City:

City of Sacramento  
Facilities and Real Property Management  
Attn: Telecom Program Manager  
915 "I" Street, 2<sup>nd</sup> Floor  
Sacramento, CA 95814

Permittee:

NCWPCS MPL 25 - Year Sites Tower Holdings LLC  
c/o Crown Castle USA Inc.  
E. Blake Hawk, General Counsel  
Attn: Legal Department  
2000 Corporate Drive  
Canonsburg, PA 15317

- 8) The City agrees to provide Permittee with a completed IRS Form W-9, or its equivalent, upon execution of this Third Amendment and at such other times as may be reasonably requested by Permittee. In the event the City's property is transferred, the succeeding owner shall have a duty at the time of such transfer to provide Permittee with a completed IRS Form W-9, or its equivalent, and other

FOURTH AMENDMENT TO REVOCABLE PERMIT  
NORTHGATE PARK

related paper work to effect a transfer in the rent to the new owner. The City's failure to provide the IRS Form W-9 within thirty (30) days after Permittee's request shall be considered a default and Permittee may take any reasonable action necessary to comply with IRS regulations including, but not limited to, withholding applicable taxes from rent payments.

- 9) The parties hereto acknowledge that except as expressly modified hereby, the Revocable Permit remains unmodified and in full force and effect. In the event of any conflict or inconsistency between the terms of this Third Amendment and the Revocable Permit, the terms of this Third Amendment shall control. This Third Amendment may be executed simultaneously or in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

FOURTH AMENDMENT TO REVOCABLE PERMIT  
NORTHGATE PARK

IN WITNESS WHEREOF, Permittee and the City of Sacramento have executed this Fourth Amendment as of \_\_\_\_\_, 20\_\_\_\_\_.

NCWPCS MPL 25 - Year Sites Tower Holdings LLC,  
a Delaware limited liability company,

By: CCATT LLC,  
a Delaware limited liability company,  
Its: Attorney in Fact

By:   
Print Name: Lisa A. Sedgwick  
Title: RET Manager  
Dated: 5-20-15

City of Sacramento,  
a municipal corporation

By: \_\_\_\_\_  
Print Name: John Dangberg  
Title: Assistant City Manager  
For: John F. Shirey, City Manager

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

By:   
Senior Deputy City Attorney

ATTEST:

By: \_\_\_\_\_  
City Clerk

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00377

**Title:** Sixth Amendment to Revocable Permit Agreement for a Telecommunications Tower at Oki Park

**Location:** 2701 Wissemann Drive, District 6

**Recommendation:** Pass a Resolution authorizing the City Manager or the City Manager's designee to execute the Sixth Amendment to Revocable Permit Agreement for Oki Park (City Agreement No. 96-115), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.

**Contact:** Bill Sinclair, Facilities & Real Property Superintendent, (916) 808-1905; Jon Blank, Acting Facilities Manager, (916) 808-7914, Department of Public Works

**Presenter:** None

**Department:** Public Works Department

**Division:** Real Estate/Asset Management

**Dept ID:** 15004551

**Attachments:**

1-Description/Analysis

2-Resolution

3-Sixth Amendment to Revocable Permit Agreement for Oki Park

---

**City Attorney Review**

Approved as to Form

Gerald Hicks

8/3/2015 2:32:22 PM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 7/14/2015 9:49:22 AM

**Description/Analysis:**

**Issue Detail:** City Agreement No. 96-115 (Agreement) was executed on September 24, 1996 by the City and Sacramento Cellular Telephone Company for the operation of a telecommunications tower and associated equipment at Oki Park. Through a series of mergers and acquisitions, Sacramento Cellular Telephone Company became New Cingular Wireless PCS, LLC (Permittee). The Permittee, having assumed all of the rights and obligations under the Agreement, is interested in continuing the Agreement with the City. The recommended amendment to the Agreement will extend the term for five years with three five-year renewal options.

**Policy Considerations:** The recommendation in this report is in accordance with City Code Chapter 3.76 regarding revocable permits, as well as the 2035 General Plan regarding telecommunication infrastructure.

**Economic Impacts:** None

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** No environmental review is necessary because the recommendation in this report involves a continuing administrative activity and is not considered to be a project in accordance with Section 15378(b) (2) of the CEQA Guidelines.

**Sustainability:** Not applicable

**Commission/Committee Action:** None

**Rationale for Recommendation:** Executing the recommended amendment will allow for continued telecommunications coverage in an area where there are few nearby telecommunications towers. Without the continued operation of the subject telecommunications facility, cellular coverage and data capacity would be considerably slower in the surrounding neighborhoods.

The following table provides information about the prior amendments:

Amendment No.	Date	Purpose
First	7/5/2002	3G equipment upgrade, and \$500 increase in monthly rent
Second	12/4/2002	Minor equipment modification
Third	4/28/2004	Minor equipment modification, change notification address
Fourth	12/5/2008	Minor equipment modification
Fifth	9/14/2011	Minor equipment modification

**Financial Considerations:** Revenue from the recommended amendment will be recorded in the General Fund (Fund 1001) in the Citywide and Community Support budget in accordance with Resolution No. 2012-020 adopted by City Council on January 31, 2012. The recommended amendment includes an initial term of five years with three five-year renewal options, and annual rent increases of three percent. Annual revenue will begin at \$22,489 in the first year and increase to \$25,311 by the fifth year, for a total of \$119,395 at the end of the fifth year. If all renewal options are exercised the agreement will expire September 30, 2036.

**Local Business Enterprise (LBE):** No goods or services are being purchased as a result of this report.

## **RESOLUTION NO. 2015-**

Adopted by the Sacramento City Council

August 6, 2015

### **AUTHORIZING A SIXTH AMENDMENT TO REVOCABLE PERMIT AGREEMENT FOR A TELECOMMUNICATIONS TOWER AT OKI PARK**

#### **BACKGROUND**

- A. City Agreement No. 96-115 (Agreement) was executed on September 24, 1996 by the City and Sacramento Cellular Telephone Company for the operation of a telecommunications tower at Oki Park. Through a series of mergers and acquisitions, Sacramento Cellular Telephone Company became New Cingular Wireless PCS, LLC (Permittee). The Permittee, having assumed all of the rights and obligations under the Agreement, is interested in continuing the Agreement with the City. The recommended amendment to the Agreement (Exhibit A) will extend the term for five years with three five-year renewal options.
- B. The recommendation in this report is in accordance with City Code Chapter 3.76 regarding revocable permits, as well as the 2035 General Plan regarding telecommunication infrastructure.
- C. Revenue from the recommended amendment will be recorded in the General Fund (Fund 1001) in the Citywide and Community Support budget in accordance with Resolution No. 2012-020 adopted by City Council on January 31, 2012. The recommended amendment includes an initial term of five years with three five-year renewal options, and annual rent increases of three percent. Annual revenue will begin at \$22,489 in the first year and increase to \$25,311 by the fifth year, for a total of \$119,395 at the end of the fifth year. If all renewal options are exercised the agreement will expire September 30, 2036.

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

- Section 1. The City Manager or the City Manager's designee is authorized to execute the Sixth Amendment to Revocable Permit Agreement for Oki Park (City Agreement No. 96-115), and any other documents necessary to implement the amendment, with New Cingular Wireless PCS, LLC for five years with three five-year renewal options for the operation of a telecommunications tower and associated equipment.

#### **Table of Contents:**

Exhibit A – Sixth Amendment to Revocable Permit Agreement

## SIXTH AMENDMENT TO REVOCABLE PERMIT AGREEMENT FOR OKI PARK

WHEREAS, **Sacramento Cellular Telephone Company, doing business as AT&T Wireless Services of California**, and the City of Sacramento, a municipal corporation ("City"), previously entered into a Revocable Permit for use of a certain portion of **OKI PARK** – 2701 Wissemann Drive, Sacramento, CA 95826, dated September 24, 1996, and identified as City Agreement No. **96-115** (the "Revocable Permit"); and

WHEREAS, AT&T Wireless Services of California subsequently converted to AT&T Wireless Services of California, LLC, which through a series of mergers and acquisitions, became New Cingular Wireless PCS, LLC, a Delaware limited liability company ("New Cingular Wireless"); and

WHEREAS, New Cingular Wireless has granted CCATT LLC, a Delaware limited liability company, a Limited Power of Attorney to review, negotiate and execute this Sixth Amendment; and

WHEREAS, Sacramento Cellular Telephone Company, AT&T Wireless Services of California, LLC, New Cingular Wireless and CCATT LLC shall hereafter be referred to collectively and singularly as the Permittee; and

WHEREAS, Permittee entered into the First Amendment to Revocable Permit Agreement, dated July 5, 2002, further identified as City Manager Agreement No. 96-115-1, and Second Amendment to Revocable Permit Agreement, dated December 4, 2002, further identified as City Manager Agreement No. 96-115-2, and Third Amendment to Revocable Permit Agreement, dated April 28, 2004, further identified as City Manager Agreement No. 96-115-3, and Fourth Amendment to Revocable Permit Agreement, dated December 5, 2008, further identified as City Manager Agreement No. 96-115-4, and Fifth Amendment to Revocable Permit Agreement, dated September 14, 2011, further identified as City Manager Agreement No. 96-115-5 (collectively the "Revocable Permit"); and

WHEREAS, the Revocable Permit had an initial term that commenced on October 1, 1996 and expired on September 30, 2006. The Revocable Permit provides for one (1) extension of ten (10) years. According to the Revocable Permit, the extension expires September 30, 2016; and

WHEREAS, Permittee and the City of Sacramento desire to further amend the Revocable Permit as provided herein.

NOW THEREFORE,

- 1) Except as specifically provided herein, all terms and conditions of the Revocable Permit identified as City Agreement No. 96-115, 96-115-1, 96-115-2, 96-115-3,

SIXTH AMENDMENT TO REVOCABLE PERMIT  
OKI PARK

96-115-4, and 96-115-5, including the total annual rent, shall remain in full force and effect.

- 2) Pursuant to Paragraph 5(c) of the Revocable Permit, Permittee shall continue to maintain and operate its facilities in a manner that does not interfere with City's communications systems.
- 3) Paragraph 3.b. of the Revocable Permit is hereby deleted and the following is inserted in its place:

Permittee shall have the right to renew the Revocable Permit for an additional ten (10) year term (the "Ten-Year Renewal Term"), followed by four (4) additional terms of five (5) years each (each a "Five-Year Renewal Term"). The Revocable Permit shall automatically be extended for each successive Five-Year Renewal Term unless Permittee notifies the City of its intention not to renew at least ninety (90) days prior to the expiration of the then-current five year term.

The City and Permittee hereby acknowledge that Permittee has exercised the Ten-Year Renewal Term, leaving a balance of four (4) Five-Year Renewal Terms, with the final extension expiring on September 30, 2036.

- 4) Paragraph 4 of the Revocable Permit is hereby deleted and the following is inserted in its place:

4. RENT

- a. Throughout the Ten-Year Renewal Term, and for each and every Five-Year Renewal Term exercised by Permittee, the rent shall increase, commencing on October 1, 2016, and every year thereafter on the anniversary date of the Revocable Permit, by three percentage points (3.0%).
  - b. The rent paid by Permittee is currently paid on a monthly basis. During the Ten-Year Renewal Term and for each successive Five-Year Renewal Term, rent shall continue to be paid on a monthly basis unless Permittee requests in writing that payments be made in one lump sum on each anniversary date, approval of which shall not be unreasonably withheld.
- 5) If requested by Permittee, the City will reasonably cooperate in executing, at Permittee's sole cost and expense, all documents required by any governmental authority in connection with any development of, or construction on, the premises, including documents necessary to petition the appropriate public bodies for certificates, permits, licenses and other approvals deemed necessary by Permittee in Permittee's absolute discretion to utilize the premises for the

SIXTH AMENDMENT TO REVOCABLE PERMIT  
OKI PARK

purpose of constructing, maintaining and operating communications facilities, including without limitation, tower structures, antenna support structures, cabinets, meter boards, buildings, antennas, cables, equipment and uses incidental thereto. The City agrees to be named applicant if requested by Permittee. Execution of any documents on behalf of Permittee will not unduly obligate the City. The City shall take no action that would adversely affect the status of the premises with respect to the proposed use by Permittee. The City shall be entitled to no further consideration with respect to any of the foregoing matters.

- 6) a) The City and Permittee agree that Permittee is the current permittee under the Revocable Permit, the Revocable Permit is in full force and effect, as amended herein, and the Revocable Permit contains the entire agreement between the City and Permittee with respect to the premises.
- b) The City agrees that any and all actions or inactions that have occurred or should have occurred prior to the date of this Sixth Amendment are approved and ratified and that no breaches or defaults exist as of the date of this Sixth Amendment.
- c) The City represents and warrants that the City is duly authorized and has the full power, right and authority to enter into this Sixth Amendment and to perform all of its obligations under the Revocable Permit as amended.
- 7) The following addresses are to replace those listed in Section 13 of the Revocable Permit:

City:

City of Sacramento  
Facilities and Real Property Management  
Attn: Telecom Program Manager  
915 "I" Street, 2<sup>nd</sup> Floor  
Sacramento, CA 95814

Permittee:

New Cingular Wireless PCS, LLC  
c/o Crown Castle USA Inc.  
E. Blake Hawk, General Counsel  
Attn: Legal Department  
2000 Corporate Drive  
Canonsburg, PA 15317

- 8) The City agrees to provide Permittee with a completed IRS Form W-9, or its equivalent, upon execution of this Sixth Amendment and at such other times as may be reasonably requested by Permittee. In the event the City's property is

SIXTH AMENDMENT TO REVOCABLE PERMIT  
OKI PARK

transferred, the succeeding owner shall have a duty at the time of such transfer to provide Permittee with a completed IRS Form W-9, or its equivalent, and other related paper work to effect a transfer in the rent to the new owner. The City's failure to provide the IRS Form W-9 within thirty (30) days after Permittee's request shall be considered a default and Permittee may take any reasonable action necessary to comply with IRS regulations including, but not limited to, withholding applicable taxes from rent payments.

- 9) The parties hereto acknowledge that except as expressly modified hereby, the Revocable Permit remains unmodified and in full force and effect. In the event of any conflict or inconsistency between the terms of this Sixth Amendment and the Revocable Permit, the terms of this Sixth Amendment shall control. This Sixth Amendment may be executed simultaneously or in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

SIXTH AMENDMENT TO REVOCABLE PERMIT  
OKI PARK

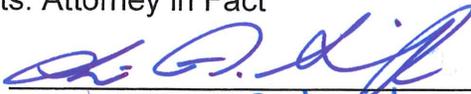
IN WITNESS WHEREOF, Permittee and the City of Sacramento have executed this  
Sixth Amendment as of \_\_\_\_\_, 20\_\_\_\_\_.

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company,

City of Sacramento,  
a municipal corporation

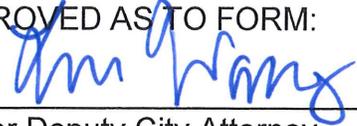
By: CCATT LLC,  
a Delaware limited liability company,  
Its: Attorney in Fact

By: \_\_\_\_\_  
Print Name: John Dangberg  
Title: Assistant City Manager  
For: John F. Shirey, City Manager

By:   
Print Name: Lisa A. Sedgwick  
Title: RET Manager  
Dated: 5/21/2015

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

By:   
Senior Deputy City Attorney

ATTEST:

By: \_\_\_\_\_  
City Clerk

**Meeting Date:** 8/18/2015

**Report Type:** Consent

**Report ID:** 2015-00676

**Title:** Approval of 2015 Speed Lump Project

**Location:** Citywide

**Recommendation:** Pass a Motion approving the 2015 Speed Lump Project.

**Contact:** Debb Newton, Program Analyst, (916) 808-6739; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

**Presenter:** None

**Department:** Public Works Department

**Division:** Transportation Division

**Dept ID:** 15001911

**Attachments:**

1-Description/Analysis

2-Exhibit A - 2015 Speed Lump Project Locations & Maps

---

**City Attorney Review**

Approved as to Form

Gerald Hicks

7/28/2015 11:15:38 AM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 7/27/2015 7:36:25 AM

## Description/Analysis

**Issues:** The 2015 Speed Lump Project consists of the installation of speed lumps, signs, and markings to reduce vehicle speeds in residential neighborhoods.

**Policy Considerations:** The Speed Lump Project serves to enhance the quality of life within existing neighborhoods through the use of neighborhood traffic management techniques, while recognizing the City's desire to provide a grid system that creates a high level of connectivity, consistent with General Plan Goal M 4.3.

**Economic Impacts:** None.

### Environmental Considerations:

**California Environmental Quality Act (CEQA):** The Community Development Department, Environmental Planning Services Division, has reviewed the 2015 Speed Lump project and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301. Projects exempted under Class 1, Section 15301(c), consist of the operation, repair, or minor alteration of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities involving negligible or no expansion of use. There would be no significant effect on the environment.

**Sustainability Considerations:** This project is consistent with the City's Sustainability Master Plan. It is aimed at addressing the goals and targets set forth in the Transportation Infrastructure and Air Quality Focus Areas by improving and optimizing transportation infrastructure with streets that encourage pedestrians and bicycles.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** The 2015 Speed Lump Project addresses speed reduction on residential streets. All locations included in the project were recently approved by a vote of residents and met the minimum 25% return rate and the two-thirds (2/3) majority vote in favor of speed lump installation. (See Exhibit A).

**Financial Considerations:** The estimated total project cost of the 2015 Speed Lump Project is \$50,000 which includes asphalt speed lump construction and signing and striping by City crews. The project costs will be paid for from the Traffic Calming Program (S15120700).

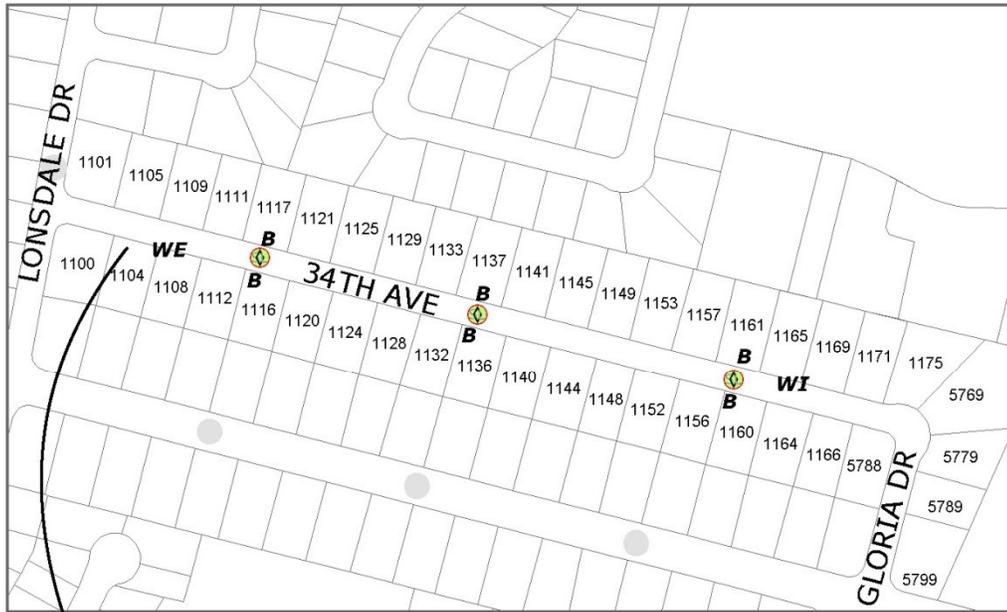
The Traffic Calming Program (S15120700) has a total budget of \$625,000 consisting of local transportation funds. As of July 9, 2015, the Traffic Calming Program (S15120700) has an unobligated balance of \$220,723, which is sufficient to cover the estimated speed lump construction and signing and striping costs for the 2015 Speed Lump Project.

There are no general funds planned or allocated for this project.

**Local Business Enterprise (LBE):** Not applicable as the speed lumps will be installed by City of Sacramento, Department of Public Works crews.

EXHIBIT A

<b>2015 Speed Lump Project Locations and Maps</b>			
<b>Location</b>	<b>Between These Streets</b>	<b>Lumps</b>	<b>Width</b>
34th Avenue	Lonsdale Dr - Gloria Dr	3	25.0
59th Street	T St - Broadway	4	31.0
Havenside Drive	Florin Rd - Santa Teresa Wy	3	60.0
Lake Forest Drive	Chestnut Hill Dr - Notre Dame Dr	2	43.0
M Street	45th St - 48th St	2	37.0
Senator Avenue	Northgate Bl - Natoma St	3	25.0
Summertide Way	Ehrhardt Av - Center Parkway	1	25.0
Wainscott Way	Water Mill Wy – Georgica Wy	1	31.5



**TRIM TREE @ 1104 34TH ST.**



<b>ON:</b> 34TH AVENUE		
BETWEEN LONSDALE DR		
AND: GLORIA DR		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
3	25	
		<b>BOLLARD</b> 6
		<b>PADDLE:</b>
		<b>WARNING SIGN:</b> 2
		2" PIPE: 1
		<b>EXTENSION:</b>
		ON <b>ELECTROLIER:</b> 1
<b>CIP:</b> S15120700		<b>DISTRICT:</b> 5

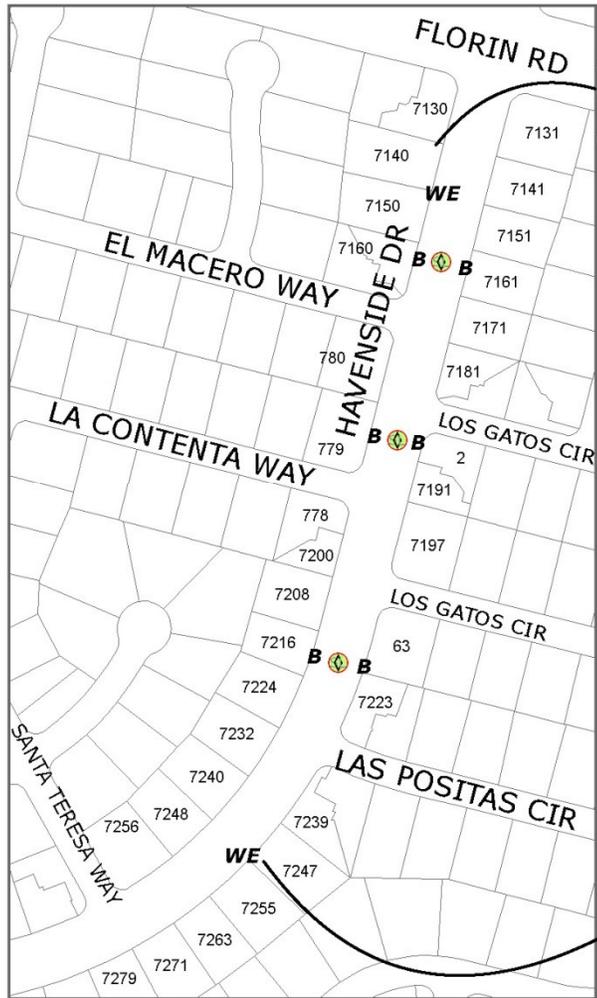
**ADD EXTENSION  
TO BUS SIGN  
AND RELOCATE  
R2-1(30) FROM  
#2112**



**RELOCATE  
R2-1(30) FROM  
#5901 TO EX. PIPE AND SIGN  
WITH AN EXTENSION**



<b>ON: 59TH STREET</b>		
BETWEEN T ST		
AND: BROADWAY		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
4	31	
		<b>BOLLARD: 7</b>
		<b>PADDLE:</b>
		<b>WARNING SIGN: 2</b>
		<b>2" PIPE:</b>
		<b>EXTENSION: 2</b>
		<b>ON ELECTROLIER: 1</b>
<b>CIP: S15120700</b>		<b>DISTRICT: 6</b>

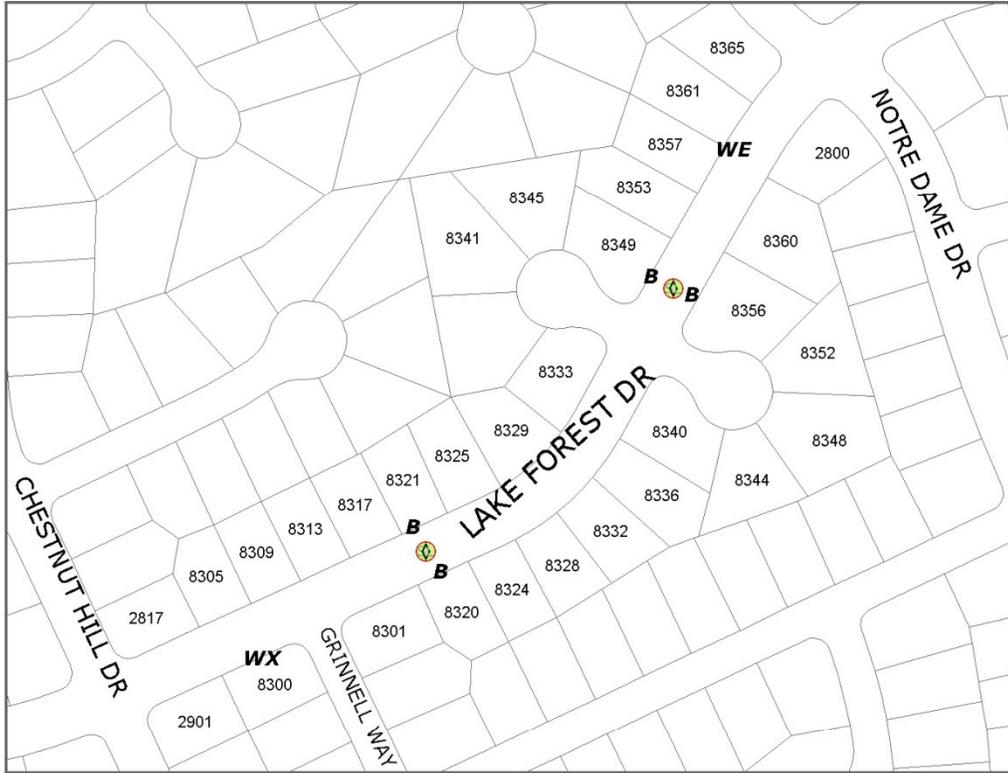


RELOCATE R2-1(35)  
FROM PL OF 7140/7150  
TO PL OF 7140/7130  
ON A NEW PIPE

REMOVE R1-2(30)  
AND LEGEND



<b>ON:</b> HAVENSIDE DRIVE			
BETWEEN FLORIN RD			
AND: SANTA TERESA WAY			
DEVICE SPEED LUMP			
QTY.	WIDTH (ft)		
3	60		
		<u>B</u> OLLARD 6 <u>P</u> ADDLE: <u>W</u> ARNING SIGN: 2 2" <u>P</u> PIPE: 1 <u>E</u> XTENSION: ON <u>E</u> LECTROLIER:	
CIP: S15120700		DISTRICT: 7	

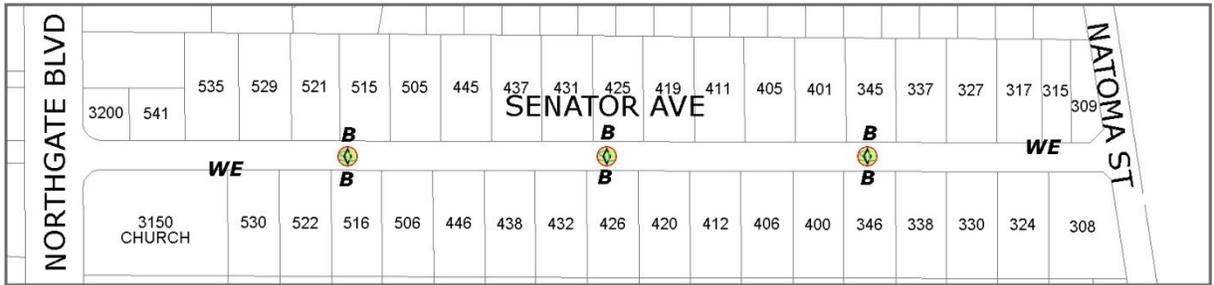


<b>ON:</b> LAKE FOREST DRIVE		
BETWEEN CHESTNUT HILL DR.		
AND: NOTRE DAME DR.		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
2	43	
		<b>B</b> OLLARD: 4
		<b>P</b> ADDLE: 1
		<b>W</b> ARNING SIGN: 2
		2" <b>P</b> PIPE: 1
		<b>E</b> XTENSION: 1
		ON <b>E</b> ELECTROLIER: 1
CIP: S15120700		DISTRICT: 6

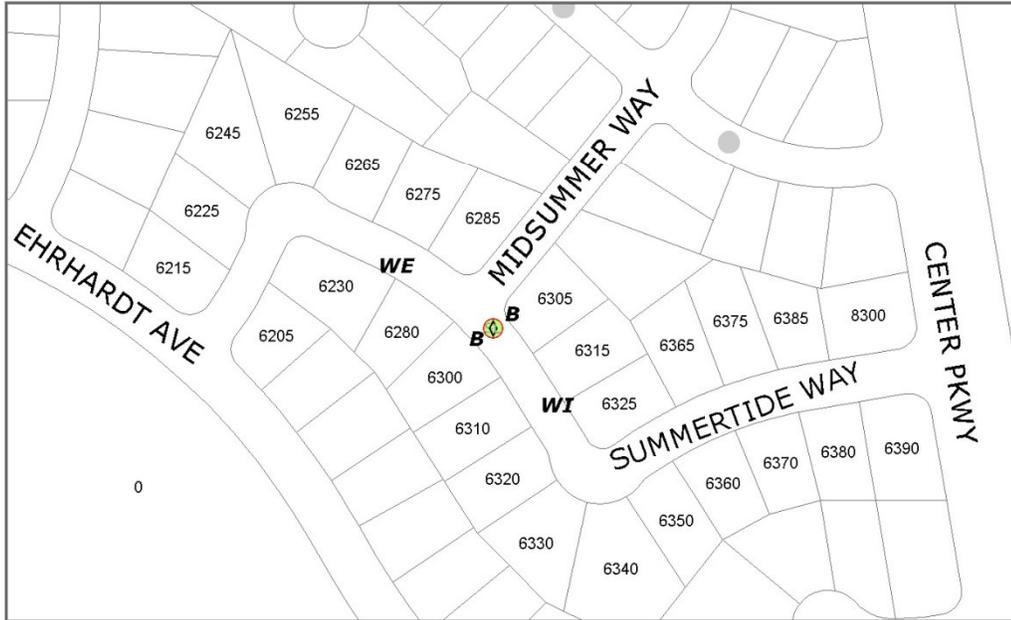
REMOVE R2-1(25) AND LEGEND



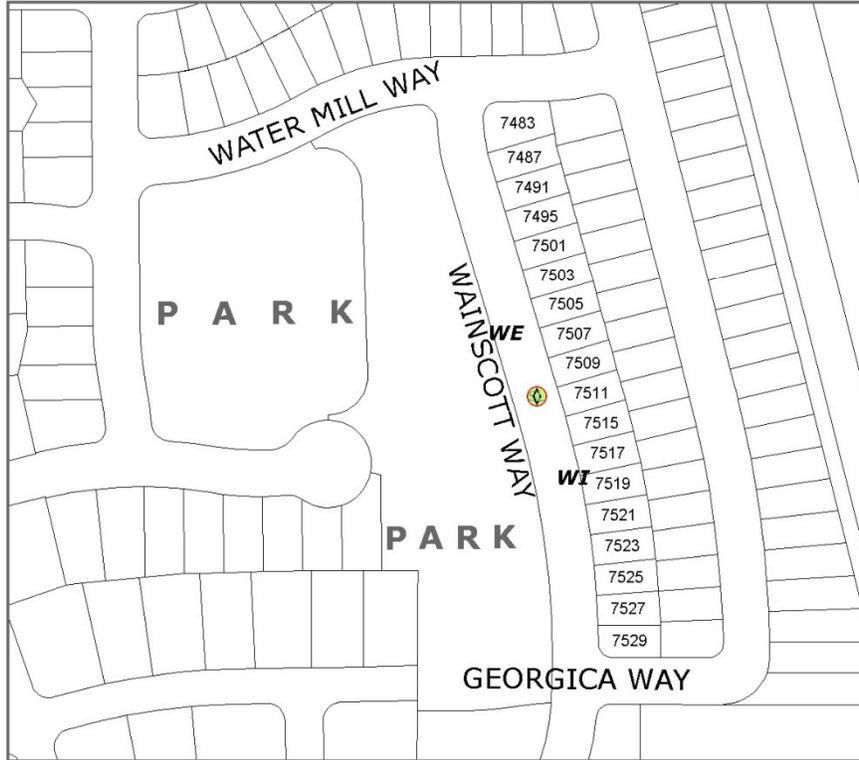
<b>ON: M STREET</b>		
BETWEEN 45TH ST.		
AND: 48TH ST.		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
2	37	
		<b>BOLLARD</b>
		<b>PADDLE:</b>
		<b>WARNING SIGN: 2</b>
		2" PIPE: 1
		<b>EXTENSION:</b>
		ON <b>ELECTROLIER:</b>
CIP: <b>S15120700</b>		DISTRICT: 3



<b>ON: SENATOR AVENUE</b>		
BETWEEN NORTHGATE BL.		
AND: NATOMA ST.		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
3	25	
		<b>BOLLARD 6</b>
		<b>PADDLE:</b>
		<b>WARNING SIGN: 2</b>
		2" PIPE:
		<b>EXTENSION:</b>
		ON <b>ELECTROLIER: 2</b>
CIP: <b>S15120700</b>		DISTRICT: <b>3</b>



<b>ON:</b> SUMMERTIDE WAY		
BETWEEN EHRHARDT AVE		
AND: CENTER PKWY		
DEVICE SPEED LUMP		
QTY.	WIDTH (ft)	
1	25	
		<b>B</b> OLLARD: 2
		<b>P</b> ADDLE: 1
		<b>W</b> ARNING SIGN: 2
		2" <b>P</b> PIPE: 1
		<b>E</b> XTENSION: 1
		ON <b>E</b> ELECTROLIER: 1
CIP: S15120700		DISTRICT: 7



<b>ON:</b> WAINSCOTT WAY			
BETWEEN WATER MILL WAY			
AND: GEORGICA WAY			
DEVICE SPEED LUMP			
QTY.	WIDTH (ft)		
1	31.5		
		<b>BOLLARD</b>	
		<b>PADDLE:</b>	
		<b>WARNING SIGN: 2</b>	
		2" PIPE: 1	
		<b>EXTENSION:</b>	
		ON ELECTROLIER: 1	
CIP: <b>S15120700</b>		DISTRICT: 8	

**Meeting Date:** 8/18/2015

**Report Type:** Public Hearing

**Report ID:** 2015-00715

**Title:** Third Party Appeal: Stockton and T Residential Mixed-Use (Noticed 08/07/2015)

**Location:** District 6

**Recommendation:** Conduct a public hearing and upon conclusion pass 1) a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; and 2) a Resolution approving the Site Plan and Design Review and Tentative Subdivision Map to develop a 214 unit mixed-use use building and 21 single-unit dwellings in the General Commercial (C-2) Zone.

**Contact:** Antonio Ablog, Acting Senior Planner, (916) 808-7702; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

**Presenter:** Antonio Ablog, Acting Senior Planner, (916) 808-7702, Community Development Department

**Department:** Community Development Dept

**Division:** Current Planning

**Dept ID:** 21001221

**Attachments:**

- 01-Description/Analysis
- 02-Background Information
- 03-Land Use Map
- 04-Planning and Design Commission Record of Decision
- 05-Project Appeal
- 06-Staff Response to Appeal
- 07-CEQA Resolution
- 08-Exhibit A - Mitigation Monitoring and Reporting Program
- 09-Project Entitlements Resolution
- 10-Exhibit A - Overall Site Plan
- 11-Exhibit B - Mixed-Use Site Plan Detail
- 12-Exhibit C - Color Site Plan
- 13-Exhibit D - Landscape Plans
- 14-Exhibit E - Mixed-Use Building Plans
- 15-Exhibit F - Single Unit Site Plan
- 16-Exhibit G - Single Unit House Plans
- 17-Exhibit H - Tentative Map

---

**City Attorney Review**

Approved as to Form  
Jeffrey Heeren  
8/4/2015 3:43:55 PM

**Approvals/Acknowledgements**

Department Director or Designee: Ryan Devore - 7/30/2015 3:57:32 PM

## Attachment 1-Description/Analysis

**Issue Detail:** The Stockton and T Mixed-Use Residential Project (applicant) is proposing to construct a project with two distinct components; one component being a residential mixed-use building including a 214 multi-unit structure with 6,000 square feet of ground floor retail in a five story building, and an associated 230-space parking structure meant to provide high density housing proximate to an existing light rail station and within a half mile of a major medical employment center; and the second component being a single-unit subdivision consisting of 21 single-unit dwellings with a private driveway providing vehicle access to approximately half of the units

Approval of the project requires a Sustainable Communities Environmental Assessment and an associated Mitigation Monitoring and Reporting Program; Site Plan and Design review for both the mixed-use, multi-unit dwelling building and the single-unit dwelling components; and approval of a tentative map to subdivide the ±2.15 acre single-unit dwelling site into 21 residential lots and two common area lots.

On June 11, 2015 the requested entitlements were heard by the Planning and Design Commission. The Planning and Design Commission voted unanimously to approve the project. On June 22, 2015, a third-party appeal of the Planning and Design Commission's decision was submitted. The appeal asserts that the traffic study fails to address the retail component of the project along with the number of daily vehicle trips occupants will make; that the failing intersection of Stockton and T will be impacted; that the project will negatively impact traffic on T Street and 39<sup>th</sup> Street; that the project density is too high, and that the mitigation measures are insufficient to address the project impacts.

**Policy Considerations:** The 2035 General Plan designates the subject parcel as Urban Corridor Low which is reserved for a mix of horizontal and vertical mixed-use development with multistory structures and more-intense uses at major intersections. The Floor Area Ratio (FAR) range for this designation is between 0.3 and 3.0. At a FAR of 1.4, the proposed project is consistent with the General Plan. While the appeal asserts that the project density is too high, the project's combined density of 44 units per acre is consistent with the Urban Corridor Low density range of 20-110 units per acre. In addition to the FAR and density requirements, the proposed residential mixed-use project provides strong consistency with the Urban Corridor Low urban form characteristics including:

1. A development pattern with moderate lot coverage, limited side yard setbacks, and buildings sited up to the corridor to create a consistent street wall
2. More intense mixed-use development at intersections with stepped down residential uses in between
3. Building heights generally ranging from two to six stories
4. Building heights highest at major intersections and lower when adjacent to neighborhoods unless near a major intersection
5. Lot coverage generally not exceeding 70 percent
6. Building façades and entrances directly addressing the street
7. Buildings with pedestrian-oriented uses such as outdoor cafes located at the street level

8. Integrated (vertical and horizontal) residential uses along the corridors
9. Parking located to the side or behind buildings, or accommodated in parking structures
10. Limited number of curb cuts along arterial streets, with shared and/or rear alley access to parking and service functions
11. Attractive pedestrian streetscape, with sidewalks designed to accommodate pedestrian traffic, that includes appropriate landscaping, lighting, and pedestrian amenities/facilities
12. Public and semi-public outdoor spaces such as plazas, courtyards, and sidewalk cafes

Additionally, the proposal is consistent with the following General Plan goals and policies meant to ensure that development creates a compatible and complimentary mix of residential, employment, commercial and service uses and provide for a more sustainable future:

- **Growth and Change.** Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure. (Goal LU 1.1).
- **City Sustained and Renewed.** Promote sustainable development and land use practices in new development, reuse, and reinvestment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations. (Goal LU 2.6)
- **Protect Established Neighborhoods.** The City shall preserve, protect, and enhance established neighborhoods by providing sensitive transitions between these neighborhoods and adjoining areas, and by requiring new development, both private and public, to respect and respond to those existing physical characteristics buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood. (LU 2.1.2)
- **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. (LU 2.1.3)
- **Neighborhood Centers.** The City shall promote the development of strategically located (e.g., accessible to surrounding neighborhoods) mixed-use neighborhood centers that accommodate local-serving commercial, employment, and entertainment uses; provide diverse housing opportunities; are within walking distance of surrounding residents; and are efficiently served by transit. (LU 2.1.6)
- **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. (LU 2.6.1)

- **Transit-Oriented Development.** The City shall actively support and facilitate mixed-use retail, employment, and residential development around existing and future transit stations. (LU 2.6.2)
- **Efficiency Through Density.** The City shall support an overall increase in average residential densities throughout the city consistent with the adopted General Plan Land Use & Urban Form Diagram, as new housing types shift from lower-density, large lot developments to higher-density, small lot and multifamily developments as a means to increase energy efficiency, conserve water, and reduce waste. (LU 2.6.6)
- **Transitions in Scale.** The City shall require that the scale and massing of new development in higher-density centers and corridors provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods that have lower development intensities and building heights. (LU 2.7.3)
- **Corridors.** Support the development of major circulation corridors that balance their vehicular function with a vibrant mix of uses that contribute to meeting local and citywide needs for retail, services, and housing and provide pedestrian-friendly environments that serve as gathering places for adjacent neighborhoods. (Goal LU 6.1)
- **Mixed-Use Corridors.** The City shall create or improve mixed-use corridors by requiring compact development patterns that are oriented to and frame the street, establish a safe and comfortable environment for walking, and avoid encroachment upon adjacent residential areas. (LU 6.1.1)
- **Higher Intensity Nodes.** The City shall generally direct higher-intensity land uses and taller buildings to major intersections along arterial roads to facilitate access, enhance transit service, and promote physical differentiation along the corridor. (LU 6.1.5)
- **Conversion to Residential.** The City shall support proposals to convert nonresidential properties along mixed-use corridors, between major intersections, to residential or mixed-use residential uses. (LU 6.1.6)

The project, as proposed, is consistent with a number of General Plan Goals and Policies that relate to: increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; and development that provides proper transitions to existing neighborhoods.

**Environmental Considerations:** The Environmental Services Manager determined that the Project, as proposed, will not have a significant impact to the environment, and pursuant to Public Resources (PRC) section 21155.2(b), a Sustainable Communities Environmental Assessment (SCEA) was prepared and circulated for public comment. In compliance with PRC 21155.2(b)(2), the City has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures are included in the Mitigation Monitoring and Reporting Program, and address impacts to energy, cultural resources, geology and soils, hazards, noise, parks/recreation, transportation, utilities, air quality, and water. The SCEA was available for public review and comment for a 30-day period from March 20, 2015 through April 20, 2015.

Staff received nine comment letters during the public review period regarding the project. The comments are from the Central Valley Regional Water Quality Control Board (CVRWQCB), California Dept. of Transportation (Caltrans), Sacramento Regional County Sanitation District (Regional San), Catherine Hernandez, Karin Lovato, Gabe Tierney, Roxanne Gould, Debby J. Henry, and the Office of Planning and Research State Clearinghouse (OPR-SCH). The comments and responses are included as an attachment to the SCEA and are provided as a link on the CDD EIR Webpage. The comments do not change the environmental determination made in the Initial Study and SCEA.

After circulation, revisions were made to the SCEA, as shown on the Errata Sheet dated August 4, 2015, which merely clarifies, amplifies, or makes insignificant modifications to the SCEA. Recirculation of the SCEA is not required.

The Environmental Services Manager has determined that adoption of the SCEA and Mitigation Monitoring and Reporting Program are appropriate actions under CEQA. The Initial Study/SCEA, Comments and Responses to Comments, and Errata Sheet dated August 4, 2015 for The Stockton and T Street Project (P14-042) are available at the Community Development Department's webpage located at the following link:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

**Commission/Committee Action:** On June 11, 2015 the requested entitlements were heard by the Planning and Design Commission. There were 4 members of the public who spoke on the project with one speaker noting opposition to the project due to potential traffic impacts. With a vote of 11 ayes, 0 noes and two absent, the Planning and Design Commission voted to approve the Stockton and T Mixed-Use Residential Project. The Planning and Design Commission action was later appealed to the City Council by a third party.

**Rationale for Recommendation:** The Stockton and T Mixed-Use Residential Project has been reviewed objectively, in light of the project components, comments received from public, and the proposed conditions of approval and mitigation measures. Staff believes that the SCEA, the associated traffic analysis, and the Mitigation Monitoring Plan adequately address the appellant's assertions that the proposed project will impact traffic at the Stockton and T Street intersection, and along T and 39<sup>th</sup> Streets (see Attachment 6-Staff Response to Appeal).

The project is consistent with the General Plan designation of Urban Corridor Low and does not deviate from the C-2 development standards. This proposal addresses the goal to increase residential densities along corridors, areas near transit, and areas proximate to centers of employment. While the project is increasing development intensity at the corner of Stockton and T Street, it does incorporate elements that are complimentary to the existing neighborhood such as height step backs at the multi-unit east elevation and a single-unit component north of S Street. Staff continues to support the project request based on the Findings of Fact and subject to the Conditions of Approval as found in the attached project resolution (Attachment 9).

**Financial Considerations:** The applicant is incurring all costs for the proposed mixed-use residential project.

**Local Business Enterprise:** Not applicable.



## Attachment 2-Background Information

The subject site consists of two parcels in the General Commercial (C-2) Zone totaling 4.92 acres. The subject site is currently occupied by a vacant office building and associated surface parking totaling 118 spaces. The existing building is a two-story, 30-foot tall building containing a total of 120,000 square feet of office space and is located at the northwest corner of T Street and 37<sup>th</sup> Street. The surface parking is located to the west of the building and also to the north of S Street, extending east to 39<sup>th</sup> Street. The existing office use could be re-established without the need for new entitlements if no significant modifications to the site or building were requested.

The subject site is surrounded by a mix of uses including State Highway 50 to the north, commercial to the west and south, and single-unit dwellings to the east. The 39<sup>th</sup> Street Light Rail station is within a quarter-mile radius of the subject site and the UC Davis Medical Center Campus is within a half mile of the subject site.

### Table 1: Project Information

**General Plan designation:** Urban Corridor Low (0.30-3.0 FAR) (20-110 units/acre)

**Existing zoning of site:** General Commercial Transit Overlay (C-2)

**Existing use of site:** Vacant office building (120,000sf) and associated parking

**Property area:** 4.9 Acres

**Land Use:** The proposed project consists of a residential mixed-use with 6,000 square feet of ground-floor retail, and a 21 lot single-unit subdivision. The subject site is zoned C-2 and all proposed uses are allowed by right subject to the C-2 development standards (height, density, setbacks, and lot coverage). Multi-unit dwelling uses are subject to additional special use regulations per section 17.228.117 of the Planning and Development. This section provides use regulations related to the ongoing maintenance, and operational standards for multi-unit uses. None of the proposed uses require approval of a Conditional Use Permit.

**Multi-Unit Building - Site Plan and Design Review:** The multi-unit building will be a 240,000 square-foot, five-story structure located on 2.78 acres at the northeast corner of Stockton and T Street. The building will contain 214 units and 6,000 square feet of retail space at the north side of T Street. The proposed units include a mix of single and two-bedroom units. A four-story, 230 space parking structure will be located on the west side of the building, facing Stockton Boulevard. On top of the parking structure, a rooftop terrace with a pool and a clubhouse/fitness center will provide resident amenities.

The building's design follows a Spanish style and will be finished with a variety of materials with the primary exterior finishes consisting of cement plaster in white and grey finishes and combed brick and tile providing the building base at street facing elevations (figure 2: building perspectives). Accenting the building will be Spanish tile roofing and storefront awnings in a deep red color. The building will further be enhanced

with bronze tile at storefront windows, and ornamental metal railing throughout the project.

**Figure 2: Building Perspectives**



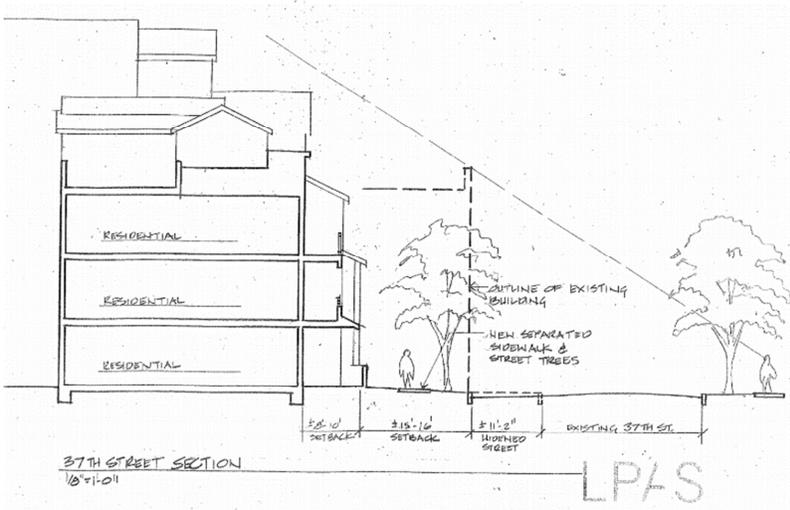
Consistent with the urban form characteristics of the General Plan’s Urban Corridor Low designation, the project provides more intense mixed-use development towards the major intersection with stepped down residential uses in between. Though the ultimate height of the building is 60’, the proposed building has been designed to step down in height at the east side of the building to provide a transitional reduction in massing to respect the existing single-unit dwellings to the east of 37<sup>th</sup> Street (see Table 2). The façade of the building will be three stories at the 37<sup>th</sup> street frontage, and will increase to five stories as the building steps back. This transitional reduction in height is consistent with the C-2 Zone’s height requirements for projects within 80 feet of the R-1 Zone. The proposed building meets all other setback, lot coverage, and FAR requirements.

**Table 2: Height, Setbacks, Lot Coverage**

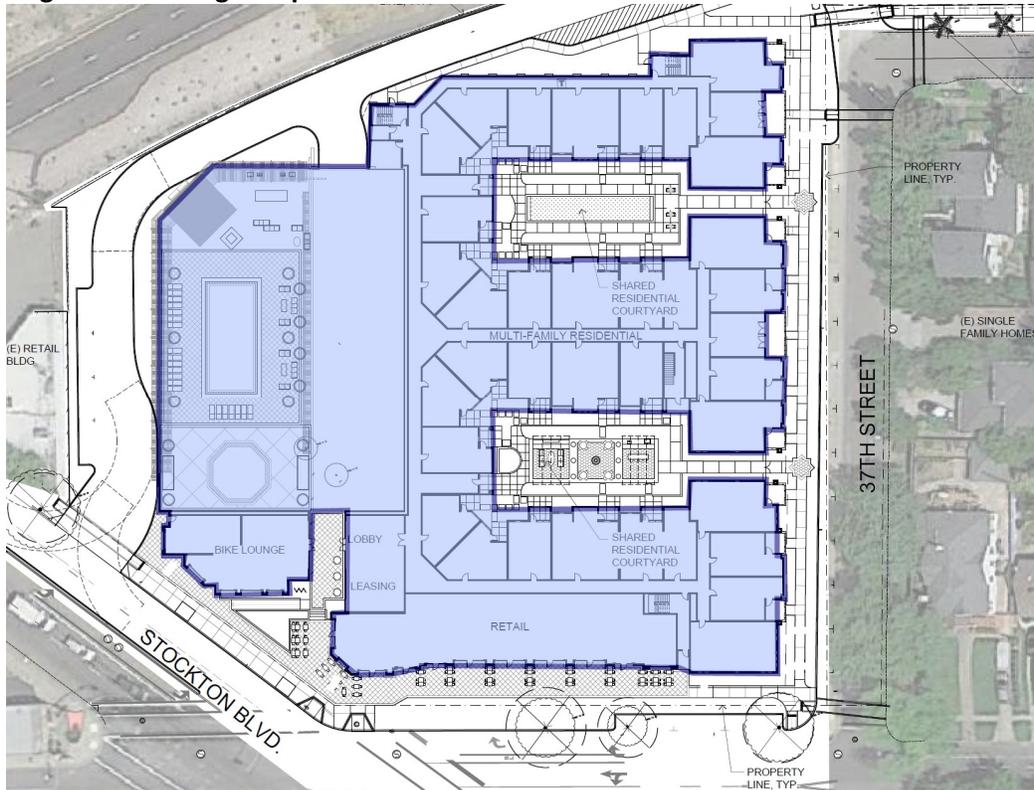
Standard	Required	Proposed	Deviation
Height	45' (0-39' from R-1 Zone) 55' (40'-79' from R-1 Zone) 65' (80'+ from R-1 Zone)	NA (greater than 39' from R-1) 31' (40'-79' from R-1 Zone) 60' (80'+ from R-1 Zone)	no
Front Setback	25' Maximum	8'-2"	no
Street Side Setback	25' Maximum	16'	no
Interior Side Setback	0'	40'	no
Rear	0'	25'	no
Lot Coverage	No requirement	55%	no
FAR	0.3-3.0	1.4	no

The project will also widen 37<sup>th</sup> street by approximately 11 feet and provide a six-foot planter and six-foot building setback where the existing building is built with a minimal setback from the property line. In addition to the step backs, the mass of the east elevation will be further broken up by two large courtyards that will open to 37<sup>th</sup> street

**Figure 3: Sight Lines, Existing v. Proposed**



**Figure 4: Building Footprint**



The south face of the building will provide a more vertical street facing façade at T Street. A prominent tower element will provide focal point for the project and will provide a gateway element for the Stockton Boulevard corridor. The 6,000 square-foot retail/commercial space will be located at the south side of the building with architectural details meant to provide a pedestrian scale storefront. Canvas awnings will be provided at the storefronts with concrete tile, combed brick, and glazed tile providing detail at the base of the building. The building’s setback will allow for ample space for outdoor seating opportunities. The building’s lobby and leasing area will be directly accessible from the corner of Stockton and T Street. A bike lounge including long-term bicycle parking will also be located at the southwest corner of the building.

**Figure 5: T Street Elevation**



The north and west sides of the building will provide less active elevations. The four story parking structure will be located at the west side of the building. The parking structure will form a portion of the west and north elevations and has been designed to carry over the same design themes, materials, and colors as the main structure. The vertical columns of openings for the garage are meant to mimic the columns of windows at the residential building. These openings will be filled with steel mesh. Though the west side of the parking structure faces Stockton Boulevard, it will angle away from the street due to the existing parcel configuration.

The north elevation will face the freeway off-ramp. None of the units will open to the north elevation; a majority of the elevation is formed by the corridors that will provide access to the dwelling units. The applicant has provided a high level of detail and articulation at the north elevation even though it is a secondary elevation.

Access, Circulation and Parking:

<b>Table 3: Parking</b>				
	<b>Vehicle Parking</b>		<b>Bicycle Parking</b>	
	<b>Required</b>	<b>Proposed</b>	<b>Required</b>	<b>Proposed</b>
Multi-Unit Building	107	230	2 Short Term	2 Short Term
			0 Long term	214 Long term
Commercial	None (mixed-use)	None (3 on-street)	3 Short Term	3 Short Term
			2 Long Term	3 Long Term

On-site vehicular circulation will provide access to the parking structure. The garage will be accessible from both Stockton Boulevard and from 37<sup>th</sup> street via S Street or T Street. The on-site driveway will wrap around the northern and western property lines to access the entry/exit at the north side of the garage. At 37<sup>th</sup> Street and S Street, vehicles will be able to enter the site with either right-turn or left-turn movements. At Stockton Boulevard, vehicle movements will be restricted and only right-in and right-out movements will be allowed. The project will be required to construct a raised median at Stockton Boulevard to prevent left turn movements into and out of the site.

Vehicle Parking: According to the Sacramento City Code, the parking requirement for multi-unit dwellings in the urban parking district is 0.5 spaces per dwelling unit. With 214 proposed units, this proposal is required to provide a minimum of 107 parking spaces. The proposed structured parking provides a total of 230 parking spaces. In addition to the structured parking, the street frontages along T Street and 37<sup>th</sup> Street will be reconfigured to allow on-street parking there are currently only two short sections

along these frontages that are limited to 15-minute parking. As indicated in Table 3 above, the project meets minimum parking requirements. The 6,000 square feet of commercial space does not require any parking as non-residential uses in a mixed-use building are not required to provide parking.

Bicycle Parking: The project is required to provide bicycle parking based upon the parking district it is located in and the proposed use of the property. As indicated above, the Sacramento City Code requires a minimum of two short term bicycle parking spaces and no long term bicycle parking spaces for multi-unit dwellings with structured parking. The project will meet this requirement by providing two short term spaces and 214 long-term parking spaces on-site. The project will provide a minimum of three short-term and three long-term as required for the commercial use.

Landscaping: The project proposes to provide landscaping both on-site and within the new planters at Stockton Boulevard, T Street, and 37<sup>th</sup> Street. On the site, landscaping will be provided adjacent to the vehicle driveway at the north and west property boundaries.

The applicant also proposes to modify the street configuration of 37<sup>th</sup> street and T Street, and construct new tree planters at Stockton Boulevard. The west side of the 37<sup>th</sup> Street will be widened by approximately 15 feet. The new, widened street will allow for on-street parking and a new six-foot street-side planter that will accommodate new street tree plantings.

T Street will also be widened by approximately 10 feet to accommodate street improvements. The widened street will accommodate the four foot bike lane along T Street which currently exists to the east and west of the project site. Accommodating the bike lane will result in the loss of three existing street trees. The removal of these trees will be subject to the review and approval of a Tree Removal Permit by the City Arborist. In order to offset the removal of these trees, the applicant proposes to provide a 16-foot wide planter at T Street that will taper down to eight feet adjacent to the three new on-street parking spaces. The applicant proposes three new large canopy, and four columnar street trees in this planter area.

Open Space: Multi-unit dwelling developments are required to provide a minimum of 100 square feet of open space per unit. This requirement may be met by providing private open space, common open space, or a combination of the two. To meet the 22,000 square foot open space requirement, the project will provide approximately 14,000 square feet of private open space though balconies and patios and approximately 12,000 square feet of common space will be provided at the rooftop terrace. Two large open courtyards will also be provided within the multi-family building. These courtyards are provided in excess of the open space requirement.

Required Findings of Fact: In evaluating Site Plan and Design Review proposals of this type, the City Council is required to make the following findings:

1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan in that the proposed development is consistent with the urban form characteristics of the General Plan's Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; development that provides proper transitions to existing neighborhoods.
2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide multi-unit dwelling and commercial corridor design guidelines and the project will not require deviations from any development standards or design guidelines.
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via Stockton Boulevard, T Street, and 37<sup>th</sup> Street and there are existing utilities that will provide service to the site.
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood as the surrounding neighborhood consists of a mix of commercial and residential developments. Where portions of the development are proximate to single-unit dwellings, the project adheres to the transitional height requirements for the C-2 Zone.
5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in the mixed-use building is a use that is not uncommon in the C-2 Zone. The project has been designed to meet all

applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

Single-Unit Dwellings – Tentative Map and Site Plan and Design Review: The applicant proposes to subdivide the 2.15 acre portion of the property north of S Street into 21 residential lots and two common area lots for the development of single-unit detached dwellings. One residential unit is proposed for each lot; however, there are three lots that can accommodate secondary units at the rear of the site.

The proposed subdivision will create single-unit lots on the north side of S Street and will create a new private drive to provide vehicle access to 12 of the 21 new lots. The private drive will have access at both 39<sup>th</sup> Street and S Street, but will provide for one-way access only with ingress provided at 39<sup>th</sup> Street (Figure 6).

**Figure 6: Single-Unit Site Plan**



With the new Tentative Map, S Street is proposed to be widened by approximately 1.5 feet in order to provide new street improvements and a street planter area of approximately six feet wide. To construct the new street improvements, the applicant is proposing to remove nine of the existing street trees adjacent to the property. Two of the larger, mature London Plan trees will be saved. The removal of these trees will be subject to the review and approval of a Tree Removal Permit by the City Arborist. In order to offset the removal of these trees the applicant is proposing to install a wider planter along the north side of S Street and the west side of 39<sup>th</sup> Street with appropriate street tree plantings.

House Plans – Site Plan and Design Review:

<b>Table 4: Single-Unit Height, Setbacks, Lot Coverage</b>			
	<b>Required</b>	<b>Proposed</b>	<b>Deviation</b>
Height	45'	29' max	no
Front Setback	25' Maximum	12'-6"	no
Street Side Setback	25' Maximum	10'	no
Interior Side Setback	0'	4'	no
Rear	0'	3'	no
Lot Coverage	No requirement	30%	no

The applicant is proposing four house plans, each with at least two elevations options. Plan 1 will have three elevation options. The plans will range from 2,300 square feet to 2,900 square feet. Each plan will have three bedrooms with an optional fourth bedroom/den and three bathrooms. Each unit will have a two car garage.

Plans 1 through 3 will be two stories, while Plan 4, at the rear of the site, will be three stories. Plan 3, located on lots 5, 6, 7 will have the option for a secondary unit on top of the detached garage at the rear of the lot.

The exterior of the homes are proposed to be finished with a mix of stucco, cement fiber siding, brick, and stone. Where two homes of the same plan are placed on adjacent lots, the conditions require that they be different elevations styles.

**Figure 6: Single-Unit Streetscape Example**



**Required Findings of Fact:** In evaluating Site Plan and Design Review proposals of this type, the City Council is required to make the following findings:

1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan in that the proposed development is consistent with the urban form characteristics of the General Plan's

Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; development that provides proper transitions to existing neighborhoods. The General Plan allows the proposed development project to be evaluated as whole, both multi and single-unit components. The single-unit portion of the development satisfies the General Plan goal to provide proper transitions to existing neighborhoods,

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide single-unit dwelling design guidelines and the project will not require deviations from any development standards or design guidelines.
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via S Street, and 39<sup>th</sup> Street and there are existing utilities that will provide service to the site.
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the existing single-unit dwellings to the south.
5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the proposed single-unit dwellings are compatible with the uses directly adjacent to the site. Furthermore, the project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

## **Public/Neighborhood Outreach and Comments**

Early project notifications were sent to the Elmhurst Neighborhood Association; Medical Center Neighborhood Association; Oak Park Neighborhood Association, McKinley East Sacramento Neighborhood Association, East Sacramento Improvement Association; East Sacramento Preservation Task Force, the Newton Booth Neighborhood Association and to all property owners within 300 feet of the subject site. Additionally, the applicant has provided its own outreach to neighbors surrounding the project and to the larger Elmhurst Neighborhood. Staff also notified property owners within 500 feet of the subject site of the public review of the SCEA. Most of the comments received by staff were in response to the SCEA. Those comments include concerns related to traffic, parking, and water supply. While a detailed response to project related comments is included in the SCEA, a summary is provided below.

**Traffic.** Traffic has been a concern of those who have submitted comments on the project. Comments cite the intersection of Stockton Boulevard and T Street; and 37<sup>th</sup> Street and S Street adjacent to the project site as concerns.

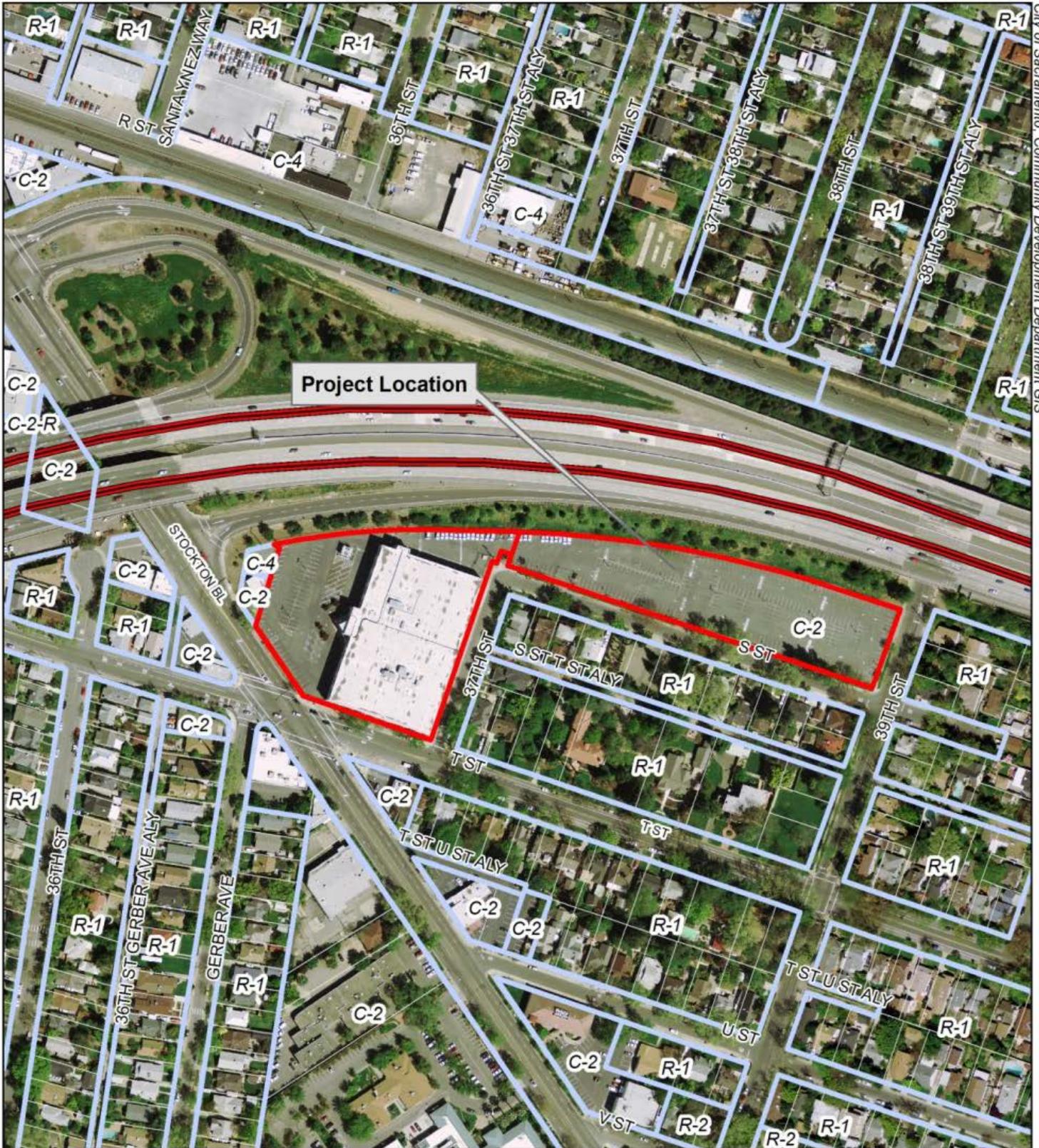
A Transportation Analysis of the proposed project was completed by Fehr & Peers as part of the SCEA. The analysis concluded that the proposed project results in less peak hour vehicle trips than if office uses in the existing building were re-established. With the change of use to the site, the proposed project will be subject to mitigation that will improve the Stockton/T intersection by providing protected north and southbound left turn movements. In addition to this mitigation the proposed project will construct a raised median in Stockton Boulevard to prevent left turn movements into and out of the project's Stockton Boulevard driveway.

**Parking.** Parking has been a concern of those who have submitted comments on the project. Commenters have stated that the proposed project may impact the availability of on-street parking in the immediate area.

The project anticipates providing 230 spaces for the 214 multi-family units; just over one parking space per unit. The project proposes to provide more parking spaces than is required in the Urban Parking District, where the parking requirement is 0.5 parking spaces per unit. Additionally, approximately 12 new parallel parking spaces will be accommodated on the west side of 37th Street and three new parallel spaces will be accommodated on T Street. The development is within walking distance to 39th Street light rail station and a major medical employment center. The residential area in the vicinity of T Street, 37th Street, S Street, and 39th Street has a residential permit parking program, which prohibits on-street parking between the hours of 8 AM and 6 PM unless vehicles are equipped with a B Parking Permit. Staff believes that the proposed project adequately addresses the need for parking and respects the existing neighborhood by exceeding the required parking amount and by increasing the supply of on-street parking.

**Water Supply.** Concerns related to new development during a 4<sup>th</sup> year of drought were received. Water supply impacts were addressed in the SCEA document and the project

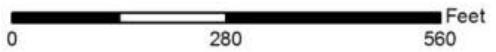
is subject to the City's 2010 Urban Water Management Plan (UWMP). At this time the City is enforcing Stage 2 drought measures which are sufficient to enforce a conservation goal of 28%. The Stage 2 drought measures *do not* preclude development by suspending new connections to the water system.



Project Location



**P14-042**  
**Land Use Map**  
**Stockton and T**





**CITY OF SACRAMENTO PLANNING AND DESIGN COMMISSION  
RECORD OF DECISION  
915 I Street, Sacramento, CA 95814**

Project Name:	Stockton and T Residential Mixed Use (P14-042)		
Project Number:	P14-042		
Project Location:	3675 T Street		
Assessor's Parcel No.:	010-0082-004, and 011-0021-029		
Applicant:	Trey Gundlach, The Evergreen Company, 2295 Gateway Oaks Drive, Suite 135, Sacramento, CA 95833		
Action Status:	Approved with Amended Conditions	Action Date:	June 11, 2015

**REQUESTED ENTITLEMENT(S):** **Item A. Environmental Determination: Sustainable Communities Environmental Assessment (SCEA); Item B. Mitigation Monitoring Plan; Item C. Tentative Subdivision Map** to subdivide approximately 2.15 acres into 21 single-unit lots and two common area lots; **Item D. Site Plan and Design Review** to construct a new five story mixed-use building with 214 residential units, 6000 square feet of ground floor commercial, and an associated parking structure; **E. Site Plan and Design Review** to construct 21 new single-unit dwellings.

**ACTIONS TAKEN:** On June 11, 2015 the Planning and Design Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Approved entitlements A through D with amended conditions.

**Action certified by:** Stacia Cosgrove  
Stacia Cosgrove, Principal Planner

Sent to Applicant: June 19, 2015

By: Antonio Ablog  
ANTONIO ABLOG, Acting Senior Planner

**NOTICE OF PROTEST RIGHTS**

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

**EXPIRATION**

**TENTATIVE MAP:** Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

**SPECIAL PERMIT:** A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

**VARIANCE:** Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

**PLAN REVIEW:** Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

**NOTE:** Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

**APPEALS**

Appeals of the Planning And Design Commission decision of this item to the City Council must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before June 22, 2015. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

**Findings of Fact and Conditions of Approval  
Stockton and T Street Residential Mixed Use (P14-042)  
3675 T Street**

**Findings of Fact**

**A&B. Sustainable Communities Environmental Assessment and Mitigation Monitoring and Reporting Program:**

1. The Planning and Design Commission of the City of Sacramento finds as follows:

A. Pursuant to Public Resources Code (PRC) Section 21155, the Project is a Transit Priority Project (TPP) that:

(1) contains at least 50 percent residential use;

(2) provides a minimum net density of at least 20 dwelling units per acre; and

(3) is located within one-half mile of a major transit stop or high quality transit corridor included in a regional transportation plan.

B: The Project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the Sacramento Area Council of Government's (SACOG) Sustainable Communities Strategy (SCS), for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted SACOG's determination that the sustainable communities strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

C: Pursuant to PRC Section 21155.2, the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the prior General Plan Master Environmental Impact Report (EIR) and SCS/Metropolitan Transportation Plan (MTP) EIR.

D: An initial study has been prepared that identifies all significant or potentially significant impacts of the transit priority project, other than those that do not need to be reviewed pursuant to PRC Section 21159.28 based on substantial evidence in light of the whole record. The initial study identifies cumulative effects that have been adequately addressed and mitigated in the prior applicable certified EIRs. Cumulative effects have been found to be adequately addressed and mitigated in the prior applicable certified EIRs and are not considered cumulatively considerable for the purposes of this SCEA.

E: The Sustainable Communities Environmental Assessment (SCEA) includes measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the initial study.

F: The draft SCEA was completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

I). On March 20, 2015 a Notice of Availability/Notice of Intent to Adopt the SCEA (NOI) dated March 17, 2015 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

II). On March 20, 2015 the NOI was published in the Sacramento Bulletin, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

III). Per 15073.5 revisions were made to the SCEA, as shown on the Errata Sheet dated May 29, 2015, which merely clarifies, amplifies, or makes insignificant modifications to the SCEA and recirculation is not required.

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

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

4. The Planning and Design Commission adopts the SCEA for the Project.

5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the Planning and Design Commission adopts the Mitigation Monitoring and Reporting Program to require all reasonably feasible mitigation measures, including mitigation measures from the Master EIR as appropriate, be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring and Reporting Program.

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

7. The documents and other materials that constitute the record of proceedings upon which the Planning and Design Commission has based its decision are located in the City of Sacramento Community Development Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811-0218. The custodian of these documents and other materials is the Community Development Department, Environmental Planning Services.

C. The **Tentative Subdivision Map** to subdivide approximately 2.15 acres into 21 single-unit lots and two common area lots 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 Planning & Design Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3)

D. The **Site Plan and Design Review** to construct a new five story mixed-use building with 214 residential units, 6000 square feet of ground floor commercial, and an associated parking structure is **approved** based on the following Findings of Fact:

1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan's Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; and development that provides proper transitions to existing neighborhoods.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide multi-unit dwelling and commercial corridor design guidelines and the project will not require deviations from any development standards or design guidelines.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via Stockton Boulevard, T Street, and 37<sup>th</sup> Street and there are existing utilities that will provide service to the site.

4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood as the surrounding neighborhood consists of a mix of commercial and residential developments. Where portions of the development are proximate to single-unit dwellings, the project adheres to the transitional height requirements for the C-2 Zone.

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.

6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the mixed-use building is a use that is not uncommon in the C-2 Zone. The project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

E. The **Site Plan and Design Review** to construct 21 new single-unit dwellings is **approved** based on the following Findings of Fact:

1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan's Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; development that provides proper transitions to existing neighborhoods. The General Plan allows the proposed development project to be evaluated as whole, including both multi and single-unit components. The single-unit portion of the development satisfies the General Plan goal to provide proper transitions to existing neighborhoods.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide single-unit dwelling design guidelines and the project will not require deviations from any development standards or design guidelines.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via S Street, and 39<sup>th</sup> Street and there are existing utilities that will provide service to the site.

4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the existing single-unit dwellings to the south.

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.

6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the proposed single-unit dwellings are compatible with the uses directly adjacent to the site. Furthermore, the project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

### **Conditions of Approval**

- C. The **Tentative Subdivision Map** to subdivide approximately 2.15 acres into 21 single-unit lots and two common area lots is **approved** subject to the following Conditions of Approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P14-042). The design of any improvement not covered by these conditions shall be to City standard.**

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

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

- C48. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- C49. 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 Public Works after consultation with the U.S. Postal Service;
- C50. 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 all appropriate parcels and Lot A, at no cost, at the time of sale or other conveyance of either parcel.;
- C51. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042);
- C52. Show all continuing and proposed/required easements on the Final Map;

- C53. 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 Public Works.
- C54. 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;

**Department of Public Works: Streets (Anis Ghobril, Public Works,808-5367)**

- C55. 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 Public Works. Improvements required shall be determined by the city. 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 fronting the property along S Street and 39<sup>th</sup> Street per City standards to the satisfaction of the Department of Public Works.
- C56. Dedicate sufficient right of way and construct “S” street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- C57. At its discretion, the City may require the inclusion of traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, undulations, etc. to the satisfaction of the Department of Public Works.
- C58. The applicant shall satisfy all the conditions for the proposed abandonments;
- C59. 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 Public Works;
- C60. 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 Public Works. The center lines of such streets shall be aligned.

- C61. Construct A.D.A. compliant ramps at north-west corner of the intersection of "S" Street and 39<sup>th</sup> Street to the satisfaction of the Department of Public Works.
- C62. The applicant shall make provisions for bus stops, shelters, etc. to the satisfaction of Regional Transit;

**Department of Public Works: Private Streets**

- C63. Design private streets to meet the City standards regarding structural section. Private streets shall be inspected to the satisfaction of the Department of Public Works.
- C64. Provide a standard driveway at the entrance to the private street (Lot A) along S street and along 39<sup>th</sup> Street to the satisfaction of the Department of Public Works. The driveway along 39<sup>th</sup> Street shall be a one way in driveway only. The applicant shall provide a signage and markings package to indicate an **in-only** driveway to the satisfaction of the Department of Public Works.

**PUBLIC/PRIVATE UTILITIES (Ron Lehman, SMUD, 732-6967)**

- C65. Subdivision and development of this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information and payment. (SRCSD)
- C66. Dedicate a 12.5-foot PUE adjacent to "39<sup>th</sup>" Street.
- C67. Dedicate a 12.5-foot PUE adjacent to "S" Street.
- C68. Dedicate the private drive (Lot A) as a PUE.
- C69. Dedicate a 4-foot PUE adjacent to the private drive (Lot A) on lots 10-19.
- C70. Dedicate a 10-foot PUE adjacent to the private drive (Lot A) on lots 8, 9, 20, and 21.
- C71. Dedicate the un-numbered "Surveyed Remainder" Lot, west of Lot 1 as a PUE.
- C72. SMUD will approve of the abandonment provided the "continuing-use" clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication

facilities within the subject abandonment, as long as SMUD facilities remain in the ground.

**CITY UTILITIES** (Robert Armijo, Utilities, 808-1411)

- C73. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions will be required; the water main 6" main that runs through the vacated alley shall be relocated to S Street and a new sewer line to serve at least the east most lots in the single family home portion of the project. The sizing and extent of the sewer line shall be to the satisfaction of the DOU and in accordance with the sewer study mentioned in subsequent condition(s).
- C74. If required by the Department of Utilities (DOU), the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book\_\_\_\_, O.R. Page\_\_\_\_."
- C75. Surface drainage facilities (pavement, curbs, gutters, v-gutters, drop inlets and the like) and the private common sewer main located within private streets, drive aisles and alleys shall be private facilities maintained by a homeowners association (HOA) or a privately funded maintenance district. Private easements shall be dedicated for these facilities. If required by the DOU, the responsible maintenance agency shall enter into and record an agreement with the City regarding the maintenance of these facilities. The agreement shall be to the satisfaction of the DOU and the City Attorney. No drainage inlets shall be connected to the private sewer line. A private drainage main (separate from the sewer main) shall be constructed to connect with the public combined sewer line in the public right of way (if required to accommodate drainage that the private surface drainage facilities cannot accommodate).
- C76. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU "Commercial Tap Policy", may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be "banked" near the common drive; alternatively the services (especially the rear "island" lots) may pass through other lots in private easements (see

previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.

- C77. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- C78. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear "island" lots) may pass through other lots in private easements (see previous condition for the conveyance of easement agreement). Alternatively, the applicant may construct a publically maintained sewer to the satisfaction of the DOU.
- C79. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsize of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- C80. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- C81. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.

- C82. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- C83. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- C84. 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.

**FIRE:** (King Tunson, Fire, 808-1358)

- C85. All turning radii for fire access shall be designed as 35' inside and 55' outside. CFC 503.2.4 *This shall apply to the commercial and T-court for the single family residential.*
- C86. 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. CFC 503.2.1
- C87. 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
- C88. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105

**PPDS:** Parks (Mary de Beauvieres, Parks, 808-8722)

- C89. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- C90. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an

endowment, or otherwise mitigate the impact of the project on the City's park system. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district.

## **MISCELLANEOUS**

- C91. 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.
- C92. Form a Homeowner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private Drives (Lot A) and the common area Lot B. The Homeowner's Association shall maintain all private drives, lights, common areas and common landscaping).

**Special Districts:** (Diane Morrison, Finance, 808-7535)

- C93. The applicant shall fund an endowment or create or 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

## **ADVISORY NOTES:**

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

ADV-1. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16<sup>th</sup>, 2012. Within the X zone, there are no requirements to elevate or flood proof.

ADV-2. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

- 1 Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated

at \$39,123. This is based on 21 single-family residential lots at an average land value of \$115,000 per acre for the Fruitridge Broadway Community Plan Area (North of Fruitridge Road), plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. 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.

- 2 Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. 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.
3. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**D.** The **Site Plan and Design Review** to construct a new five story mixed-use building with 214 residential units, 6000 square feet of ground floor commercial, and an associated parking structure is **approved** subject to the following Conditions of approval:

**Planning:**

- D1. Development of this site shall be in compliance with the attached exhibits, except as conditioned. Any modification to the project shall be subject to review by Community Development staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- D2. Applicant shall comply with all applicable conditions of the Stockton and T Street Mitigation Monitoring Plan
- D3. Exterior materials shall be provided consistent with project elevations and color and materials board.
- D4. Trash enclosures shall meet all requirements of the Sacramento City Code, Chapter 17.616 (Recycling and Solid Waste Disposal Regulations), including statement of recycling information requirements, recycling volume requirements, perimeter landscaping, masonry walls, and a solid metal gate.

- D5. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.
- D6. Final landscaping plans are subject to review by Planning Staff and the City Arborist prior to the issuance of Building Permits. The scope of the review shall include compliance the approved plans, plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- D7. The removal of any street trees shall be subject to the review and approval of a tree removal permit pursuant to Sacramento City Code, Chapter 12.56. Submittal of tree removal permit shall include the arborist report identifying trees to be removed, the size of all new planter widths, and any proposed replacement trees. All trees shall be posted 10 days prior to removal.
- D8. A minimum of 107 parking spaces shall be provided on site.
- D9. The project shall comply with Section 17.608.030 (c) of the Planning and Development Code related to bicycle parking. A minimum of 2 short-term spaces are required for the residential development and a minimum of 3 short-term spaces and 2 long-term spaces are required for the commercial development.
- D14. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets at grade level by the building parapet, screen wall, and architectural projections which are integral to the building design.
- D15. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Director upon written request of the applicant.

**Utilities:**

- D16. Decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). A business association and/or homeowners association shall be responsible for replacing the decorative paving at no cost to the City. The business and/or homeowners associations shall enter into and record a hold harmless agreement, in a form acceptable to

the City Attorney, regarding the removal and replacement of decorative paving by the City.

- D17. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU “Commercial Tap Policy”, may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be “banked” near the common drive; alternatively the services (especially the rear “island” lots) may pass through other lots in private easements (see previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.
- D18. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear “island” lots) may pass through other lots in private easements (see tentative map condition for the conveyance of easement agreement). Alternatively, the applicant may construct a private sewer that is maintained by an HOA. The HOA shall enter into an agreement for maintenance with the City and the CCRs of the HOA shall be to the satisfaction of the City.
- D19. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- D20. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS is based on a calculation of the Equivalent Single-Family Dwelling (ESD) units and is estimated to be 162 ESDs (with a credit for existing uses or 186 ESDs without credit). The Combined Sewer System fee at time of building permit is estimated to be \$ 436,332.73 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site (however this estimate includes an assumption of a 24 ESD credit). The fee will be used for improvements to the CSS.

- D21. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsize of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- D22. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5,000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- D23. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.
- D24. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- D25. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- D26. 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.

**Parks:**

- D27. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- D28. Maintenance District: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or otherwise mitigate the impact of the project on the City's park system. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district.

**Police:**

- D29. Exterior lighting shall be white light (e.g. LED) using full cut off fixtures to limit glare and light trespass. This includes porch and other exterior lights on residences.
- D30. Parking garage lighting shall be indirect white light to eliminate shadows.
- D31. All installed ground cover shall be two feet or less in height. This increases natural surveillance and eliminates hiding areas within the landscape.
- D32. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.
- D34. Courtyard gates on the mixed use building shall be decorative tubular steel or other decorative, transparent design.
- D35. All stairwells and elevators with exterior walls shall include windows at every level practicable (including courtyard exterior walls).

**Fire:**

- D36. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4
- D37. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4

- D38. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft. of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- D39. Provide appropriate Knox access for site. CFC Section 506 (*This shall apply to the commercial structure*).
- D40. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet. CFC Fire Code Amendments 903.2 (a) *This shall apply to the commercial structure*.
- D41. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant and not more than 30 feet from a paved roadway. *This shall apply to the commercial structure*.
- D42. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. The room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Fire Code Official. Fire Control rooms shall be located within the building at a location approved by the Fire Code Official, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control rooms shall not be less than 50 square feet. CFC Amendments 903.4.1.1 *This shall apply to the commercial structure*.

**SRCSD:**

- D43. Subdivision and development of this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information and payment.

**SMUD:**

- D44. SMUD will approve of the abandonment provided the “continuing-use” clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment, as long as SMUD facilities remain in the ground.
- D45. Setbacks of less than 14-feet may create clearance issues and should require the developer to meet with all utilities prior to acceptance of the tentative map. (At a minimum, setback information should be placed on the tentative map for review).

- D46. Building foundations must have a minimum clearance of 5-feet from a SMUD trench. Any deviation must be approved in writing by SMUD's Line Design Dept. Developer to verify with other utilities for their specific clearance requirements.
- D47. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet.
- D48. Future SMUD facilities located on the developer's property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the developer's property.

**Public Works:**

- D49. Construct standard public improvements as noted in these conditions pursuant to Title 18 of the City Code. Improvements shall be designed to City Standards and assured as set forth in Section 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property along 39<sup>th</sup> street per City standards to the satisfaction of the Department of Public Works.
- D50. Design and install street lighting adjacent to the subject property (if needed) per Section 14 of the City's Design and Procedure Manual to the satisfaction of the Department of Public Works.
- D51. Dedicate sufficient right of way and construct full frontage improvements along 37<sup>th</sup> street per City standards and to the satisfaction of the Department of Public Works. 37<sup>th</sup> street shall be constructed with separated sidewalks, and on-street parking along the project's frontage as shown on the grading plan dated 1-23-2015.
- D52. Dedicate sufficient right of way and reconstruct T Street with separated sidewalks, a bike lane and on-street parallel parking (Parallel Parking is provided as a cut out and starts at the end of the existing right turn lane striping). The construction of "T" Street shall be consistent with the cross section shown on the grading plan dated 1-23-2015 to the satisfaction of the Department of Public Works.
- D53. Dedicate sufficient right of way (if needed) and re-construct the frontage improvements along Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works. Stockton Boulevard shall have a

2-foot median constructed to prevent left turn movements from the proposed driveway. Stockton Boulevard improvements shall be consistent with the cross section shown on the grading plan dated 1-23-2015.

- D54. Dedicate sufficient right of way and construct "S" street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- D55. The applicant shall re-construct the existing elbow along the intersection of 37<sup>th</sup> and "S" Street to operate as an all way stop. The applicant shall construct crosswalks along S street and 37<sup>th</sup> Street as shown on the site plan dated 1-23-2015. The re-construction of the elbow shall be to the satisfaction of the department of Public Works.
- D56. The proposed driveway along 39<sup>th</sup> Street to the single family homes shall be constructed as a one way in driveway. The applicant shall provide a signage and markings package to indicate one way in driveway to the satisfaction of the Department of Public Works.
- D57. Construct A.D.A. compliant ramps at north-west corner of the intersection of "S" Street and 39<sup>th</sup> Street, and at the north-west corner of the intersection of T and 37<sup>th</sup>, and at the north-east corner of T Street and Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works.
- D58. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042).
- D59. 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 Public Works. The center lines of such streets shall be aligned.
- D60. The applicant shall merge the existing parcels that cover the project site which creates the parcel boundary shown on the proposed site plan prior to obtaining any Building Permits.
- D61. The applicant shall submit a signal design concept report (SDCR) to the Department of Public Works for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR shall include all proposed modifications to the existing signal at Stockton Boulevard and T street consistent with the recommendation of the Traffic Analysis (dated February 25, 2015)
- D62. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works.

- D63. The site plan shall conform to the parking requirements set forth in City Code 17.608.040.
- D64. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Public Works.
- D65. This project can be constructed in phases. If the project is constructed in separate phases (multi-family site or the single family residential site), The City shall determine the public improvements required for each phase prior to issuance of any building permits to the satisfaction of the Department of Public Works

**Advisory Notes:**

**Utilities:**

- ADV-1. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16th, 2012. Within the X zone, there are no requirements to elevate or flood proof.

**Parks:**

- ADV-2. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
- a. Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. 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.
  - b. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**Police:**

ADV-3. Excluding sound walls, fences should be of decorative tubular steel, no climb type when possible.

ADV-4. Recorded Video Assessment and Surveillance System (VASS) should be employed in the mixed use building.

ADV-5. Cameras and VASS storage should be digital high definition or better.

ADV-6. VASS storage should be kept off-site or in a secured area accessible only to management.

ADV-7. VASS should support standard MPEG formats.

ADV-8. VASS should be capable of storing no less than 30 days' worth of activity.

ADV-9. Manager with access to VASS storage should be able to respond within 30 minutes during business hours.

ADV-10. Manager shall have the ability to transfer recorded data to another medium (e.g. DVD, thumb drive, etc.).

ADV-11. Cameras should be equipped with low light capability, auto iris and auto focus.

ADV-12. VASS shall provide comprehensive coverage of:

- areas of ingress and egress including all entry or exit doors and courtyard openings
- parking garage
- loading areas
- areas not clearly visible from public streets
- coverage of all exterior sides of the property
- adjacent public rights of way (Stockton Blvd, T St, 37<sup>th</sup> St)

ADV-13. No public pay phones/telephones should be allowed on the premises.

ADV-14. The applicant should post the property No Trespassing and No Loitering where appropriate.

ADV-15. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant should be removed or painted over within 72 hours of being applied.

ADV-16. The applicant should be responsible for the daily removal of all litter from the site and adjacent rights of way.

ADV-17. During construction, the applicant should enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours.

ADV-18. During construction, the location should be monitored by security after normal construction hours during all phases of construction.

ADV-19. During construction, adequate security lighting should be provided to illuminate vulnerable equipment and materials. Lighting should be white light with full cut off fixtures.

E. The **Site Plan and Design Review** to construct 21 new single-unit dwellings is **approved** subject to the following conditions:

**Planning:**

- E1. Development of this site shall be in compliance with the attached exhibits except as conditioned. Any modification to the project shall be subject to review by Community Development staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- E2. Three floor plans shall be provided per approved plans (P1 – 2,300sf, P2 – 2,600sf, P3 – 2,900sf, and P4 – 2,800SF)
- E3. Elevation options shall be provided per approved plans. Three elevation options shall be provided for P1 (A, B , and Alt. A), two for P2 (A and B), two for P3 (A and B), and two for P4 (A and B)
- E4. Dwellings with the same plan and the same elevation option shall not be placed on adjacent lots.
- E5. Exterior materials (stucco, cementitious siding, stone/brick veneer, and wood trim/railing/posts) shall be provided per approved plans.
- E6. Minimum 30-year dimensional composition shingle shall be provided.
- E7. Decorative sectional garage doors shall be provide per approved plans.
- E8. The removal of any street trees shall be subject to the review and approval of a tree removal permit pursuant to Sacramento City Code, Chapter 12.56. Submittal of tree removal permit shall include the arborist report identifying trees to be removed, the size of all new planter widths, and any proposed replacement trees. All trees shall be posted 10 days prior to removal.

- E9. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Director upon written request of the applicant.

**Utilities:**

- E10. Decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). A business association and/or homeowners association shall be responsible for replacing the decorative paving at no cost to the City. The business and/or homeowners associations shall enter into and record a hold harmless agreement, in a form acceptable to the City Attorney, regarding the removal and replacement of decorative paving by the City.
- E11. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU “Commercial Tap Policy”, may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be “banked” near the common drive; alternatively the services (especially the rear “island” lots) may pass through other lots in private easements (see previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.
- E12. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear “island” lots) may pass through other lots in private easements (see tentative map condition for the conveyance of easement agreement). Alternatively, the applicant may construct a private sewer that is maintained by an HOA. The HOA shall enter into an agreement for maintenance with the City and the CCRs of the HOA shall be to the satisfaction of the City.
- E13. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation

service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.

- E14. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS is based on a calculation of the Equivalent Single-Family Dwelling (ESD) units and is estimated to be 162 ESDs (with a credit for existing uses or 186 ESDs without credit). The Combined Sewer System fee at time of building permit is estimated to be \$ 436,332.73 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site (however this estimate includes an assumption of a 24 ESD credit). The fee will be used for improvements to the CSS.
- E15. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsize of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- E16. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5,000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- E17. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.

- E18. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- E19. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- E20. 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.

**SMUD:**

- E21. SMUD will approve of the abandonment provided the "continuing-use" clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment, as long as SMUD facilities remain in the ground..
- E22. Setbacks of less than 14-feet may create clearance issues and should require the developer to meet with all utilities prior to acceptance of the tentative map. (At a minimum, setback information should be placed on the tentative map for review).
- E23. Building foundations must have a minimum clearance of 5-feet from a SMUD trench. Any deviation must be approved in writing by SMUD's Line Design Dept. Developer to verify with other utilities for their specific clearance requirements.
- E24. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet.
- E25. Future SMUD facilities located on the developer's property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the developer's property.

**Fire:**

- E26. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4
- E27. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
- E28. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- E29. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side. *This shall apply to the commercial and residential T-court. Since the residential street is only 22 feet in width, the entire street will be marked NO PARKING FIRE LANE.*
- E30. Per the newly adopted 2010 California Residential Code, all new residential construction including 1 and 2 family dwellings and townhouses shall be provided with an approved NFPA 13 D sprinkler system.

**Public Works:**

- E31. Construct standard public improvements as noted in these conditions pursuant to Title 18 of the City Code. Improvements shall be designed to City Standards and assured as set forth in Section 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property along 39<sup>th</sup> street per City standards to the satisfaction of the Department of Public Works.
- E32. Design and install street lighting adjacent to the subject property (if needed) per Section 14 of the City's Design and Procedure Manual to the satisfaction of the Department of Public Works.
- E33. Dedicate sufficient right of way and construct full frontage improvements along 37<sup>th</sup> street per City standards and to the satisfaction of the Department of Public Works. 37<sup>th</sup> street shall be constructed with separated sidewalks, and on-street parking along the project's frontage as shown on the grading plan dated 1-23-2015.

- E34. Dedicate sufficient right of way and reconstruct T Street with separated sidewalks, a bike lane and on-street parallel parking (Parallel Parking is provided as a cut out and starts at the end of the existing right turn lane striping). The construction of "T" Street shall be consistent with the cross section shown on the grading plan dated 1-23-2015 to the satisfaction of the Department of Public Works.
- E35. Dedicate sufficient right of way (if needed) and re-construct the frontage improvements along Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works. Stockton Boulevard shall have a 2-foot median constructed to prevent left turn movements from the proposed driveway. Stockton Boulevard improvements shall be consistent with the cross section shown on the grading plan dated 1-23-2015.
- E36. Dedicate sufficient right of way and construct "S" street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- E37. The applicant shall re-construct the existing elbow along the intersection of 37<sup>th</sup> and "S" Street to operate as an all way stop. The applicant shall construct crosswalks along S street and 37<sup>th</sup> Street as shown on the site plan dated 1-23-2015. The re-construction of the elbow shall be to the satisfaction of the department of Public Works.
- E38. The proposed driveway along 39<sup>th</sup> Street to the single family homes shall be constructed as a one way in driveway. The applicant shall provide a signage and markings package to indicate one way in driveway to the satisfaction of the Department of Public Works.
- E39. Construct A.D.A. compliant ramps at north-west corner of the intersection of "S" Street and 39<sup>th</sup> Street, and at the north-west corner of the intersection of T and 37<sup>th</sup>, and at the north-east corner of T Street and Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works.
- E40. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042).
- E41. 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 Public Works. The center lines of such streets shall be aligned.
- E42. The applicant shall merge the existing parcels that cover the project site which creates the parcel boundary shown on the proposed site plan prior to obtaining

any Building Permits.

- E43. The applicant shall submit a signal design concept report (SDCR) to the Department of Public Works for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR shall include all proposed modifications to the existing signal at Stockton Boulevard and T street consistent with the recommendation of the Traffic Analysis (dated February 25, 2015)
- E44. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works.
- E45. The site plan shall conform to the parking requirements set forth in City Code 17.608.040.
- E46. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Public Works.
- E47. This project can be constructed in phases. If the project is constructed in separate phases (multi-family site or the single family residential site), The City shall determine the public improvements required for each phase prior to issuance of any building permits to the satisfaction of the Department of Public Works

**Advisory Notes:**

**Utilities:**

ADV-1.The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16<sup>th</sup>, 2012. Within the X zone, there are no requirements to elevate or flood proof.

**Parks:**

ADV-2.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 recordation of the final map. The Quimby fee due for this project is estimated at \$39,123.

This is based on 21 single-family residential lots at an average land value of \$115,000 per acre for the Fruitridge Broadway Community Plan Area (North of Fruitridge Road), plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. 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 (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
- c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**Appeal Decision**  
**City of Sacramento Planning and Design Commission**

Date: 6/22/2015

To the Planning Director:

I do hereby make application to appeal the decision of the City Planning and Design Commission on 6/11/2015, for project number P 14-042.  
(hearing date)

xxxxxx Granted by the City Planning Commission  
           Denied by the City Planning Commission

Property Location: 3675 T st

Grounds For Appeal: (explain in detail, you may attach additional pages)

Appellant: Larry Odbert Daytime Phone: (916 )247-9966  
(please print)

Address: 3732 T St Sacramento, Ca 95816

Appellant's Signature: \_\_\_\_\_

Please note that once this application is submitted to the City of Sacramento, your information may be subject to public record. However, please note that the City will not sell your data or information for any purposes.

**THIS BOX FOR OFFICE USE ONLY**

Filing Fee Received: Applicant (\$4,000) \_\_\_\_\_ Or Third Party (\$298) \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Distribute Copies to: Planning Director \_\_\_\_\_

Principal Planner \_\_\_\_\_ Project Planner (original) \_\_\_\_\_

Submit the Appeal Form to 300 Richards Blvd, 3<sup>rd</sup> Floor, Community Development Department Public Counter, between 9AM to 4 PM on weekdays.

The Traffic study has failed to address the 6000 sq. feet of retail space parking requirement along with the number of trips the occupants of the complex will make per day since there are very little services you can walk too. There is no access to this structure without going thru the residential neighborhood. The density of the project is too high for the area. The intersection of Stockton and T already fails at rush hour. This project will transfer more traffic onto T St. & 39<sup>th</sup> which wasn't analyzed in the traffic study. The mitigation measures are insufficient to solve the increased traffic that will incur from this project as it is now proposed. These issues weren't addressed in the environmental analysis.

## Attachment 6-Staff Response to Appeal

The appeal makes several assertions relating to project access and impacts to the surrounding area. Each of these comments is listed below:

- A. The traffic study failed to address the 6,000 sq. ft. retail space parking requirement.
- B. The traffic study failed to analyze the number of trips that occupants of the apartment complex will make per day.
- C. The only access to the apartment complex parking structure is through the adjacent residential neighborhood.
- D. The intersection of Stockton and T Street already fails at rush hour.
- E. This project will transfer more traffic on T Street and 39<sup>th</sup> which wasn't analyzed in the traffic study.
- F. The mitigation measures are insufficient to solve the increased traffic that will occur from this project.
- G. The density is too high for the area.

The responses below reference the Transportation Impact Study completed as part of the project's Sustainable Communities Environmental Assessment available at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

### Response to Part A:

Retail customers would park on-street on either T Street or 37<sup>th</sup> Street. The project is providing the required onsite parking spaces consistent with City Zoning ordinance. The traffic study did consider trips generated by the 6,000 square-foot retail pad. Tables 4 and 5 of the study show the daily, AM, and PM peak hour trip generation of this land use.

### Response to Part B:

Tables 4 and 5 of the study show the daily, AM, and PM peak hour trip generation of the apartment complex and single-family dwelling units. These trips include travel by its residents, visitors, on-site employees/management, deliveries, and all other home-based travel. Prior to any reduction for internal trips, these uses are estimated to generate 1,351 daily trips, 113 AM peak hour trips, and 133 PM peak hour trips. These

trips were assigned to the study intersections in accordance with the trip distribution percentages shown on Figures 8a and 8b. This added traffic can be seen by comparing the existing peak hour volumes (on Figure 4) to the existing plus project peak hour volumes (on Figure 9).

#### Response to Part C:

The apartment complex includes a 230-space parking structure. It may be accessed both from a right-turn only driveway on Stockton Boulevard and a new leg to the 37<sup>th</sup> Street/S Street intersection. Figures 8a and 8b show the relative use of each access. Usage of each access is fairly balanced (and depends on whether the trip is inbound versus outbound).

#### Response to Part D:

The Stockton Boulevard/T Street intersection currently operates at Level of Service (LOS) C during the AM peak hour and LOS E during the PM peak hour. LOS C represents generally stable flow with average vehicle delays ranging from 20 to 35 seconds. LOS E represents near capacity operations, in which motorists must occasionally wait through multiple signal phases. LOS E represents average delays ranging from 55 to 80 seconds per vehicle. As described on Page 22 of the study, the ramp meter at the US 50 westbound loop-ramp causes queue spillbacks on northbound Stockton Boulevard that adversely affect the Stockton Boulevard/T Street intersection. If the ramp meter was not in place, operations would improve to LOS D during the PM peak hour.

#### Response to Part E:

The T Street/39<sup>th</sup> Street intersection was analyzed in the traffic study. It is study intersection #5 and currently operates at LOS B during the AM and PM peak hours. The project would add nine AM peak hour trips and 16 PM peak hour trips. Operations would remain at an acceptable LOS B. The effects of the project on T Street and 39<sup>th</sup> Street were analyzed in the study.

#### Response to Part F:

The recommended mitigation measure at the Stockton Boulevard/T Street intersection consists of converting the permitted northbound and southbound left-turn lanes to have protected phasing. As shown in Table 12, this would result in a three-second decrease in average delay. Operations would remain at an acceptable level. Therefore, the impact associated with adverse queuing and safety concerns at the Stockton Boulevard/T Street intersection would be less than significant after mitigation. Figure 11

displays the other improvements that were recommended to accommodate project access and improve internal circulation.

Response to Part G:

The 2035 General Plan designates the subject parcel as Urban Corridor Low which is reserved for a mix of horizontal and vertical mixed-use development with multistory structures and more-intense uses at major intersections. The project's combined density of 44 units per acre is consistent with the Urban Corridor Low density range of 20-110 units per acre. Additionally the project incorporates elements that are complimentary to the existing neighborhood such as height step backs at the multi-unit east elevation and a single-unit component north of S Street.

**RESOLUTION NO. 2014-**

Adopted by the Sacramento City Council

**ADOPTING THE SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT  
AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE  
STOCKTON AND T RESIDENTIAL MIXED USE PROJECT (P12-038)**

**BACKGROUND**

- A. On June 11, 2015 the City Planning and Design Commission conducted a public hearing on, and approved the Stockton and T Residential Mixed-Use Project.
- B. On June 22, 2015 a third party appeal on the decision of the Planning and Design Commission for the Stockton and T Residential Mixed-Use Project was filed with the City.
- C. On August 18, 2015 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030(B) (posting and mail), and received and considered evidence concerning the Campus Crest project.

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

Section 1. The City Council finds as follows:

A. Pursuant to Public Resources Code (PRC) Section 21155, the Project is a Transit Priority Project (TPP) that:

- (1) contains at least 50 percent residential use;
- (2) provides a minimum net density of at least 20 dwelling units per acre; and
- (3) is located within one-half mile of a major transit stop (39<sup>th</sup> Street Light Rail Station) or high quality transit corridor included in a regional transportation plan.

B: The Project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the Sacramento Area Council of Government's (SACOG) Sustainable Communities Strategy (SCS), for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code,

has accepted SACOG's determination that the sustainable communities strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

C: Pursuant to PRC Section 21155.2, the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the prior General Plan Master Environmental Impact Report (EIR) and SCS/Metropolitan Transportation Plan (MTP) EIR.

D: An initial study has been prepared that identifies all significant or potentially significant impacts of the transit priority project, other than those that do not need to be reviewed pursuant to PRC Section 21159.28 based on substantial evidence in light of the whole record. The initial study identifies cumulative effects that have been adequately addressed and mitigated in the prior applicable certified EIRs. Cumulative effects have been found to be adequately addressed and mitigated in the prior applicable certified EIRs and are not considered cumulatively considerable for the purposes of this SCEA.

E: The Sustainable Communities Environmental Assessment (SCEA) includes measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the initial study.

F: The draft SCEA was completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

I). On March 20, 2015 a Notice of Availability/Notice of Intent to Adopt the SCEA (NOI) dated March 17, 2015 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

II). On March 20, 2015 the NOI was published in the Sacramento Bulletin, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

III). Per 15073.5 revisions were made to the SCEA, as shown on the Errata Sheet dated August 4, 2015, which merely clarifies, amplifies, or makes insignificant modifications to the SCEA and recirculation is not required.

Section 2. The City Council has reviewed and considered the information contained in the SCEA, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the SCEA constitutes an

adequate, accurate, objective and complete review of the environmental effects of the proposed project.

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

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

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

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

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

Table of Contents:

Exhibit A - Mitigation Monitoring and Reporting Program

# Stockton & T Street Project Mitigation Monitoring and Reporting Program

May 2015

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Sustainable Communities Environmental Assessment Initial Study (SCEA IS) for the Stockton & T Street Project are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<b>Project Specific Mitigation Measures</b>			
<p>I-1</p> <p><i>In conjunction with building plan approvals, the project applicant shall demonstrate on the plans via notation, which may reference a separate report, that the project design would include one of the following:</i></p> <ul style="list-style-type: none"> <li>• <i>On-site renewable energy systems (e.g., photovoltaic systems) that would generate a minimum of 15 percent of the project's total energy demand on-site;</i></li> <li>• <i>Measures that would exceed the 2013 California Building Energy Efficiency Standards Code (effective January 1, 2014) by 10 percent for the residential portion of the project and by 5 percent for the commercial portion of the project, which could include, but would not be limited to, use of on-site renewable energy systems for a portion of the project's total energy demand and installation of energy-efficient appliances and lighting; or,</i></li> <li>• <i>Features anticipated to reduce VMT below 15.9 VMT/Capita. Such features may include, but are not limited to: land use, transportation, bicycle, or pedestrian improvements, attributes or amenities. Using an appropriate GHG emissions estimator model (e.g., CalEEMod), the applicant shall demonstrate a reduction of GHG emissions equivalent to a reduction of the project's energy demand by 15 percent or more.</i></li> </ul> <p><i>The plans shall be subject to review and approval by the Community Development Department.</i></p>	<p>In conjunction with building plan approvals</p>	<p>City of Sacramento Community Development Department</p>	
<p>I-2</p> <p><i>In conjunction with building plan approvals, the project applicant shall submit a CALGreen checklist demonstrating how the project meets the 2013 CALGreen Tier 1 water efficiency and conservation</i></p>	<p>In conjunction with building plan approvals</p>	<p>City of Sacramento Community Development Department</p>	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>standards. The checklist shall be subject to review and approval by the Community Development Department.</i>			
<p><i>III-1</i></p> <p><i>If archaeological artifacts or unusual amounts of stone, bone, or shell are uncovered during construction activities, work within 50 feet of the specific construction site at which the suspected resources have been uncovered shall be suspended. At that time, the property owner shall retain a qualified professional archaeologist. The archaeologist shall conduct a field investigation of the specific site and recommend mitigation deemed necessary for the protection or recovery of any archaeological resources concluded by the archaeologist to represent significant or potentially significant resources as defined by CEQA. The mitigation shall be implemented by the property owner to the satisfaction of the City of Sacramento Planning Division prior to resumption of construction activity.</i></p>	<p>If archaeological artifacts or unusual amounts of stone, bone, or shell are uncovered during construction activities</p>	<p>City of Sacramento Planning Division</p>	
<p><i>III-2</i></p> <p><i>In accordance with Section 7050.5 of the Health and Safety Code and Sections 5097.94 and 5097.98 of the Public Resources Code, if human remains are uncovered during project construction activities, work within 50 feet of the remains shall be suspended immediately, and the City of Sacramento Planning Division and the County Coroner shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The property owner shall also retain a professional archaeological consultant with Native American burial experience. The archaeologist shall conduct a field investigation of the specific site and consult with the Most Likely Descendant identified by the NAHC. As necessary, the archaeological consultant may provide professional assistance to the Most Likely Descendant including the excavation and</i></p>	<p>If human remains are uncovered during project construction activities</p>	<p>Native American Heritage Commission</p> <p>City of Sacramento Planning Division</p> <p>County Coroner</p>	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>removal of the human remains. The property owner shall implement any mitigation before the resumption of activities at the site where the remains were discovered.</i>			
V-1. <i>After demolition of the project site, and prior to issuance of a building permit for new construction, the applicant shall submit a design-level geotechnical report with on-site subsurface exploration for the review and approval of the City. The report shall include recommendations, if necessary, to ensure building foundations are designed to adequately support the proposed buildings.</i>	After demolition of the project site, and prior to issuance of a building permit for new construction	City of Sacramento Community Development Department	
VI-1 <i>Prior to issuance of a demolition permit for the existing on-site building, the project applicant shall provide a site assessment that determines whether any structures to be demolished contain lead-based paint. If structures do not contain lead-based paint, further mitigation is not required. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations, subject to approval by the City. Upon completion of demolition, the soil at the site of the building shall be tested for contaminants and appropriately remediated, if required, prior to commencement of construction.</i>	Prior to issuance of a demolition permit for the existing on-site building	City of Sacramento Community Development Department	
VI-2 <i>Prior to issuance of a demolition permit for the existing on-site building, the project applicant shall provide a site assessment that determines whether any structures to be demolished contain asbestos. If structures do not contain asbestos, further mitigation is not required. If any structures contain asbestos, the application for the demolition permit shall include an asbestos abatement</i>	Prior to issuance of a demolition permit for the existing on-site building	City of Sacramento Community Development Department	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>plan consistent with federal, State, and local standards, subject to review and approval by the City. The plan shall demonstrate how the on-site asbestos-containing materials shall be removed and include the requirement that work shall be conducted by a Cal-OSHA registered asbestos abatement contractor in accordance with Title 8 CCR 1529 regarding asbestos training, engineering controls, and certifications. Upon completion of asbestos abatement, an asbestos consultant shall collect air samples and analyze them for the presence of asbestos fibers in order to further assure adequate air quality.</i>			
<i>VIII-1 Prior to the issuance of a building permit, the plans shall include the findings of a detailed analysis of interior noise levels shall be conducted when building plans are available for the residential uses with direct exposure to US 50 traffic noise. The analysis shall detail noise control measures that are required to achieve compliance with the City of Sacramento 45 dB L<sub>dn</sub> interior noise level standard. Such analysis shall be conducted by a qualified acoustical consultant recognized by the City of Sacramento and shall be subject to review and approval by the Community Development Department.</i>	Prior to the issuance of a building permit	City of Sacramento Community Development Department	
<i>VIII-2 Prior to issuance of building permits for the single-family residences (proposed lots 1 through 21, included on the proposed tentative map), the applicant shall provide documentation acceptable to the City that the sound wall to be constructed along Highway 50 will be completed, at a minimum height of 8 feet, by the time of issuance of final building permits for the single-family residences. Such documentation may consist of written confirmation from Caltrans that the sound wall has been included in a project design that is funded, designed and has a construction completion date that satisfies the requirements of this mitigation measure.</i>	Prior to issuance of building permits for the single-family residences (proposed lots 1 through 21, included on the proposed tentative map)	City of Sacramento Community Development Department  Caltrans	
<i>VIII-3 Prior to the issuance of the certificate of occupancy of the multi-family residences, the multi-family pool deck screen</i>	Prior to the issuance of the certificate of occupancy of the	City of Sacramento Community Development	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
	multi-family residences	Department	
VIII-4 <i>Prior to issuance of a building permit, the applicant shall show on the building plans via notation that the mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation. The building plans shall be subject to review and approval by the Community Development Department.</i>	Prior to issuance of a building permit	City of Sacramento Community Development Department	
IX-1 <i>Prior to issuance of a building permit, and consistent with General Plan Policy ERC 2.5.4 and Chapter 18.44 of the Sacramento City Code, the project applicant shall pay the City of Sacramento in-lieu fees and/or development impact fees for park facilities. The Sacramento City Council, by resolution, shall establish the specific initial and subsequent amounts of the park development impact fees pursuant Section 18.44.050 of the Sacramento City Code.</i>	Prior to issuance of a building permit	City of Sacramento Community Development Department	
X-1. <i>Implement Mitigation Measure IX-1.</i>	See Mitigation Measure IX-1	See Mitigation Measure IX-1	
XI-1 <i>Prior to building occupancy, the project applicant shall work with the City of Sacramento to modify the traffic signal at the Stockton Boulevard/T Street intersection to operate the northbound and southbound left-turns with protected phasing.</i>	Prior to building occupancy	City Engineer	
XI-2 <i>Prior to approval of building permits, the project applicant shall develop a Construction Traffic Management Plan to the satisfaction of the City's Community Development Department. The plan shall include items including, but not limited to the following: the number and size of trucks per day; expected arrival/departure times; truck circulation patterns; location of truck staging areas; employee parking; and the proposed use of traffic control/partial street closures on public streets. The overall goal of the Construction Traffic Management Plan</i>	Prior to approval of building permits	City of Sacramento Community Development Department	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>is to minimize traffic impacts to public streets and maintain a high level of safety for all roadway users. The Construction Traffic Management Plan shall adhere to the following performance standards throughout project construction:</i></p> <ol style="list-style-type: none"> <li>1. <i>Delivery trucks do not idle/stage on Stockton Boulevard and T Street.</i></li> <li>2. <i>With the exception of trucks coming from local destinations via 39<sup>th</sup> Street, all delivery trucks shall use Stockton Boulevard to access the site.</i></li> <li>3. <i>Any lane closures on northbound Stockton Boulevard during the demolition of the existing office building or proposed project construction are limited to a single lane during off-peak hours (9:00 AM to 2:30 PM).</i></li> <li>4. <i>Roadways, sidewalks, crosswalks, and bicycle facilities shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety.</i></li> </ol>			
<p>XII-1. <i>Prior to the design of the new pipelines recommended in the Sewer Study prepared specifically for the proposed project by RSC Engineering, or approval of any improvement plans, a field survey shall be conducted of the existing CSS pipelines. If, upon field verification, the existing CSS pipes are discovered to have slopes that are less than the minimum allowable, the pipes shall be re-evaluated based on the calculated sewer flows and the field measurements.</i></p>	<p>Prior to the design of the new pipelines recommended in the Sewer Study prepared specifically for the proposed project by RSC Engineering, or approval of any improvement plans</p>	<p>City of Sacramento Department of Utilities</p>	
<b>Mitigation Measures from the MTP/SCS EIR</b>			
<p>MM AIR-1 <i>Implementing agencies should require air quality modeling for individual land use and transportation projects to determine whether thresholds of significance for long-term operational criteria air pollutant emissions are exceeded and apply recommended applicable mitigation measures as defined by the applicable local air</i></p>	<p>Air quality modeling was performed as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such measures were included in the</p>	<p>SMAQMD  City of Sacramento Community Development Department</p>	<p>Complete</p>

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>district.</i>	SCEA IS.		
<p><i>MM AIR-2 Adhere to the ARB Handbook siting guidance to the maximum extent possible. Where sensitive land uses or TAC sources would be sited within the minimum ARB-recommended distances, a screening-level HRA shall be conducted to determine, based on site-specific and project-specific characteristics, and all feasible mitigation best management practices (BMPs) shall be implemented. The HRA protocols of the applicable local air districts shall be followed or, where a district/office does not have adopted protocols, the protocol of SMAQMD or CAPCOA shall be followed. BMPs shall be applied as recommended and applicable, to reduce the impact to a less-than-significant level where feasible. The HRA should give particular attention to the nature of the receptor, recognizing that some receptors are particularly sensitive (e.g., schools, day care centers, assisted living and senior centers, and hospitals) and may require special measures. Examples of BMPs known at this time to be effective include:</i></p> <ul style="list-style-type: none"> <li>• <i>install passive (drop-in) electrostatic filtering systems (especially those with low air velocities (i.e., 1 MPH)) as a part of the HVAC project HVAC system(s);</i></li> <li>• <i>orient air intakes away from TAC sources to the maximum extent possible; and</i></li> <li>• <i>use tiered tree planting between roadways and sensitive receptors wherever feasible, using native, needled (coniferous) species, ensure a permanent irrigation source, and provide permanent funding to maintain and care for the trees.</i></li> </ul>	<p>A screening-level HRA was conducted as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such measures were included in the SCEA IS.</p>	<p>SMAQMD  City of Sacramento Community Development Department</p>	<p>Complete</p>
<p><i>MM AIR-4 Lead agencies should require project applicants, prior to construction, to implement construction mitigation</i></p>	<p>Project-specific air quality modeling was performed as part</p>	<p>SMAQMD</p>	<p>Complete</p>

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>measures that, at a minimum, meet the requirements of the applicable air district with jurisdiction over the area in which construction activity would occur if the project is anticipated to exceed thresholds of significance for short-term criteria air pollutant emissions. Projects that exceed these thresholds shall mitigate the air quality impacts using all feasible mitigation. For construction activity on the project site that is anticipated to exceed thresholds of significance, the project applicant(s) shall require construction contractors to implement both Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in the plan area.</i></p> <p><i>Examples of mitigation measures could include, but not limited to, the following:</i></p> <ul style="list-style-type: none"> <li>• <i>The applicant shall implement a Fugitive Dust Control Plan.</i></li> <li>• <i>All grading operations on a project shall be suspended when winds exceed 20 miles per hour (MPH) or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.</i></li> <li>• <i>Construction sites shall be watered as directed by the local air district and as necessary to prevent fugitive dust violations.</i></li> <li>• <i>An operational water truck shall be on-site at all times. Water shall be applied to control dust as needed to prevent visible emissions violations and off-site dust impacts.</i></li> <li>• <i>On-site dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. The use of</i></li> </ul>	<p>of the SCEA IS analysis, which determined construction emissions would be below the applicable thresholds of significance. Thus, this mitigation measure would not be required for the project.</p>	<p>City of Sacramento Community Development Department</p>	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>approved nontoxic soil stabilizers shall be incorporated according to manufacturers' specifications to all inactive construction areas.</i></p> <ul style="list-style-type: none"> <li>• <i>All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.</i></li> <li>• <i>Approved chemical soil stabilizers shall be applied according to the manufacturers' specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours), including unpaved roads and employee/equipment parking areas.</i></li> <li>• <i>To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed before each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks and prevent/diminish track-out.</i></li> <li>• <i>Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom permitted) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.</i></li> <li>• <i>Temporary traffic control shall be provided as needed during all phases of construction to improve traffic flow, as deemed appropriate by the appropriate department of public works and/or California Department of Transportation (Caltrans), and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 MPH.</i></li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<ul style="list-style-type: none"> <li>• <i>Traffic speeds on all unpaved surfaces shall be reduced to 15 MPH or less, and unnecessary vehicle traffic shall be reduced by restricting access. Appropriate training to truck and equipment drivers, on-site enforcement, and signage shall be provided.</i></li> <li>• <i>Ground cover shall be reestablished on the construction site as soon as possible and before final occupancy through seeding and watering.</i></li> <li>• <i>Open burning shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (e.g., trash, demolition debris) may be conducted at the project site. Vegetative wastes shall be chipped or delivered to waste-to-energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials off-site for disposal by open burning.</i></li> <li>• <i>The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained before and for the duration of on-site operation.</i></li> <li>• <i>Existing power sources (e.g., power poles) or clean-fuel generators shall be used rather than temporary power generators.</i></li> <li>• <i>A traffic plan shall be developed to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Operations that affect traffic shall be scheduled for off-peak hours. Obstruction of through-traffic lanes shall be minimized. A flag person shall be provided to guide traffic properly and ensure</i></li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>safety at construction sites.</i></p> <ul style="list-style-type: none"> <li>• <i>The project proponent shall assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and provide a plan for approval by the local air district demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used for construction, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent ARB fleet average at the time of construction. These equipment emission reductions can be demonstrated using the most recent version of the Construction Mitigation Calculator developed by the SMAQMD. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary off-site mitigation projects, the provision of funds for air district off-site mitigation projects, and/or other options as they become available. In addition, implementation of these measures would also result in a 5 percent reduction in ROG emissions from heavy-duty diesel equipment. The local air district shall be contacted to discuss alternative measures.</i></li> </ul> <p style="text-align: center;"><i>Air districts provide similar recommendations to those listed above. Some air districts in the region (e.g.,</i></p>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>SMAQMD) also offer the option for paying off-site construction mitigation fees if the recommended actions do not reduce construction emissions to acceptable levels.</i>			
<i>MM AIR-5 Implement Mitigation Measure AIR-4.</i>	See Mitigation Measure AIR-4	See Mitigation Measure AIR-4	Complete
<p><i>MM GEO-1 The implementing agency should require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.</i></p> <p><i>If a local grading, erosion, and/or sediment control ordinance or other applicable plans or regulations do not exist, the jurisdiction should adopt ordinances substantially addressing the foregoing features and apply those ordinances to new development projects.</i></p>	When any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed	City of Sacramento Community Development Department	
<i>MM HAZ-2 The implementing agency should determine whether specific project sites are listed on government lists of hazardous materials and/or waste sites compiled pursuant to Government Code Section 65962.5.</i>	Prior to issuance of a demolition permit for the existing on-site building	City of Sacramento Community Development Department	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>Implementing agencies should require preparation of a Phase I ESA that meets the American Society for Testing and Materials (ASTM) standards for any listed sites or sites with the potential of residual hazardous materials and/or waste as a result of location and/or prior uses. Implementing agencies should require that recommendations of the Phase I ESA be fully implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency should require a Phase II ESA, and recommendations of the Phase II ESA should be fully implemented.</i>			
<i>MM HYD-1 The implementing agency should require projects to direct stormwater run-off and other surface drainage into an adequate on-site system or into a municipal system with capacity to accept the project drainage. This should be demonstrated by requiring consistency with local stormwater drainage master plans or a project-specific drainage analysis satisfactory to the jurisdiction's engineer of record.</i>	Prior to building permit issuance	City of Sacramento Department of Utilities  City of Sacramento Community Development Department	
<i>MM HYD-2 The implementing agency should require the use of BMPs or equivalent measures to treat water quality at on-site basins, prior to leaving the project site, and/or at the municipal system as necessary to achieve local or other applicable standards. This should be demonstrated by requiring consistency with local standards and practices for water quality control and management of erosion and sedimentation, and/or other applicable standards, including the CBC and UBC regulations and guidelines and/or local NPDES.</i>	Prior to building permit issuance	City of Sacramento Department of Utilities  City of Sacramento Community Development Department	
<i>MM HYD-3 Implement Mitigation Measure GEO-1.</i>	See Mitigation Measure GEO-1	See Mitigation Measure GEO-1	
<i>MM HYD-4 The implementing agency should conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate</i>	Based on the project-specific analysis within the SCEA IS, the project is not located within a	City of Sacramento Community Development Department	Complete

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<i>compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows to a less than significant level. For the purposes of this mitigation, less than significant means consistent with federal, state, and local regulations and laws related to development in the floodplain.</i>	floodplain. Thus, this mitigation measure would not be required for the project.		
MM HYD-5 <i>Implement Mitigation Measure PS-1.</i>	See Mitigation Measure PS-1	See Mitigation Measure PS-1	
MM NOI-1 <i>For projects that have not undergone previous noise study and that exceed acceptable noise thresholds, the implementing agency should conduct a project-level evaluation of noise impacts in accordance with applicable federal, state, and local noise standards. Where significant impacts are identified, mitigation measures should be implemented, where feasible, to reduce noise to be in compliance with applicable noise standards. Measurements that can be implemented include but are not limited to:</i> <ul style="list-style-type: none"> <li>• <i>Constructing barriers in the form of sound walls or earth berms to attenuate noise at adjacent residences;</i></li> <li>• <i>Using land use planning measures, such as zoning, restrictions on development, site design, and buffers to ensure that future development is compatible with adjacent transportation facilities and land uses;</i></li> <li>• <i>Constructing roadways so that they are depressed below-grade of the existing sensitive land uses to create an effective barrier between new roadway lanes, roadways, rail lines, transit centers, park-n-ride lots, and other new noise generating facilities;</i></li> </ul>	A project-specific noise analysis was conducted as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such measures were included in the SCEA IS.	City of Sacramento Community Development Department	Complete

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<ul style="list-style-type: none"> <li>• <i>Maximizing the distance between noise-sensitive land uses and new noise-generating facilities and transportation systems;</i></li> <li>• <i>Improving the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise; and</i></li> <li>• <i>Using rubberized asphalt or “quiet pavement” to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement, or normal reconstruction of roadways where re-pavement is planned.</i></li> </ul>			
<p>MM NOI-2     <i>The implementing agency should undertake a detailed evaluation of vibration and groundborne noise impacts and identify project-specific mitigation measures, as necessary to reduce vibration to a level that is in compliance with applicable local standards or FTA standards. The following are measures that may be implemented to minimize the effects of vibration and groundborne noise from rail operations:</i></p> <ul style="list-style-type: none"> <li>• <i>Comply with all applicable local vibration and groundborne noise standards, or in the absence of such local standards, comply with FTA vibration and groundborne noise standards. Methods that can be implemented to reduce vibration and groundborne noise impacts include but are not limited to:</i> <ul style="list-style-type: none"> <li>i. <i>Maximizing the distance between tracks and sensitive uses;</i></li> <li>ii. <i>Conducting rail grinding on a regular basis to keep tracks smooth;</i></li> <li>iii. <i>Conducting wheel truing to re-contour wheels to provide a smooth running surface and removing wheel flats;</i></li> </ul> </li> </ul>	<p>A project-specific noise analysis, including vibration and groundborne noise, was conducted as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such measures were included in the SCEA IS.</p>	<p>City of Sacramento Community Development Department</p>	<p>Complete</p>

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p>iv. <i>Providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners, and ballast mats; and</i></p> <p>v. <i>Implementing operational changes such as limiting train speed and reducing nighttime operations.</i></p>			
<p><i>MM NOI-3 The implementing agency should reduce noise, vibration, and groundborne noise generate by construction activities by taking the following (or equivalent) actions:</i></p> <ul style="list-style-type: none"> <li>• <i>Restrict construction activities to permitted hours in accordance with local jurisdiction regulations;</i></li> <li>• <i>Properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps);</i></li> <li>• <i>Prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors;</i></li> <li>• <i>Locate stationary equipment such as generators, compressors, rock crushers, and cement mixers as far from sensitive receptors as possible; and</i></li> <li>• <i>Predrill pile holes to the maximum feasible depth, provided that pile driving is necessary for construction.</i></li> </ul>	<p>During construction</p>	<p>City Engineer</p>	
<p><i>MM PS-1 The implementing agency should ensure that public services and utilities will be available to meet or satisfy levels identified in the applicable local general plan or service master plan. This shall be documented in the form of a capacity analysis or provider will-serve letter.</i></p>	<p>Prior to approval of any improvement plans</p>	<p>City of Sacramento Community Development Department</p>	
<p><i>MM TRN-3 The implementing agency should implement some or all of the following strategies in order to reduce the localized transportation system impacts from construction activities.</i></p>	<p>In conjunction with Mitigation Measure XI-2</p>	<p>City of Sacramento Community Development Department</p>	

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<ul style="list-style-type: none"> <li>• <i>Apply special construction techniques (e.g., directional drilling or night construction) to minimize impacts to traffic flow and provide adequate access to important destinations in the area.</i></li> <li>• <i>Develop circulation and detour plans to minimize impacts to local street impacts from construction activity on nearby major arterials. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.</i></li> <li>• <i>Establish truck “usage” routes that minimize truck traffic on local roadways to the extent possible.</i></li> <li>• <i>Schedule truck trips outside of peak morning and evening commute hours.</i></li> <li>• <i>Limit the number of lane closures during peak hours to the extent possible.</i></li> <li>• <i>Identify detours for bicycles and pedestrians in all areas potentially affected by project construction and provide adequate signage to mark these routes.</i></li> <li>• <i>Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.</i></li> <li>• <i>Develop and implement access plans for potentially impacted local services such as police and fire stations, transit stations, hospitals, schools and parks. The access plans should be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor.</i></li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<ul style="list-style-type: none"> <li>Store construction materials only in designated areas that minimize impacts to nearby roadways</li> <li>Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary.</li> </ul>			
<i>MM USS-1 Implement Mitigation Measure PS-1.</i>	See Mitigation Measure PS-1	See Mitigation Measure PS-1	
<i>MM USS-2 Implement Mitigation Measure PS-1.</i>	See Mitigation Measure PS-1	See Mitigation Measure PS-1	
<i>MM USS-3 The implementing agency should undertake project-level review as necessary to provide CEQA clearance for new wastewater treatment plants, landfills, and similar large utility facilities.</i>	Project-level review was conducted as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such mitigation was included in the SCEA IS.	City of Sacramento Community Development Department	Complete
<b>Mitigation Measures from 2030 General Plan Master EIR That Apply to the Project</b>			
<i>MM 6.7-6 (General Plan Policy ER 1.1.5) <b>No Net Increase:</b> The City shall require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event.</i>	Prior to approval, applicant shall provide peak flow calculations for the 100-year storm event	City of Sacramento Department of Utilities	
<i>MM 6.12-1 (General Plan Policy M 1.2.2) <b>LOS Standard:</b> The City shall allow for flexible LOS standards, which would permit increased densities and mix of uses to increase transit ridership, biking, and walking, which decreases auto travel, thereby reducing air pollution, energy consumption, and greenhouse gas emissions.</i> <ul style="list-style-type: none"> <li><b>Core Area Level of Service Exemption-</b> LOS F conditions are acceptable during peak hours in the Core Area bounded by C Street, the Sacramento River, 30<sup>th</sup> Street, and X Street. If a Traffic Study is prepared and identifies a LOS impact that would otherwise be considered significant to a roadway or intersection that is in</li> </ul>	A project-specific noise analysis, including traffic, was conducted as part of the SCEA IS analysis. Where additional mitigation measures were deemed necessary, such measures were included in the SCEA IS.	City of Sacramento Community Development Department	Complete

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>the Core Area as described above, the project would not be required in that particular instance to widen roadways in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city-wide transportation system in order to improve transportation-system-wide roadway capacity, to make intersection improvements, or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to road segments in order to conform to the General Plan. This exemption does not affect the implementation of previously approved roadway and intersection improvements identified for the Railyards or River District planning areas.</i></p> <ul style="list-style-type: none"> <li> <p><b>• LOS Standard for Multi-Modal Districts-</b> <i>The City shall seek to maintain the following standards in the Central Business District, in areas within 1/2 mile walking distance of light rail stations, and in areas designated for urban scale development (Urban Centers, Urban Corridors, and Urban Neighborhoods as designated in the Land Use and Urban Form Diagram). These areas are characterized by frequent transit service, enhanced pedestrian and bicycle systems, a mix of uses, and higher-density development.</i></p> </li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<ul style="list-style-type: none"> <li>• <i>Maintain operations on all roadways and intersections at LOS A-E at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. LOS F conditions may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project.</i></li>   <li>• <b>Base LOS Standard-</b> <i>The City shall seek to maintain the following standards for all areas outside of multi-modal districts.</i></li>   <li>• <i>Maintain operations on all roadways and intersections at LOS A-D at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. LOS E or F conditions may be accepted, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or a City-initiated project.</i></li>   <li>• <b>Roadways Exempt from LOS Standard-</b> <i>The above LOS standards shall apply to all roads, intersections or interchanges within the City except as specified below. If a Traffic Study is prepared and identifies a significant LOS impact to a roadway or intersection that is located within one of the roadway corridors described below, the project would not be required in that</i></li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>particular instance to widen roadways in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city-wide transportation system in order to improve transportation-system-wide roadway capacity to make intersection improvements, or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to the listed road segment in order to conform to the General Plan.</i></p> <ul style="list-style-type: none"> <li>• 12th/14th Avenue: State Route 99 to 36th Street</li> <li>• 24th Street: Meadowview Road to Delta Shores Circle</li> <li>• 65th Street: Folsom Boulevard to 14th Avenue</li> <li>• Alhambra Boulevard: Folsom Boulevard to P Street</li> <li>• Arcade Boulevard: Marysville Boulevard to Del Paso Boulevard</li> <li>• Arden Way: Capital City Freeway to Ethan Way</li> <li>• Blair Avenue/47th Avenue: S. Land Park Drive to Freeport Boulevard</li> <li>• Broadway: 15th Street to Franklin Boulevard</li> <li>• Broadway: 58th to 65th Streets</li> <li>• El Camino Avenue: Stonecreek Drive to Marysville Boulevard</li> <li>• El Camino Avenue: Capitol City Freeway to</li> </ul>			

<b>MITIGATION MONITORING AND REPORTING PROGRAM STOCKTON &amp; T STREET PROJECT</b>			
<b>Project Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Monitoring Agency</b>	<b>Sign-Off</b>
<p><i>Howe Avenue</i></p> <ul style="list-style-type: none"> <li>• <i>Elder Creek Road: 65th Street to Power Inn Road</i></li> <li>• <i>Florin Perkins Road: 14th Avenue to Elder Creek Road</i></li> <li>• <i>Florin Road: Greenhaven Drive to 1-5; 24th Street to Franklin Boulevard</i></li> <li>• <i>Folsom Boulevard: 34th Street to Watt Avenue</i></li> <li>• <i>Freeport Boulevard: Broadway to Seamas Avenue</i></li> <li>• <i>Fruitridge Road: Franklin Boulevard to SR 99</i></li> <li>• <i>Garden Highway: Truxel Road to Northgate Boulevard</i></li> <li>• <i>Howe Avenue: American River Drive to Folsom Boulevard</i></li> <li>• <i>J Street: 43rd Street to 56th Street</i></li> <li>• <i>Mack Road: Meadowview Road to Stockton Boulevard</i></li> <li>• <i>Martin Luther King Boulevard: Broadway to 12th Avenue</i></li> <li>• <i>Marysville Boulevard., 1-80 to Arcade Boulevard</i></li> <li>• <i>Northgate Boulevard: Del Paso Road to SR 160</i></li> <li>• <i>Raley Boulevard: Bell Avenue to 1-80</i></li> <li>• <i>Roseville Road: Marconi Avenue to 1-80</i></li> <li>• <i>Royal Oaks Drive: SR 160 to Arden Way</i></li> <li>• <i>Truxel Road: 1-80 to Gateway Park</i></li> </ul>			

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE STOCKTON  
AND T STREET RESIDENTIAL MIXED-USE PROJECT  
(P14-042) (APN: 010-0082-004, and 011-0021-029)**

**BACKGROUND**

- A. On June 11, 2015 the City Planning and Design Commission conducted a public hearing on and approved the Stockton and T Street Residential Mixed-Use Project.
- B. On June 22, 2015, the Decision of the City Planning and Design Commission was appealed by a third party.
- C. On August 18, 2015 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030(B), and received and considered evidence concerning the Stockton and T Street Residential Mixed-Use 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 Stockton and T Street Residential Mixed-Use Project, the City Council denies the appeal and 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. **& B Environmental Determination:** The **CEQA Sustainable Communities Environmental Assessment** and the **Mitigation Monitoring Plan** for the Project have been adopted by Resolution No. \_\_\_\_\_.
- C. The **Tentative Subdivision Map** to subdivide approximately 2.15 acres into 21 single-unit lots and two common area lots 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 Planning & Design Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3)

**D. The Site Plan and Design Review** to construct a new five story mixed-use building with 214 residential units, 6000 square feet of ground floor commercial, and an associated parking structure is **approved** based on the following Findings of Fact:

1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan's Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment;

increased development intensities at major intersections along corridors; and development that provides proper transitions to existing neighborhoods.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide multi-unit dwelling and commercial corridor design guidelines and the project will not require deviations from any development standards or design guidelines.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via Stockton Boulevard, T Street, and 37<sup>th</sup> Street and there are existing utilities that will provide service to the site.

4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood as the surrounding neighborhood consists of a mix of commercial and residential developments. Where portions of the development are proximate to single-unit dwellings, the project adheres to the transitional height requirements for the C-2 Zone.

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.

6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the mixed-use building is a use that is not uncommon in the C-2 Zone. The project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

**E. The Site Plan and Design Review to construct 21 new single-unit dwellings is approved based on the following Findings of Fact:**

1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan's Urban Corridor Low designation and is consistent with the General Plan Goals and policies related to increased housing densities, especially when located proximate to transit stations; increased housing densities when located proximate to concentrated centers of employment; increased development intensities at major intersections along corridors; development that provides proper transitions to existing neighborhoods. The General Plan allows the proposed development project to be evaluated as whole, including both multi and single-unit components. The single-unit portion of the

development satisfies the General Plan goal to provide proper transitions to existing neighborhoods.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the site design and architecture are consistent with the citywide single-unit dwelling design guidelines and the project will not require deviations from any development standards or design guidelines.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site has existing site access via S Street, and 39<sup>th</sup> Street and there are existing utilities that will provide service to the site.

4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the existing single-unit dwellings to the south.

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.

6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the proposed single-unit dwellings are compatible with the uses directly adjacent to the site. Furthermore, the project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

### **Conditions of Approval**

- C. The **Tentative Subdivision Map** to subdivide approximately 2.15 acres into 21 single-unit lots and two common area lots is **approved** subject to the following Conditions of Approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P14-042). The design of any improvement not covered by these conditions shall be to City standard.**

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

the Department of Public Works.

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

- C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- C2. 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 Public Works after consultation with the U.S. Postal Service;
- C3. 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 all appropriate parcels and Lot A, at no cost, at the time of sale or other conveyance of either parcel.;
- C4. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042);
- C5. Show all continuing and proposed/required easements on the Final Map;
- C6. 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 Public Works.
- C7. 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;

**Department of Public Works: Streets (Anis Ghobril, Public Works,808-5367)**

- C8. 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 Public Works. Improvements required shall be determined by the city. 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 fronting the property along S Street and 39<sup>th</sup> Street per City standards to the satisfaction of the Department of Public Works.
- C9. Dedicate sufficient right of way and construct “S” street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- C10. At its discretion, the City may require the inclusion of traffic calming devices along residential streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, undulations, etc. to the satisfaction of the Department of Public Works.
- C11. The applicant shall satisfy all the conditions for the proposed abandonments;
- C12. 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 Public Works;
- C13. 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 Public Works. The center lines of such streets shall be aligned.
- C14. Construct A.D.A. compliant ramps at north-west corner of the intersection of “S” Street and 39<sup>th</sup> Street to the satisfaction of the Department of Public Works.
- C15. The applicant shall make provisions for bus stops, shelters, etc. to the satisfaction of Regional Transit;

**Department of Public Works: Private Streets**

- C16. Design private streets to meet the City standards regarding structural section.

Private streets shall be inspected to the satisfaction of the Department of Public Works.

- C17. Provide a standard driveway at the entrance to the private street (Lot A) along S street and along 39<sup>th</sup> Street to the satisfaction of the Department of Public Works. The driveway along 39<sup>th</sup> Street shall be a one way in driveway only. The applicant shall provide a signage and markings package to indicate an **in-only** driveway to the satisfaction of the Department of Public Works.

**PUBLIC/PRIVATE UTILITIES (Ron Lehman, SMUD, 732-6967)**

- C18. Subdivision and development of this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information and payment. (SRCSD)
- C19. Dedicate a 12.5-foot PUE adjacent to “39<sup>th</sup>” Street.
- C20. Dedicate a 12.5-foot PUE adjacent to “S” Street.
- C21. Dedicate the private drive (Lot A) as a PUE.
- C22. Dedicate a 4-foot PUE adjacent to the private drive (Lot A) on lots 10-19.
- C23. Dedicate a 10-foot PUE adjacent to the private drive (Lot A) on lots 8, 9, 20, and 21.
- C24. Dedicate the un-numbered “Surveyed Remainder” Lot, west of Lot 1 as a PUE.
- C25. SMUD will approve of the abandonment provided the “continuing-use” clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment, as long as SMUD facilities remain in the ground.

**CITY UTILITIES (Robert Armijo, Utilities, 808-1411)**

- C26. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions will be required; the water main 6” main that runs through the vacated alley shall be relocated to S Street and a new sewer line to serve at least the east most lots in the single family home portion of the project. The sizing and extent of the sewer line shall be to the satisfaction of the DOU and in accordance with the sewer study mentioned in subsequent condition(s).

- C27. If required by the Department of Utilities (DOU), the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book\_\_\_\_, O.R. Page\_\_\_\_."
- C28. Surface drainage facilities (pavement, curbs, gutters, v-gutters, drop inlets and the like) and the private common sewer main located within private streets, drive aisles and alleys shall be private facilities maintained by a homeowners association (HOA) or a privately funded maintenance district. Private easements shall be dedicated for these facilities. If required by the DOU, the responsible maintenance agency shall enter into and record an agreement with the City regarding the maintenance of these facilities. The agreement shall be to the satisfaction of the DOU and the City Attorney. No drainage inlets shall be connected to the private sewer line. A private drainage main (separate from the sewer main) shall be constructed to connect with the public combined sewer line in the public right of way (if required to accommodate drainage that the private surface drainage facilities cannot accommodate).
- C29. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU "Commercial Tap Policy", may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be "banked" near the common drive; alternatively the services (especially the rear "island" lots) may pass through other lots in private easements (see previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.
- C30. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- C31. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear "island" lots) may pass through other lots in

private easements (see previous condition for the conveyance of easement agreement). Alternatively, the applicant may construct a publically maintained sewer to the satisfaction of the DOU.

- C32. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsizing of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- C33. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- C34. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.
- C35. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- C36. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- C37. 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.

**FIRE:** (King Tunson, Fire, 808-1358)

- C38. All turning radii for fire access shall be designed as 35' inside and 55' outside. CFC 503.2.4 *This shall apply to the commercial and T-court for the single family residential.*
- C39. 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. CFC 503.2.1
- C40. 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
- C41. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105

**PPDS:** Parks (Mary de Beauvieres, Parks, 808-8722)

- C42. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- C43. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or otherwise mitigate the impact of the project on the City's park system. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district.

**MISCELLANEOUS**

- C44. 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.

- C45. Form a Homeowner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private Drives (Lot A) and the common area Lot B. The Homeowner's Association shall maintain all private drives, lights, common areas and common landscaping).

**Special Districts:** (Diane Morrison, Finance, 808-7535)

- C46. The applicant shall fund an endowment or create or 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

**ADVISORY NOTES:**

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- ADV-1. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16<sup>th</sup>, 2012. Within the X zone, there are no requirements to elevate or flood proof.

- ADV-2. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

- 1 Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at \$39,123. This is based on 21 single-family residential lots at an average land value of \$115,000 per acre for the Fruitridge Broadway Community Plan Area (North of Fruitridge Road), plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. 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.
- 2 Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated are at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. 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.

3. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**D.** The **Site Plan and Design Review** to construct a new five story mixed-use building with 214 residential units, 6000 square feet of ground floor commercial, and an associated parking structure is **approved** subject to the following Conditions of approval:

**Planning:**

- D1. Development of this site shall be in compliance with the attached exhibits, except as conditioned. Any modification to the project shall be subject to review by Community Development staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- D2. Applicant shall comply with all applicable conditions of the Stockton and T Street Mitigation Monitoring Plan
- D3. Exterior materials shall be provided consistent with project elevations and color and materials board.
- D4. Trash enclosures shall meet all requirements of the Sacramento City Code, Chapter 17.616 (Recycling and Solid Waste Disposal Regulations), including statement of recycling information requirements, recycling volume requirements, perimeter landscaping, masonry walls, and a solid metal gate.
- D5. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.
- D6. Final landscaping plans are subject to review by Planning Staff and the City Arborist prior to the issuance of Building Permits. The scope of the review shall include compliance the approved plans, plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- D7. The removal of any street trees shall be subject to the review and approval of a tree removal permit pursuant to Sacramento City Code, Chapter 12.56. Submittal of tree removal permit shall include the arborist report identifying trees to be removed, the size of all new planter widths, and any proposed replacement trees. All trees shall be posted 10 days prior to removal.
- D8. A minimum of 107 parking spaces shall be provided on site.

- D9. The project shall comply with Section 17.608.030 (c) of the Planning and Development Code related to bicycle parking. A minimum of 2 short-term spaces are required for the residential development and a minimum of 3 short-term spaces and 2 long-term spaces are required for the commercial development.
- D14. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets at grade level by the building parapet, screen wall, and architectural projections which are integral to the building design.
- D15. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Director upon written request of the applicant.

**Utilities:**

- D16. Decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). A business association and/or homeowners association shall be responsible for replacing the decorative paving at no cost to the City. The business and/or homeowners associations shall enter into and record a hold harmless agreement, in a form acceptable to the City Attorney, regarding the removal and replacement of decorative paving by the City.
- D17. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU "Commercial Tap Policy", may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be "banked" near the common drive; alternatively the services (especially the rear "island" lots) may pass through other lots in private easements (see previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.
- D18. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear "island" lots) may pass through other lots in private easements (see tentative map condition for the conveyance of easement agreement). Alternatively, the applicant may construct a private sewer that is maintained by an HOA. The HOA shall enter into an agreement for maintenance with the City and the CCRs of the HOA shall be to the satisfaction of the City.

- D19. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- D20. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS is based on a calculation of the Equivalent Single-Family Dwelling (ESD) units and is estimated to be 162 ESDs (with a credit for existing uses or 186 ESDs without credit). The Combined Sewer System fee at time of building permit is estimated to be \$ 436,332.73 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site (however this estimate includes an assumption of a 24 ESD credit). The fee will be used for improvements to the CSS.
- D21. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsize of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- D22. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5,000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- D23. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.

- D24. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- D25. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- D26. 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.

**Parks:**

- D27. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- D28. Maintenance District: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or otherwise mitigate the impact of the project on the City's park system. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district.

**Police:**

- D29. Exterior lighting shall be white light (e.g. LED) using full cut off fixtures to limit glare and light trespass. This includes porch and other exterior lights on residences.
- D30. Parking garage lighting shall be indirect white light to eliminate shadows.
- D31. All installed ground cover shall be two feet or less in height. This increases natural surveillance and eliminates hiding areas within the landscape.
- D32. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.

- D34. Courtyard gates on the mixed use building shall be decorative tubular steel or other decorative, transparent design.
- D35. All stairwells and elevators with exterior walls shall include windows at every level practicable (including courtyard exterior walls).

**Fire:**

- D36. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4
- D37. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
- D38. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft. of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- D39. Provide appropriate Knox access for site. CFC Section 506 (*This shall apply to the commercial structure*).
- D40. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet. CFC Fire Code Amendments 903.2 (a) *This shall apply to the commercial structure*.
- D41. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant and not more than 30 feet from a paved roadway. *This shall apply to the commercial structure*.
- D42. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. The room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Fire Code Official. Fire Control rooms shall be located within the building at a location approved by the Fire Code Official, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control rooms shall not be less than 50 square feet. CFC Amendments 903.4.1.1 *This shall apply to the commercial structure*.

**SRCSD:**

- D43. Subdivision and development of this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information and payment.

**SMUD:**

- D44. SMUD will approve of the abandonment provided the “continuing-use” clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment, as long as SMUD facilities remain in the ground.
- D45. Setbacks of less than 14-feet may create clearance issues and should require the developer to meet with all utilities prior to acceptance of the tentative map. (At a minimum, setback information should be placed on the tentative map for review).
- D46. Building foundations must have a minimum clearance of 5-feet from a SMUD trench. Any deviation must be approved in writing by SMUD’s Line Design Dept. Developer to verify with other utilities for their specific clearance requirements.
- D47. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet.
- D48. Future SMUD facilities located on the developer’s property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the developer’s property.

**Public Works:**

- D49. Construct standard public improvements as noted in these conditions pursuant to Title 18 of the City Code. Improvements shall be designed to City Standards and assured as set forth in Section 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property along 39<sup>th</sup> street per City standards to the satisfaction of the Department of Public Works.
- D50. Design and install street lighting adjacent to the subject property (if needed) per Section 14 of the City’s Design and Procedure Manual to the satisfaction of the Department of Public Works.

- D51. Dedicate sufficient right of way and construct full frontage improvements along 37<sup>th</sup> street per City standards and to the satisfaction of the Department of Public Works. 37<sup>th</sup> street shall be constructed with separated sidewalks, and on-street parking along the project's frontage as shown on the grading plan dated 1-23-2015.
- D52. Dedicate sufficient right of way and reconstruct T Street with separated sidewalks, a bike lane and on-street parallel parking (Parallel Parking is provided as a cut out and starts at the end of the existing right turn lane striping). The construction of "T" Street shall be consistent with the cross section shown on the grading plan dated 1-23-2015 to the satisfaction of the Department of Public Works.
- D53. Dedicate sufficient right of way (if needed) and re-construct the frontage improvements along Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works. Stockton Boulevard shall have a 2-foot median constructed to prevent left turn movements from the proposed driveway. Stockton Boulevard improvements shall be consistent with the cross section shown on the grading plan dated 1-23-2015.
- D54. Dedicate sufficient right of way and construct "S" street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- D55. The applicant shall re-construct the existing elbow along the intersection of 37<sup>th</sup> and "S" Street to operate as an all way stop. The applicant shall construct crosswalks along S street and 37<sup>th</sup> Street as shown on the site plan dated 1-23-2015. The re-construction of the elbow shall be to the satisfaction of the department of Public Works.
- D56. The proposed driveway along 39<sup>th</sup> Street to the single family homes shall be constructed as a one way in driveway. The applicant shall provide a signage and markings package to indicate one way in driveway to the satisfaction of the Department of Public Works.
- D57. Construct A.D.A. compliant ramps at north-west corner of the intersection of "S" Street and 39<sup>th</sup> Street, and at the north-west corner of the intersection of T and 37<sup>th</sup>, and at the north-east corner of T Street and Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works.
- D58. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042).
- D59. 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 Public Works. The center lines of such streets shall be aligned.

- D60. The applicant shall merge the existing parcels that cover the project site which creates the parcel boundary shown on the proposed site plan prior to obtaining any Building Permits.
- D61. The applicant shall submit a signal design concept report (SDCR) to the Department of Public Works for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR shall include all proposed modifications to the existing signal at Stockton Boulevard and T street consistent with the recommendation of the Traffic Analysis (dated February 25, 2015)
- D62. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works.
- D63. The site plan shall conform to the parking requirements set forth in City Code 17.608.040.
- D64. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Public Works.
- D65. This project can be constructed in phases. If the project is constructed in separate phases (multi-family site or the single family residential site), The City shall determine the public improvements required for each phase prior to issuance of any building permits to the satisfaction of the Department of Public Works

**Advisory Notes:**

**Utilities:**

- ADV-1. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16th, 2012. Within the X zone, there are no requirements to elevate or flood proof.

**Parks:**

- ADV-2. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
- a. Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this

project is estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. 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.

b. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

**Police:**

ADV-3. Excluding sound walls, fences should be of decorative tubular steel, no climb type when possible.

ADV-4. Recorded Video Assessment and Surveillance System (VASS) should be employed in the mixed use building.

ADV-5. Cameras and VASS storage should be digital high definition or better.

ADV-6. VASS storage should be kept off-site or in a secured area accessible only to management.

ADV-7. VASS should support standard MPEG formats.

ADV-8. VASS should be capable of storing no less than 30 days' worth of activity.

ADV-9. Manager with access to VASS storage should be able to respond within 30 minutes during business hours.

ADV-10. Manager shall have the ability to transfer recorded data to another medium (e.g. DVD, thumb drive, etc.).

ADV-11. Cameras should be equipped with low light capability, auto iris and auto focus.

ADV-12. VASS shall provide comprehensive coverage of:

- areas of ingress and egress including all entry or exit doors and courtyard openings
- parking garage
- loading areas
- areas not clearly visible from public streets
- coverage of all exterior sides of the property

- adjacent public rights of way (Stockton Blvd, T St, 37<sup>th</sup> St)

ADV-13. No public pay phones/telephones should be allowed on the premises.

ADV-14. The applicant should post the property No Trespassing and No Loitering where appropriate.

ADV-15. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant should be removed or painted over within 72 hours of being applied.

ADV-16. The applicant should be responsible for the daily removal of all litter from the site and adjacent rights of way.

ADV-17. During construction, the applicant should enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours.

ADV-18. During construction, the location should be monitored by security after normal construction hours during all phases of construction.

ADV-19. During construction, adequate security lighting should be provided to illuminate vulnerable equipment and materials. Lighting should be white light with full cut off fixtures.

E. The **Site Plan and Design Review** to construct 21 new single-unit dwellings is **approved** subject to the following conditions:

**Planning:**

E1. Development of this site shall be in compliance with the attached exhibits except as conditioned. Any modification to the project shall be subject to review by Community Development staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.

E2. Three floor plans shall be provided per approved plans (P1 – 2,300sf, P2 – 2,600sf, P3 – 2,900sf, and P4 – 2,800SF)

E3. Elevation options shall be provided per approved plans. Three elevation options shall be provided for P1 (A, B , and Alt. A), two for P2 (A and B), two for P3 (A and B), and two for P4 (A and B)

E4. Dwellings with the same plan and the same elevation option shall not be placed on adjacent lots.

E5. Exterior materials (stucco, cementitious siding, stone/brick veneer, and wood trim/railing/posts) shall be provided per approved plans.

- E6. Minimum 30-year dimensional composition shingle shall be provided.
- E7. Decorative sectional garage doors shall be provide per approved plans.
- E8. The removal of any street trees shall be subject to the review and approval of a tree removal permit pursuant to Sacramento City Code, Chapter 12.56. Submittal of tree removal permit shall include the arborist report identifying trees to be removed, the size of all new planter widths, and any proposed replacement trees. All trees shall be posted 10 days prior to removal.
- E9. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Director upon written request of the applicant.

**Utilities:**

- E10. Decorative paving which is removed by the City while repairing, maintaining and/or replacing surface and subsurface water, drainage and sanitary sewer facilities will be repaved with asphalt concrete (AC). A business association and/or homeowners association shall be responsible for replacing the decorative paving at no cost to the City. The business and/or homeowners associations shall enter into and record a hold harmless agreement, in a form acceptable to the City Attorney, regarding the removal and replacement of decorative paving by the City.
- E11. Per City Code 13.04.070, except for separate irrigation service connections and fire service connections, each lot or parcel shall only have one (1) metered domestic water service. Requests for multiple domestic water service connections to a single commercial lot or parcel, consistent with the DOU "Commercial Tap Policy", may be approved on a case-by-case basis by the DOU. Contact the DOU at (916) 808-1400 for a copy of the tap policy. Excess services shall be abandoned to the satisfaction of the DOU. Water meters for the single family home subdivision shall be located along street rights-of-way and shall be "banked" near the common drive; alternatively the services (especially the rear "island" lots) may pass through other lots in private easements (see previous condition for the conveyance of easements agreement). Meter locations shall be to the satisfaction of the DOU.
- E12. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU. If the existing service connection is going to be re-used for one of the parcels, then a clean-out needs to be installed at the point of service. These sewer services (especially for the rear "island" lots) may pass through other lots in private easements (see tentative map condition for the conveyance of easement agreement). Alternatively, the applicant may construct a private sewer that is maintained by an HOA. The HOA shall enter into an agreement for maintenance with the City and the CCRs of the HOA shall be to the satisfaction of the City.

- E13. Exclusive of the Single Family Home parcels, each parcel shall have a separate metered irrigation service. Or, the applicant, provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels, may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- E14. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS is based on a calculation of the Equivalent Single-Family Dwelling (ESD) units and is estimated to be 162 ESDs (with a credit for existing uses or 186 ESDs without credit). The Combined Sewer System fee at time of building permit is estimated to be \$ 436,332.73 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site (however this estimate includes an assumption of a 24 ESD credit). The fee will be used for improvements to the CSS.
- E15. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow (see other condition for drainage mitigation) that is contributing to the combined system. Based on the analysis, the applicant may be required to provide onsite storage mitigation for drainage and/or upsize of off-site sewers. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.
- E16. The existing City drainage system that fronts this project is severely undersized with a history of localized street flooding. Therefore, the development of this site must comply with the DOU's "Do No Harm" policy per section 11 (Storm Drainage Design Standards) of the City's Design and Procedures Manual. To meet this requirement 5,000 cubic feet of detention must be provided per each additional acre of impervious area. This required detention volume can be reduced by incorporating Low Impact Development (LID) measures into the project design, such as porous pavement, green roofs, disconnected down spouts, etc. The DOU will evaluate any selected LID measures and determine an adjusted required detention volume.
- E17. Drain inlets shall be at least 6-inches above the 10-year HGL. Building pad elevations shall be a minimum of 1.2 feet above the 100-year HGL and 1.5 feet above the local controlling overland flow release elevation, whichever is higher. Finished floor elevations shall be a minimum of 1.5 feet above the 100-year HGL and 1.7 feet above the controlling overland release.

- E18. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.
- E19. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- E20. 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.

**SMUD:**

- E21. SMUD will approve of the abandonment provided the “continuing-use” clause as cited in Section 8330 of the State of California Streets and Highways Code is incorporated in the abandonment Resolution reserving all rights for the District to construct, reconstruct, operate and maintain electrical and communication facilities within the subject abandonment, as long as SMUD facilities remain in the ground..
- E22. Setbacks of less than 14-feet may create clearance issues and should require the developer to meet with all utilities prior to acceptance of the tentative map. (At a minimum, setback information should be placed on the tentative map for review).
- E23. Building foundations must have a minimum clearance of 5-feet from a SMUD trench. Any deviation must be approved in writing by SMUD’s Line Design Dept. Developer to verify with other utilities for their specific clearance requirements.
- E24. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet.
- E25. Future SMUD facilities located on the developer’s property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the developer’s property.

**Fire:**

- E26. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such

protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4

- E27. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
- E28. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- E29. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side. *This shall apply to the commercial and residential T-court. Since the residential street is only 22 feet in width, the entire street will be marked NO PARKING FIRE LANE.*
- E30. Per the newly adopted 2010 California Residential Code, all new residential construction including 1 and 2 family dwellings and townhouses shall be provided with an approved NFPA 13 D sprinkler system.

**Public Works:**

- E31. Construct standard public improvements as noted in these conditions pursuant to Title 18 of the City Code. Improvements shall be designed to City Standards and assured as set forth in Section 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property along 39<sup>th</sup> street per City standards to the satisfaction of the Department of Public Works.
- E32. Design and install street lighting adjacent to the subject property (if needed) per Section 14 of the City's Design and Procedure Manual to the satisfaction of the Department of Public Works.
- E33. Dedicate sufficient right of way and construct full frontage improvements along 37<sup>th</sup> street per City standards and to the satisfaction of the Department of Public Works. 37<sup>th</sup> street shall be constructed with separated sidewalks, and on-street parking along the project's frontage as shown on the grading plan dated 1-23-2015.
- E34. Dedicate sufficient right of way and reconstruct T Street with separated sidewalks, a bike lane and on-street parallel parking (Parallel Parking is provided as a cut out and starts at the end of the existing right turn lane striping). The construction of "T" Street shall be consistent with the cross section shown on the grading plan

dated 1-23-2015 to the satisfaction of the Department of Public Works.

- E35. Dedicate sufficient right of way (if needed) and re-construct the frontage improvements along Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works. Stockton Boulevard shall have a 2-foot median constructed to prevent left turn movements from the proposed driveway. Stockton Boulevard improvements shall be consistent with the cross section shown on the grading plan dated 1-23-2015.
- E36. Dedicate sufficient right of way and construct "S" street as a residential street section (26.5-foot half section) with separated sidewalks per City standards and to the satisfaction of the Department of Public Works.
- E37. The applicant shall re-construct the existing elbow along the intersection of 37<sup>th</sup> and "S" Street to operate as an all way stop. The applicant shall construct crosswalks along S street and 37<sup>th</sup> Street as shown on the site plan dated 1-23-2015. The re-construction of the elbow shall be to the satisfaction of the department of Public Works.
- E38. The proposed driveway along 39<sup>th</sup> Street to the single family homes shall be constructed as a one way in driveway. The applicant shall provide a signage and markings package to indicate one way in driveway to the satisfaction of the Department of Public Works.
- E39. Construct A.D.A. compliant ramps at north-west corner of the intersection of "S" Street and 39<sup>th</sup> Street, and at the north-west corner of the intersection of T and 37<sup>th</sup>, and at the north-east corner of T Street and Stockton Boulevard per City standards and to the satisfaction of the Department of Public Works.
- E40. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-042).
- E41. 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 Public Works. The center lines of such streets shall be aligned.
- E42. The applicant shall merge the existing parcels that cover the project site which creates the parcel boundary shown on the proposed site plan prior to obtaining any Building Permits.
- E43. The applicant shall submit a signal design concept report (SDCR) to the Department of Public Works for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SDCR shall include all proposed modifications to the existing signal at Stockton Boulevard and T street consistent with the recommendation of the Traffic Analysis (dated February 25,

2015)

- E44. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works.
- E45. The site plan shall conform to the parking requirements set forth in City Code 17.608.040.
- E46. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Public Works.
- E47. This project can be constructed in phases. If the project is constructed in separate phases (multi-family site or the single family residential site), The City shall determine the public improvements required for each phase prior to issuance of any building permits to the satisfaction of the Department of Public Works

**Advisory Notes:**

**Utilities:**

ADV-1.The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated August 16<sup>th</sup>, 2012. Within the X zone, there are no requirements to elevate or flood proof.

**Parks:**

ADV-2.As per City Code, the applicant will be responsible to meet his/her obligations regarding:

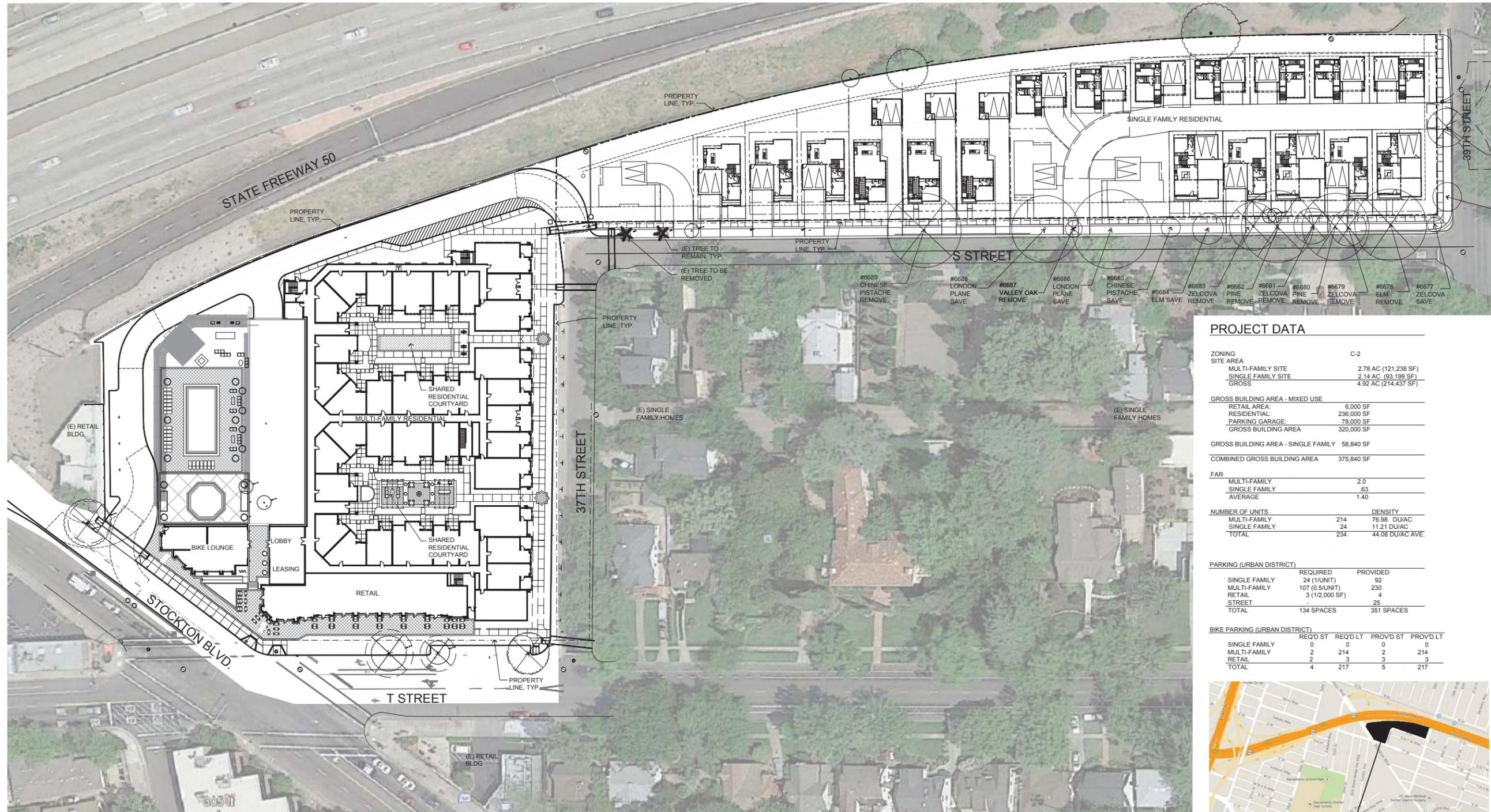
- a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at \$39,123. This is based on 21 single-family residential lots at an average land value of \$115,000 per acre for the Fruitridge Broadway Community Plan Area (North of Fruitridge Road), plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. 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 (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is

estimated at \$399,191. This is based on 214 multi-family residential units at \$1,595 per unit, 21 single family residential units at \$2,701 per unit, and 6,000 square feet of retail space at \$0.19 per square foot, for a total of \$399,191. All Park Development Impact Fees for this project are calculated at the Commercial Corridor rate which allows mixed use projects with no greater than 20,000 square feet of retail or office use and at least two residential units to benefit from reduced park fees. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

- c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Table of Contents:

- Exhibit A – Overall Site Plan
- Exhibit B – Mixed-Use Site Plan Detail
- Exhibit C – Color Site Plan
- Exhibit D – Landscape Plans
- Exhibit E – Mixed-Use Building Plans
- Exhibit F – Single Unit Site Plan
- Exhibit G - Single Unit House Plans
- Exhibit H – Tentative Map

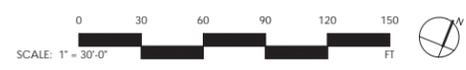
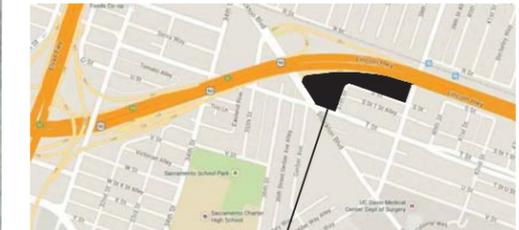


**PROJECT DATA**

ZONING AREA	C-2
SITE AREA	
MULTI-FAMILY SITE	2.78 AC (121,238 SF)
SINGLE FAMILY SITE	2.14 AC (93,199 SF)
GROSS	4.92 AC (214,437 SF)
<b>GROSS BUILDING AREA - MIXED USE</b>	
RETAIL AREA	6,000 SF
RESIDENTIAL	236,000 SF
PARKING GARAGE	78,000 SF
GROSS BUILDING AREA	320,000 SF
<b>GROSS BUILDING AREA - SINGLE FAMILY</b> 58,840 SF	
<b>COMBINED GROSS BUILDING AREA</b> 375,840 SF	
<b>FAR</b>	
MULTI-FAMILY	2.0
SINGLE FAMILY	.63
AVERAGE	1.40
<b>NUMBER OF UNITS</b>	
MULTI-FAMILY	214
SINGLE FAMILY	24
TOTAL	234
<b>DENSITY</b>	
MULTI-FAMILY	76.98 DU/AC
SINGLE FAMILY	11.21 DU/AC
TOTAL	44.38 DU/AC AVE.

<b>PARKING (URBAN DISTRICT)</b>		
	REQUIRED	PROVIDED
SINGLE FAMILY	24 (1/UNIT)	92
MULTI-FAMILY	107 (0.5/UNIT)	230
RETAIL	3 (1/2,000 SF)	4
STREET		25
TOTAL	134 SPACES	351 SPACES

<b>BIKE PARKING (URBAN DISTRICT)</b>				
	REQD ST	REQD LT	PROVD ST	PROVD LT
SINGLE FAMILY	0	0	0	0
MULTI-FAMILY	2	214	2	214
RETAIL	2	3	3	3
TOTAL	4	217	5	217



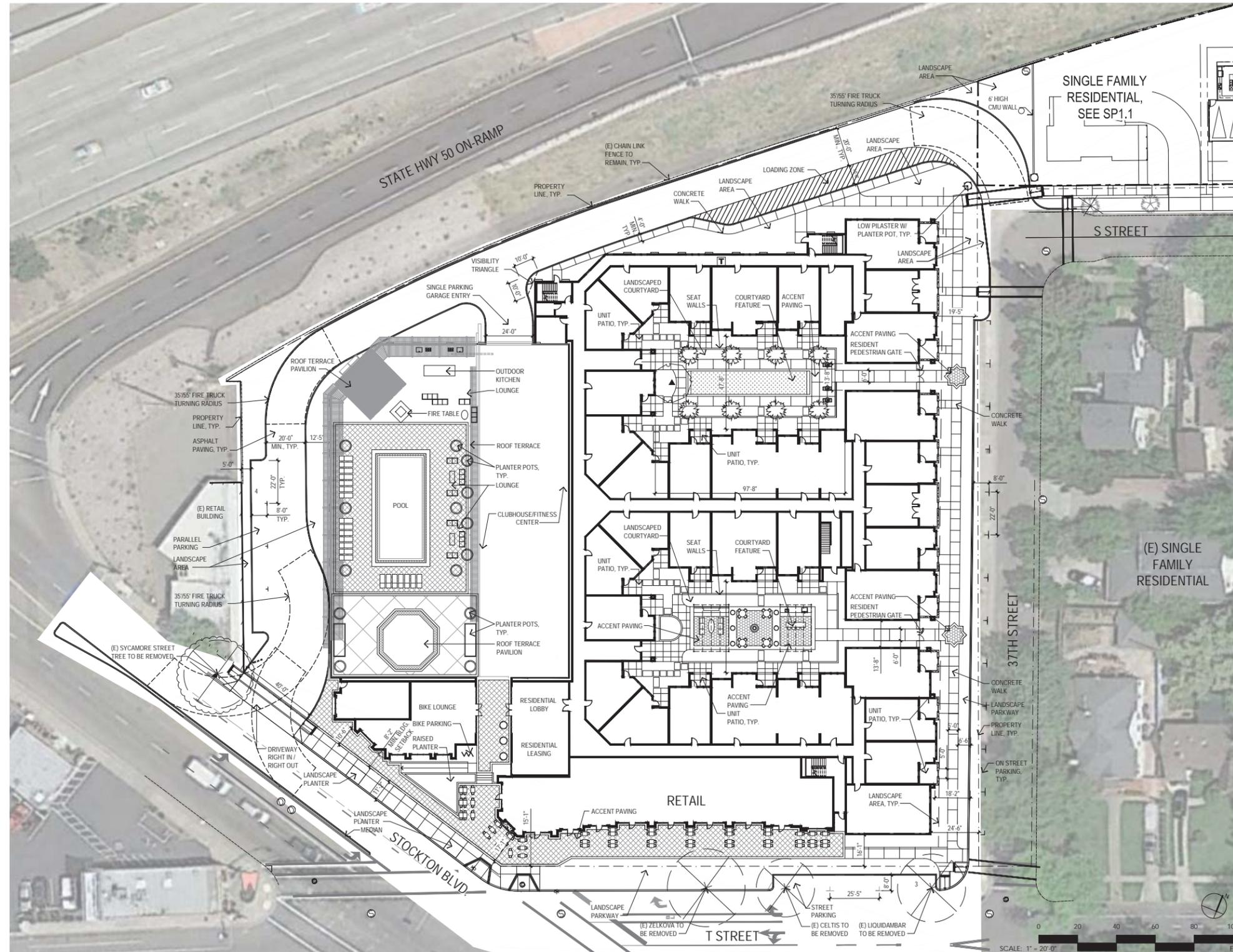
**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

SACRAMENTO, CA

**OVERALL SITE PLAN**

DATE: 01-22-2015 REV: 05-13-2015  
PROJECT NO: 1134-0001  
SCALE:  
SHEET: A1.00





**PROJECT DATA**

ZONING	C-2
SITE AREA	
MULTI-FAMILY SITE	2.78 AC (121,238 SF)
SINGLE FAMILY SITE	2.14 AC (93,199 SF)
GROSS	4.92 AC (214,437 SF)

<b>GROSS BUILDING AREA - MIXED USE</b>	
RETAIL AREA	6,000 SF
RESIDENTIAL	236,000 SF
PARKING GARAGE	78,000 SF
GROSS BUILDING AREA	320,000 SF

GROSS BUILDING AREA - SINGLE FAMILY	58,840 SF
<b>COMBINED GROSS BUILDING AREA</b>	<b>375,840 SF</b>

<b>FAR</b>	
MULTI-FAMILY	2.0
SINGLE FAMILY	.63
AVERAGE	1.40

<b>NUMBER OF UNITS</b>		<b>DENSITY</b>	
MULTI-FAMILY	214	76.98	DUI/AC
SINGLE FAMILY	24	11.21	DUI/AC
<b>TOTAL</b>	<b>234</b>	<b>44.08</b>	<b>DUI/AC AVE.</b>

<b>PARKING (URBAN DISTRICT)</b>			
	REQUIRED	PROVIDED	
SINGLE FAMILY	24 (1/UNIT)	92	
MULTI-FAMILY	107 (0.5/UNIT)	230	
RETAIL	3 (1/2,000 SF)	4	
STREET	-	25	
<b>TOTAL</b>	<b>134 SPACES</b>	<b>351 SPACES</b>	

<b>BIKE PARKING (URBAN DISTRICT)</b>				
	REQ'D ST	REQ'D LT	PROVD ST	PROVD LT
SINGLE FAMILY	0	0	0	0
MULTI-FAMILY	2	214	2	214
RETAIL	2	3	3	3
<b>TOTAL</b>	<b>4</b>	<b>217</b>	<b>5</b>	<b>217</b>

<b>OPEN SPACE</b>	
REQUIRED OPEN SPACE	22,000 SF (100 SF PER UNIT)

<b>PROVIDED OPEN SPACE</b>	
SITE (WALKS AND LANDSCAPE PLANTERS)	30,521 SF
UNIT PATIOS	2,627 SF
UNIT BALCONY	11,291 SF
ROOF TERRACE	12,346 SF

<b>TOTAL OPEN SPACE PROVIDED</b>	<b>56,785 SF</b>
----------------------------------	------------------

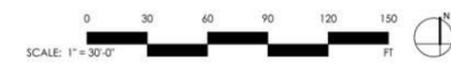
**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

SACRAMENTO, CA

**ENLARGED SITE PLAN - MIXED-USE BUILDING**

DATE: 01-22-2015 REV. 05-13-2015  
PROJECT NO: 1134-0001  
SCALE:  
SHEET: A1.01





**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

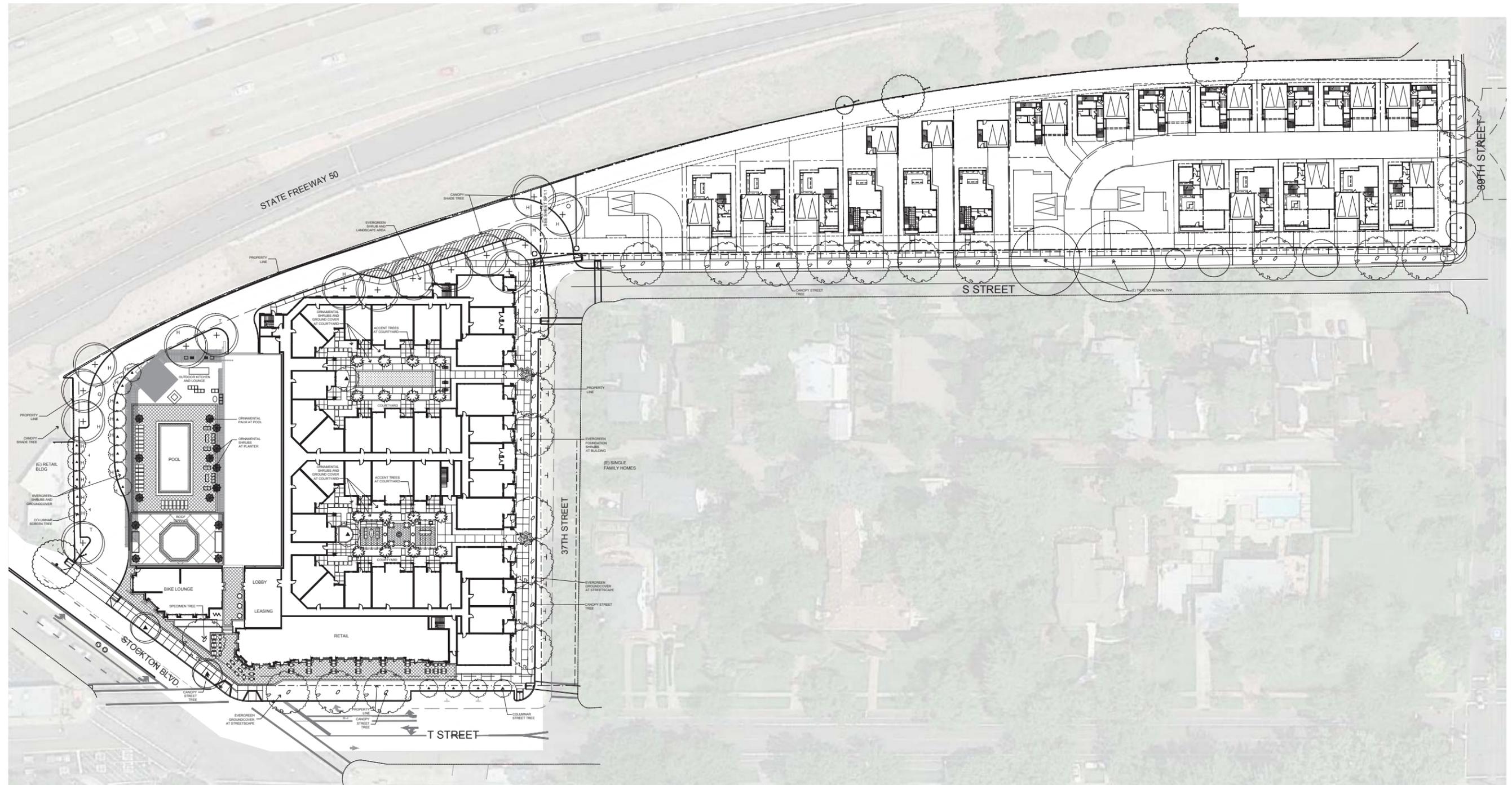
SACRAMENTO, CA

OVERALL COLOR PLAN

DATE: 01-22-2015  
PROJECT NO: 1134-0001  
SCALE:  
SHEET: L1.00



2484 Natomas Park Drive Suite 100 Sacramento CA 95833  
916.443.0335 lpasdesign.com Architecture + Design



# Stockton Boulevard and T Street

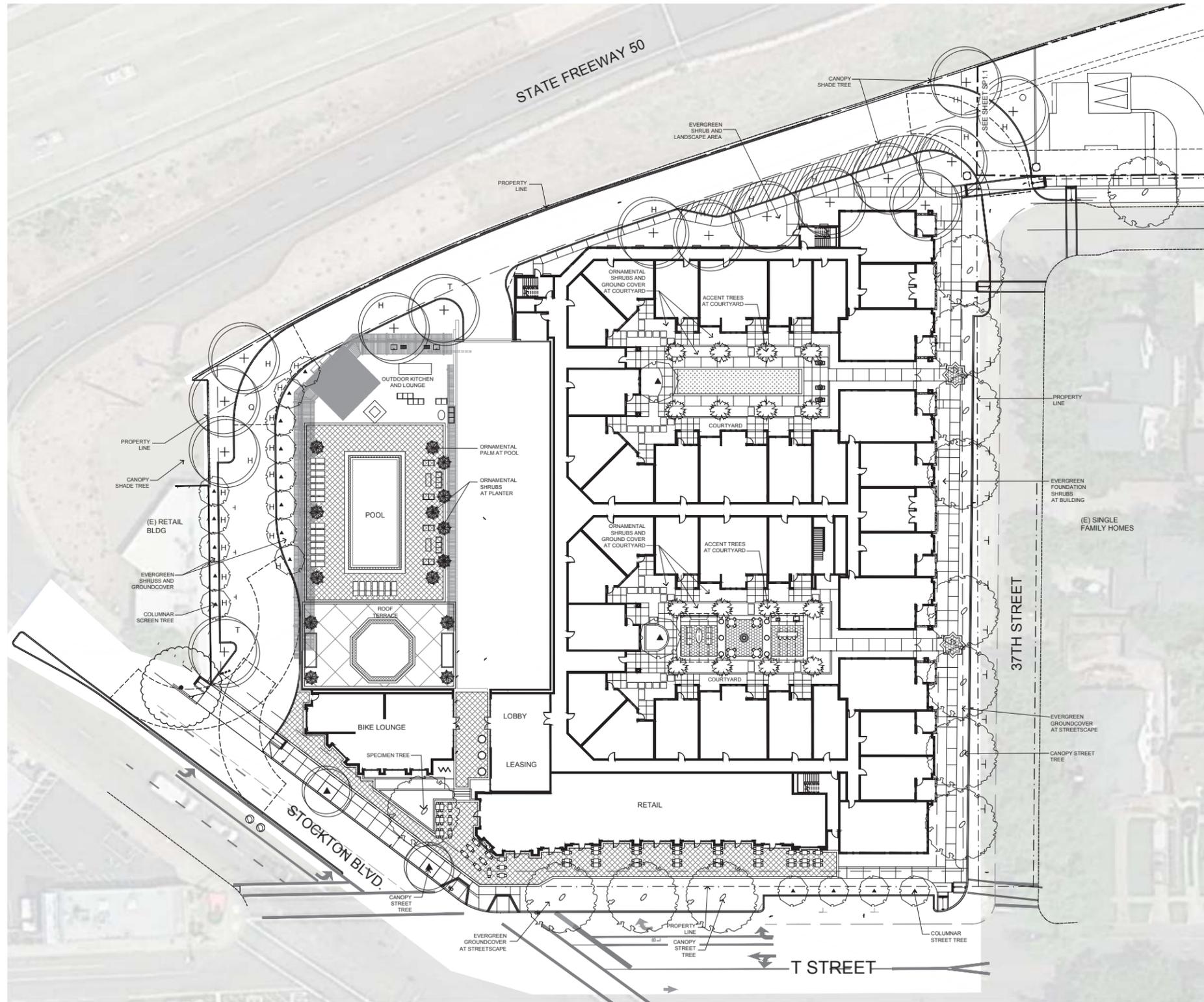
Mixed Use - Retail, Residential

SACRAMENTO, CA

## OVERALL LANDSCAPE PLAN

DATE: 01-22-2015 REV. 05-13-2015  
 PROJECT NO: 1134-0001  
 SCALE:  
 SHEET: L1.00





**TREE SHADE - PARKING AREA**

TOTAL PAVED SURFACE AREA SF = 16,246 SF  
 REQUIRED AREA FOR SHADE 50% X 16,246 SF = 8,123 SF

TREE SPECIES	QTY. @ FULL	QTY. @ THREE-QUARTERS	QTY. @ HALF	QTY. @ QUARTER
Quercus shumardii	3@ 362 SF	2@ 721 SF	11@ 481 SF	1@ 240 SF
Quercus robur	1@ 176 SF	1@ 132 SF	13@ 88 SF	1@ 44 SF
	- SF	1,442 SF	6,435 SF	240 SF
			SHADE AREA PROVIDED =	8,117 SF

**IMPERVIOUS AREA**

TOTAL IMPERVIOUS AREA = 28,326 SF

**PLANT SCHEDULE**

TREES	COMMON NAME / BOTANICAL NAME	CONT.	DETAIL
	English Oak / Quercus robur 'Skyrocket'	15 gal	
	Shumard Red Oak / Quercus shumardii	24"box	
	Southern Live Oak / Quercus virginiana	72"box	
	Greenspire Littleleaf Linden / Tilia cordata 'Greenspire'	24"box	
	Sawleaf Zelkova / Zelkova serrata 'Green Vase'	24"box	
SHRUBS	COMMON NAME / BOTANICAL NAME	CONT.	DETAIL
	Japanese Sago Palm / Cycas revoluta	5 gal	



# Stockton Boulevard and T Street

Mixed Use - Retail, Residential

SACRAMENTO, CA

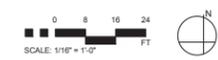
## ENLARGED LANDSCAPE PLAN MIXED-USE BUILDING

DATE: 01-22-2015 REV. 05-13-2015  
 PROJECT NO: 1134-0001  
 SCALE:  
 SHEET: L1.01





First Level Floor Plan | 1  
1/16" = 1'-0"



Stockton Boulevard and T Street  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

First Level Floor Plan

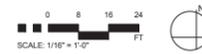
DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.01



2484 Natomas Park Drive, Suite 100, Sacramento, CA 95833  
916.443.0335 | lpasdesign.com | Architecture + Design



Second Level Floor Plan | 1  
1/16" = 1'-0"



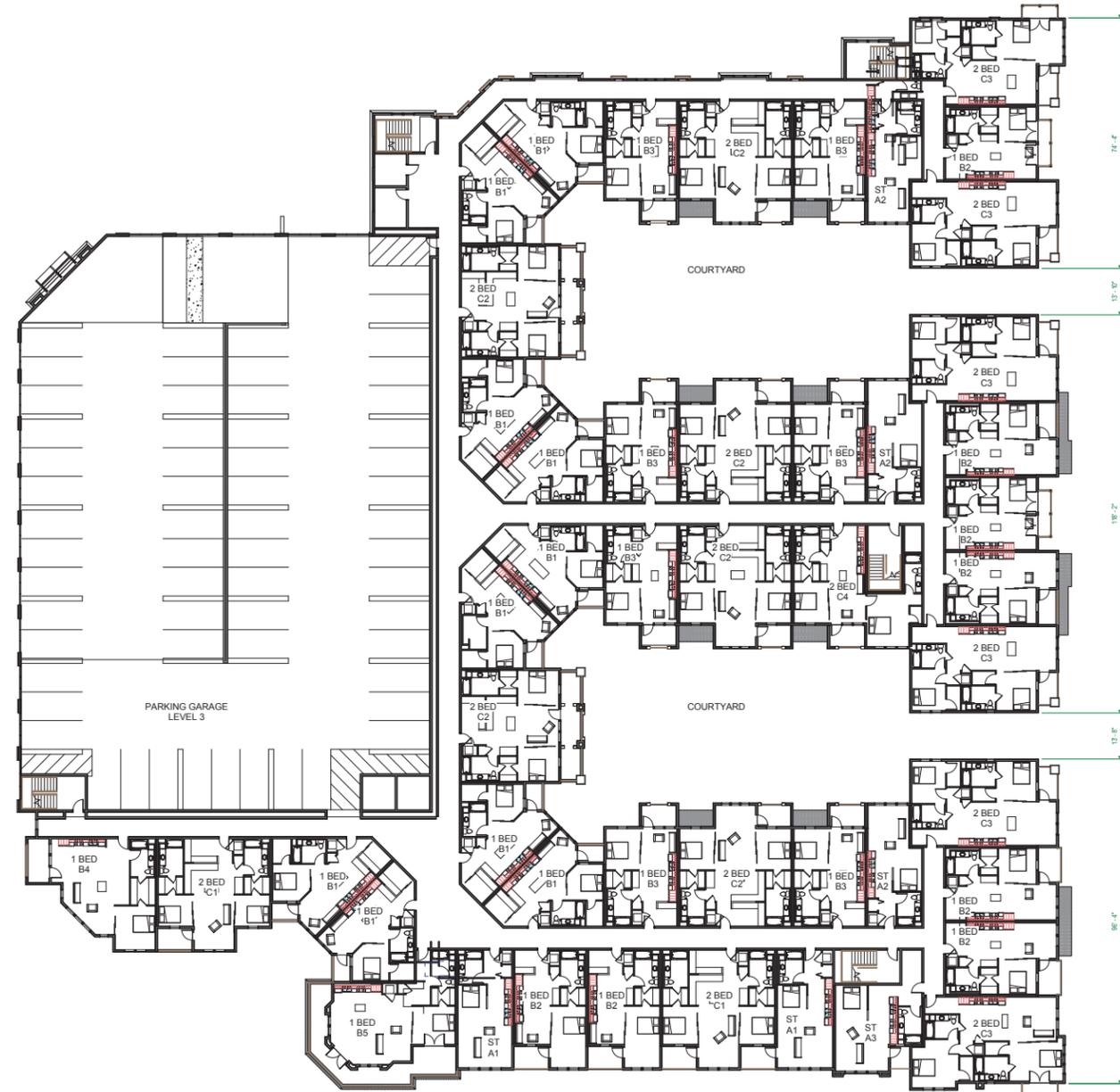
Stockton Boulevard and T Street  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

Second Level Floor Plan

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.02





Third Level Floor Plan | 1  
1/16" = 1'-0"



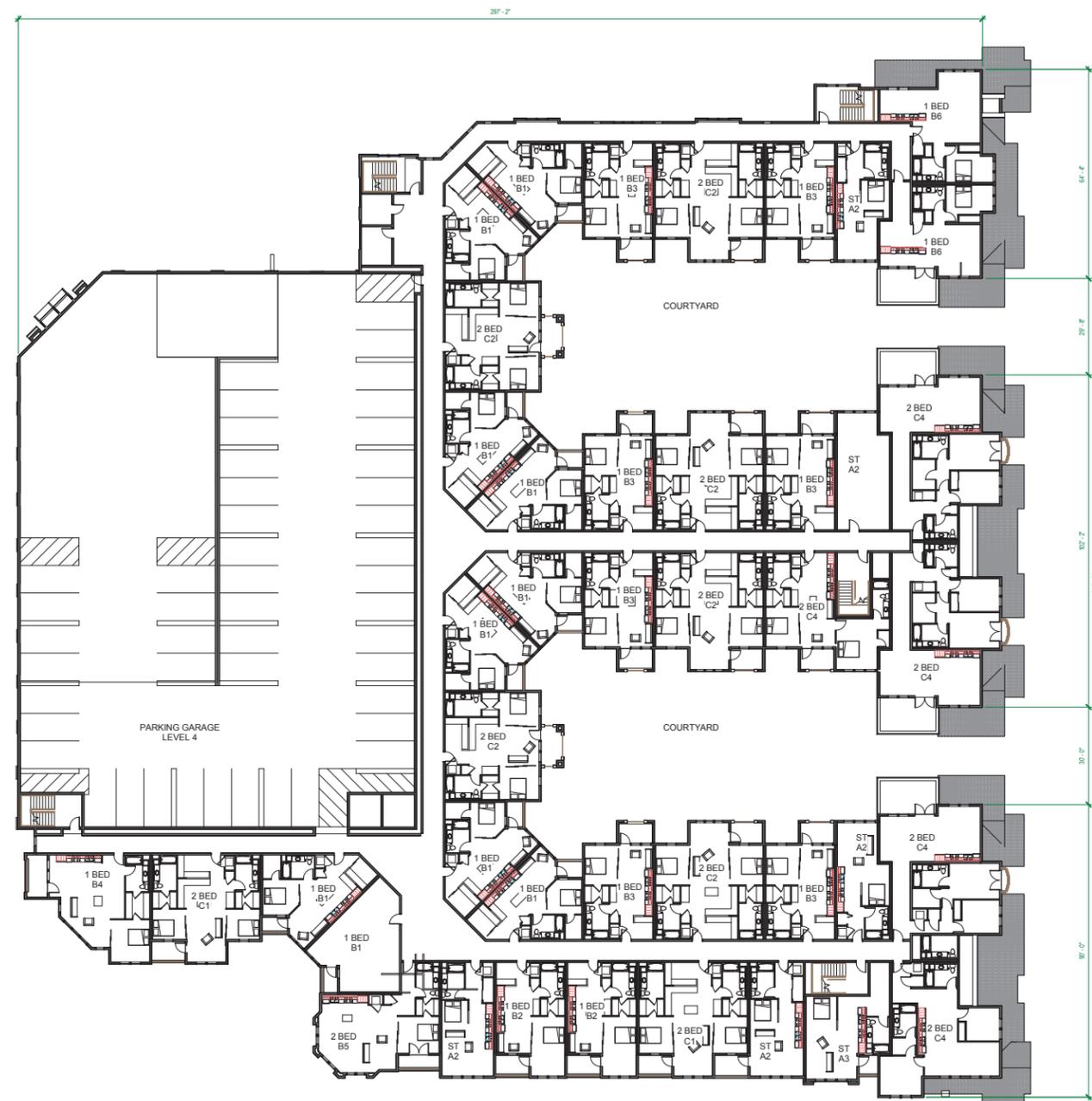
**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

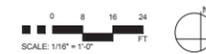
Third Level Floor Plan

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.03





Fourth Level Floor Plan 1  
1/16" = 1'-0"



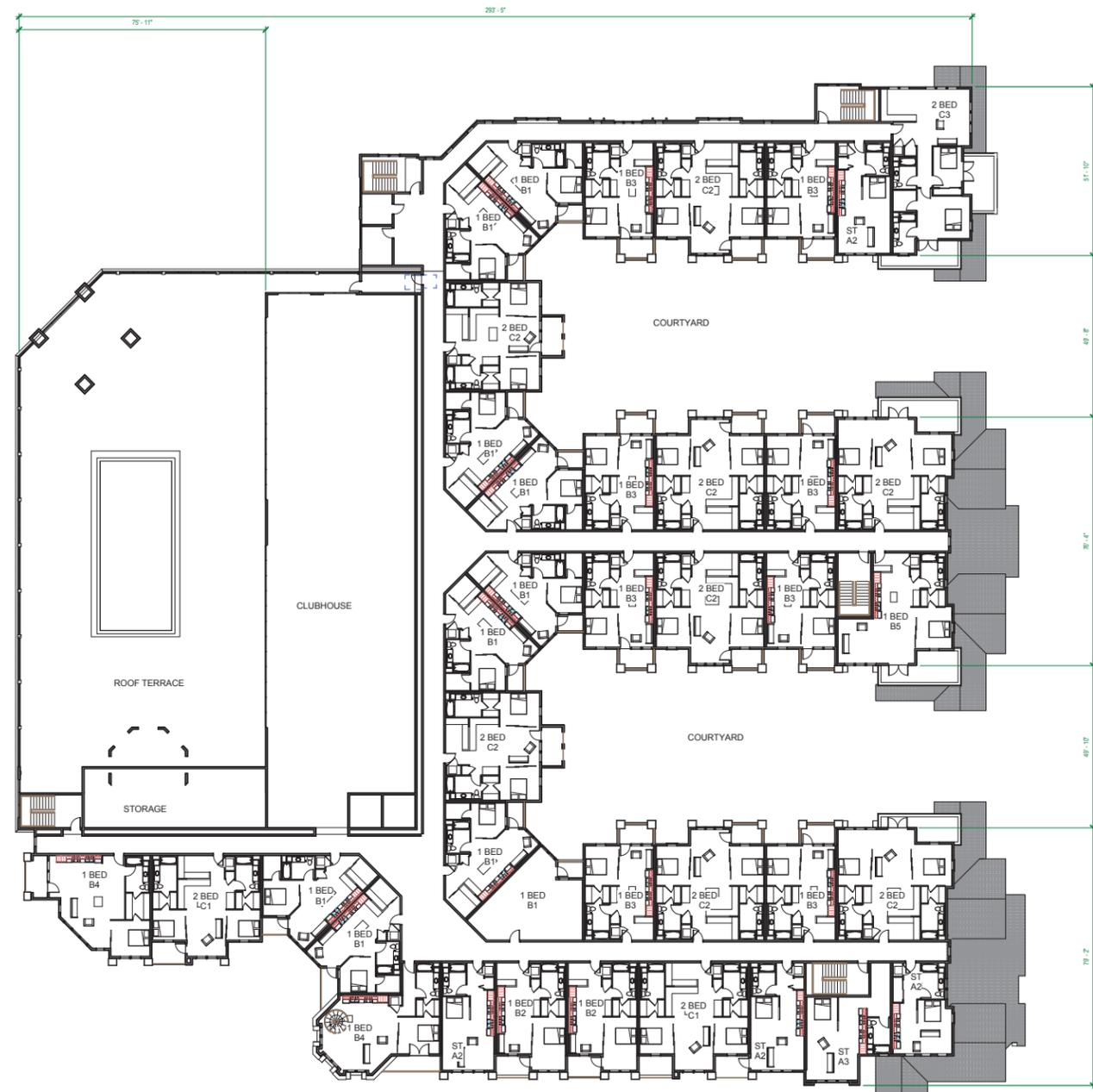
Stockton Boulevard and T Street  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

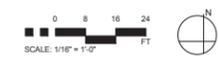
Fourth Level Floor Plan

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.04





Fifth Level Floor Plan 1  
1/16" = 1'-0"



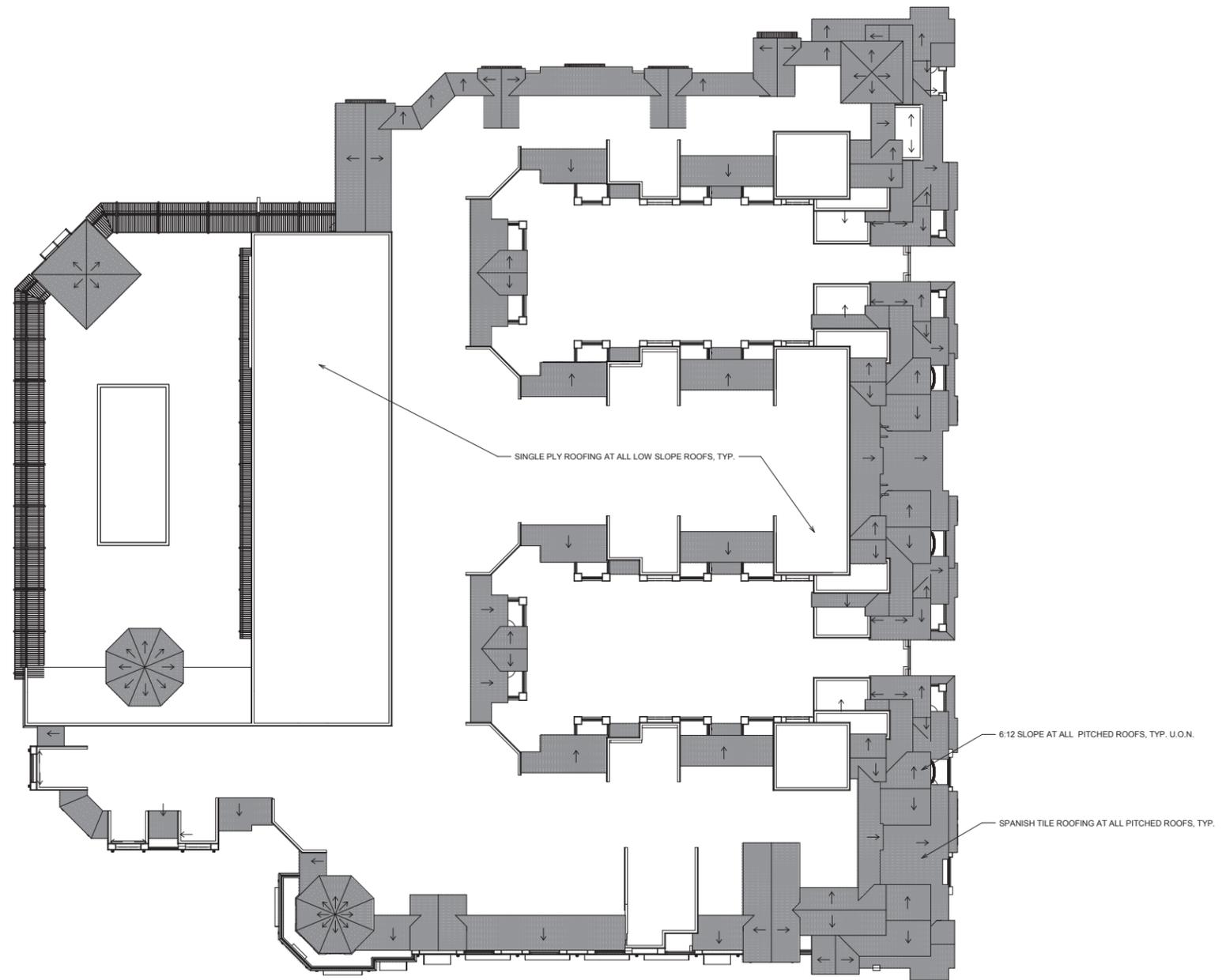
**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

**Fifth Level Floor Plan**

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.05





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



**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

**Roof Plan**

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A2.06





Southeast Perspective - T & 37th 2



Southwest Perspective - Stockton Blvd. and T St. 1

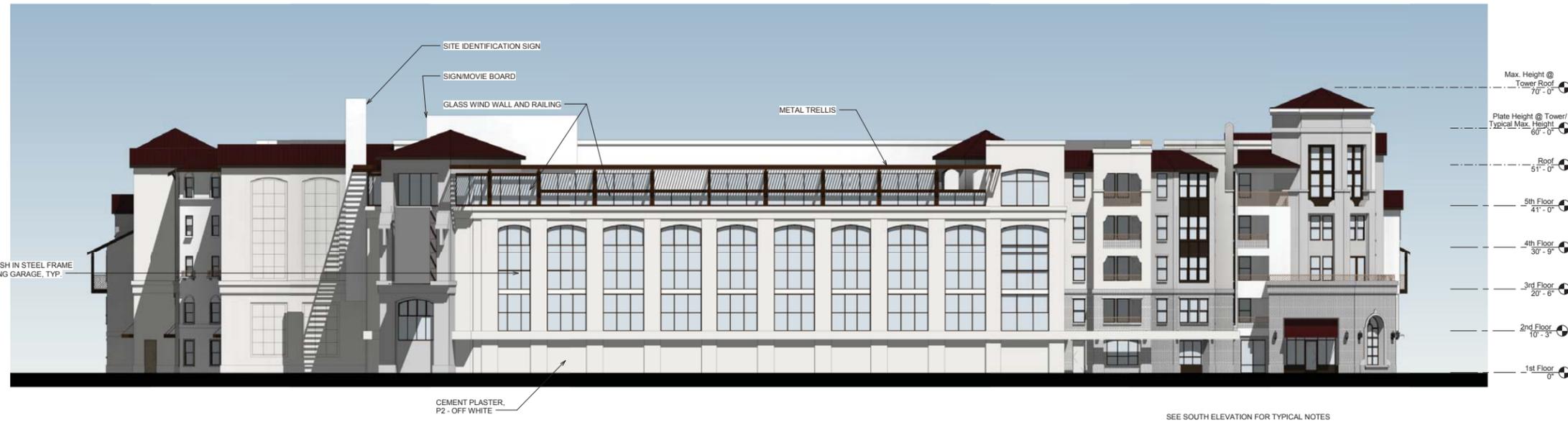
**Stockton Boulevard and T Street**  
Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

Perspective Views

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: NO SCALE  
SHEET: A3.00





SEE SOUTH ELEVATION FOR TYPICAL NOTES

WEST ELEVATION  
3/32" = 1'-0" 4



SOUTH ELEVATION  
3/32" = 1'-0" 2

# Stockton Boulevard and T Street

## Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

### Exterior Elevations

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 1/16" = 1'-0"  
SHEET: A3.01



2484 Natomas Park Drive Suite 100 Sacramento CA 95833  
916 443 0335 lpasdesign.com Architecture + Design



NORTH ELEVATION | 1  
3/32" = 1'-0"



EAST ELEVATION | 2  
3/32" = 1'-0"

# Stockton Boulevard and T Street Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

## Exterior Elevations

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE: 3/32" = 1'-0"  
SHEET: A3.02





Roof Tile



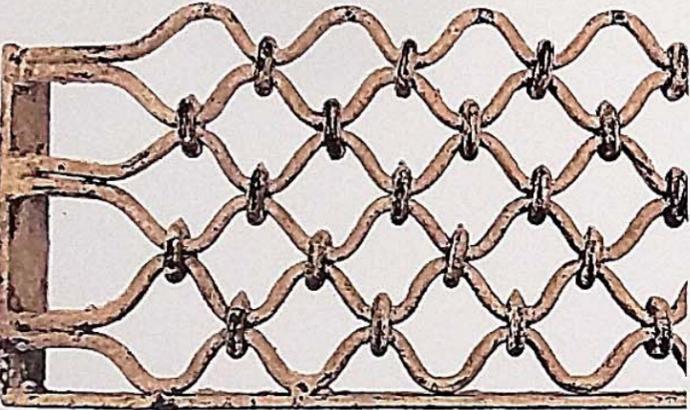
Tile at Retail Facade



Tile at Balconies + Retail Facade



Tile at Balconies



Railing at Balconies



Base



Stucco 2 Base



Stucco 1 Base



Window Mullion



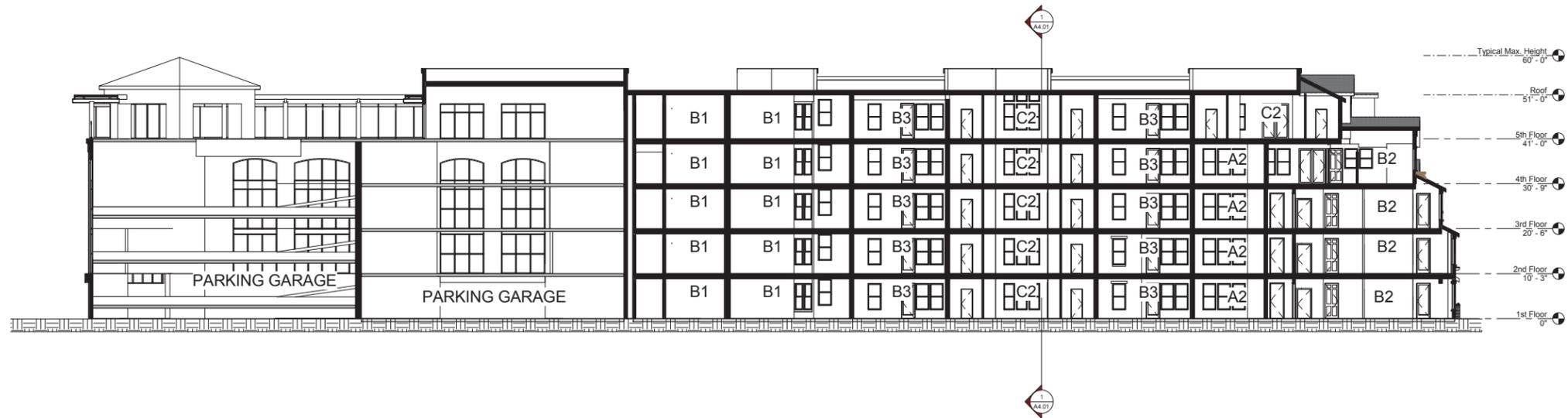
Tile at Storefront



STOCKTON AND T APARTMENTS  
EXTERIOR MATERIAL BOARD



Building Section 1  
3/32" = 1'-0"



Building Section 2  
3/32" = 1'-0"

# Stockton Boulevard and T Street

Mixed Use - Retail, Residential

3675 T Street, Sacramento, CA

## Overall Building Sections

DATE: 01/22/2015  
PROJECT NO: 1134-0001  
SCALE:  
SHEET: A4.01



Exhibit F - Single Unit Site Plan



**Project Data**

Site Area Information	
Gross Site Area	± 2.0 AC
Dwelling Units	21 DU
Density	± 10.5 DU / AC

**Unit SF Summary**

Unit Plan	Unit Type	SF	Total	Percent
P1 (40'x67' Lot)	3bd/3.0ba	2300 sf	8	38%
P2 (45'x67' Lot)	4bd/3.0ba	2600 sf	3	14%
P3 (45'x94' Lot)	3bd/3.0ba	2900 sf	3	14%
P4 (50'x42' Lot)	3bd/3.5ba	2800 sf	7	34%
<b>Totals</b>			<b>21</b>	<b>100%</b>
Average SF		2595 sf		

**Parking Provided**

± 3.7 Spaces / DU	
(2) Garage Spaces per Unit	42 Spaces
Driveway Spaces	36 Spaces
<b>Total Spaces Provided</b>	<b>78 Spaces</b>

3 Story Plan

Optional Carriage Unit

**S STREET**

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

**ARCHITECTURAL SITE PLAN**

SACRAMENTO, CA

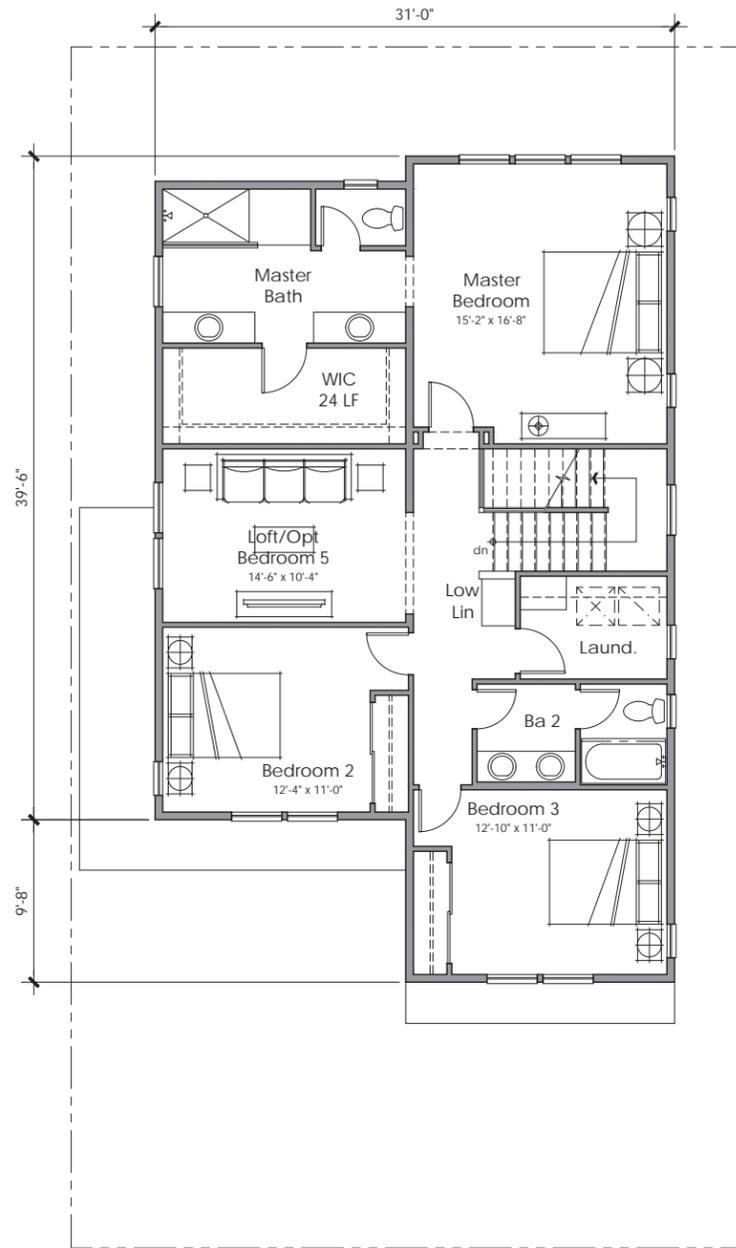
KIGT # 2014-0478 01.22.2015



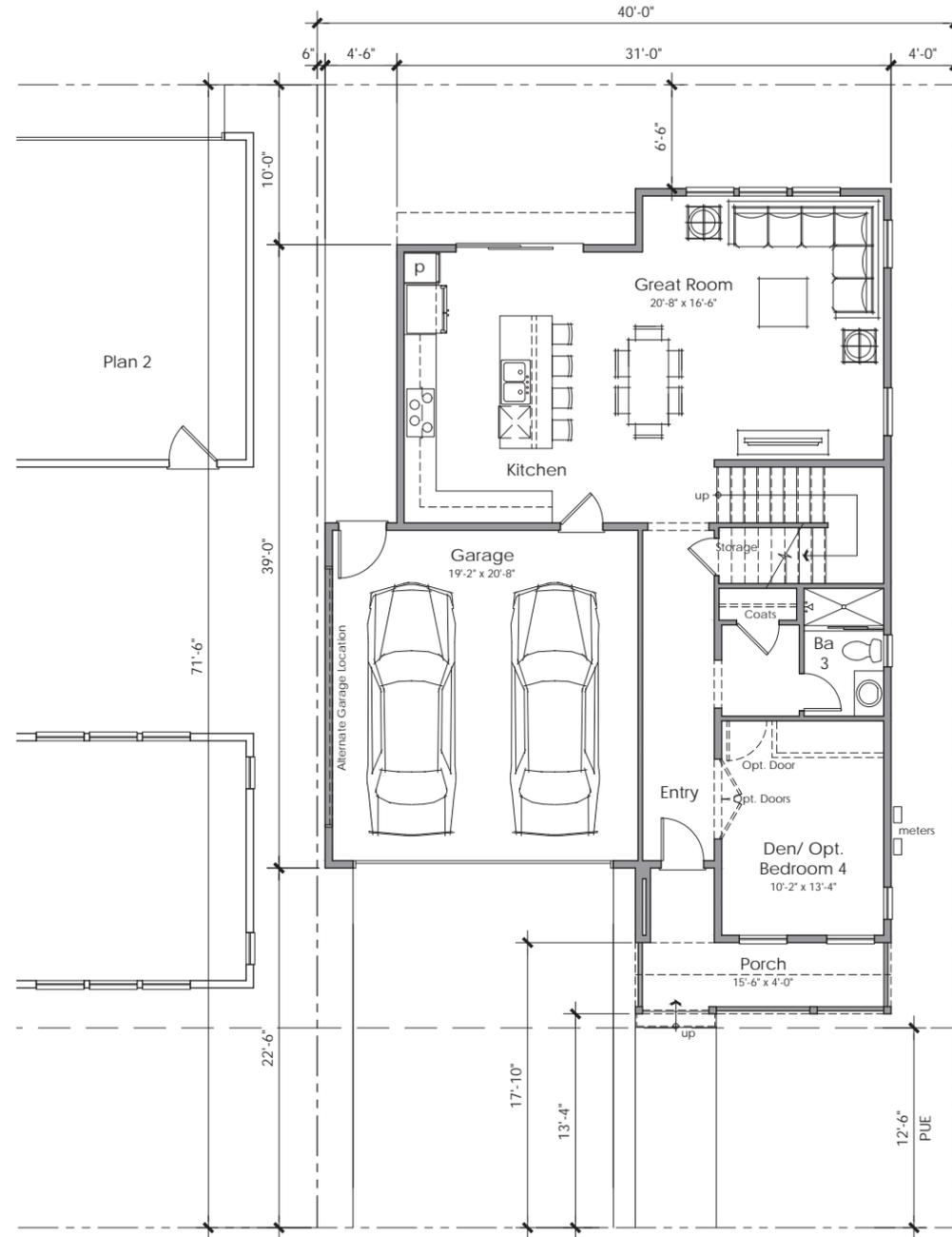
**SPI.0**

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Second Floor  
1278 s.f.



First Floor  
997 s.f.

Plan 1 : 2275 s.f.  
3 Bedrooms + Den + Loft  
Opt. Bedroom 4 + 5  
3 Bath

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 1 FLOOR PLAN

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation



Front Elevation

**American Cottage**  
Material List:

1. Arch. Grade Composition Roofing
2. Cementitious Siding
3. Cementitious Trim
4. Wood Post
5. Wood Railing
6. Brick Veneer
7. Decorative Shutters
8. Metal Accent Roof
9. Metal Sectional Garage Door



Right Elevation



Rear Elevation

**S STREET**

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

**PLAN | ELEVATIONS - STYLE "A"**

SACRAMENTO, CA  
KTGY # 2014-0478

01.22.2015



**KTGY Group, Inc.**  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation



Front Elevation

Farmhouse  
Material List:

1. Arch. Grade  
Composition Roofing
2. Cementitious Siding
3. Cementitious Trim
4. Wood Post
5. Wood Railing
6. Decorative Shutters
7. Metal Sectional  
Garage Door



Right Elevation



Rear Elevation

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN I ELEVATIONS - STYLE "B"

SACRAMENTO, CA

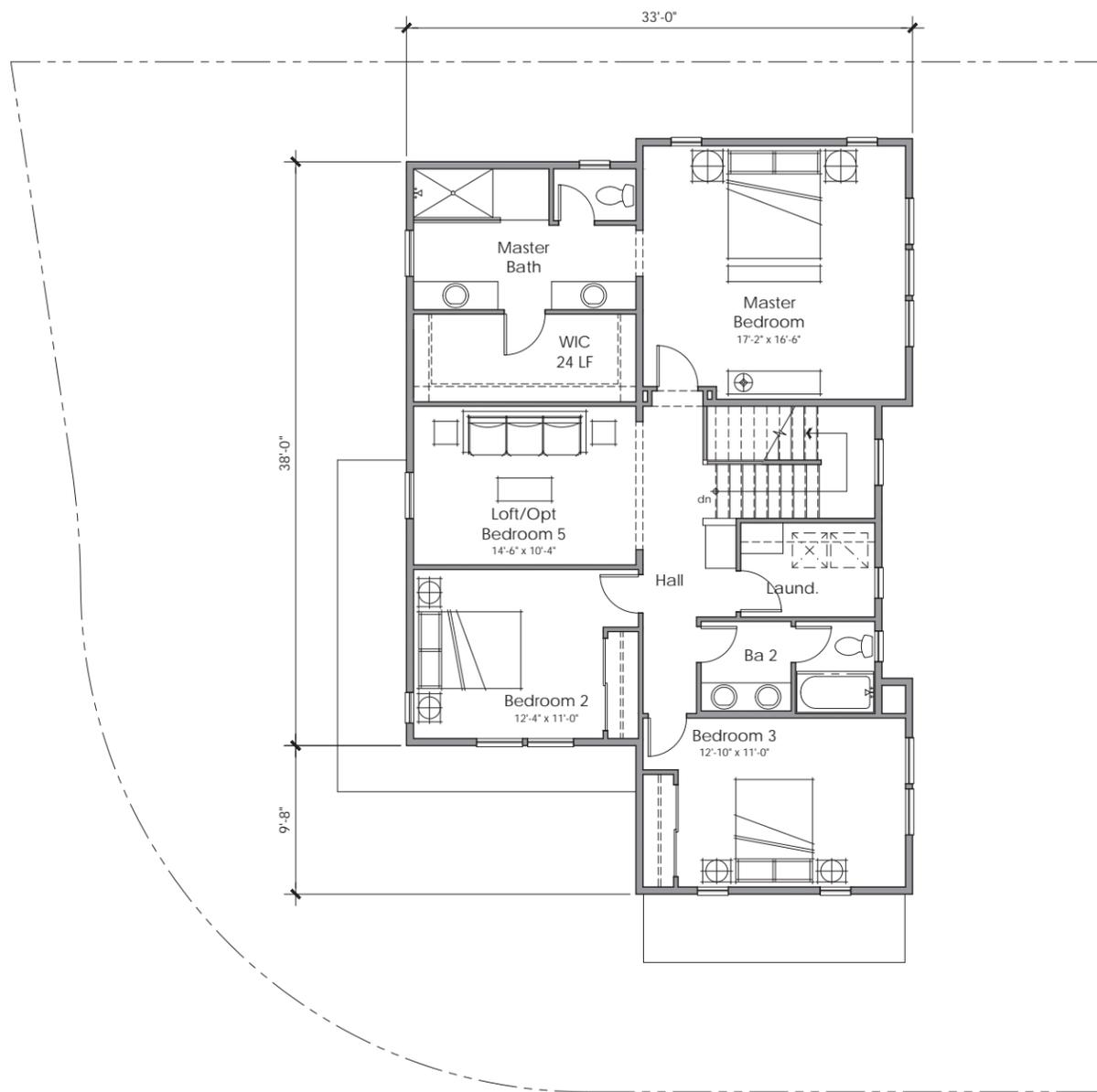
KTGY # 2014-0478 01.22.2015



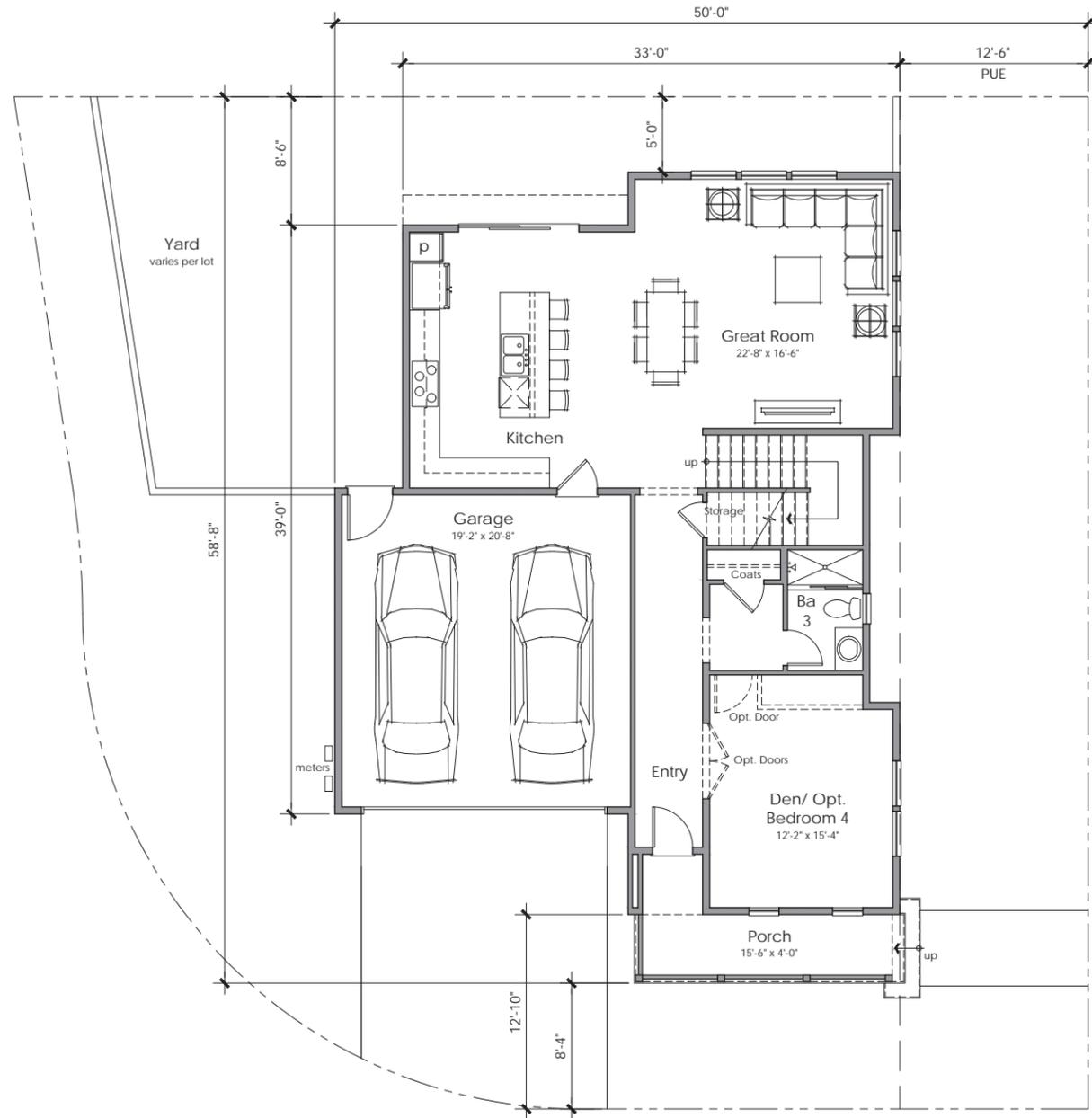
A1.2

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Second Floor  
1339 s.f.



First Floor  
1096 s.f.

Plan 1 : 2435 s.f.  
3 Bedrooms + Den + Loft  
Opt. Bedroom 4 + 5  
3 Bath



S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 1 ALT FLOOR PLAN : LOTS 1 + 9

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com



A1.3



Left Elevation



Front Elevation



Right Elevation



Rear Elevation

American Cottage  
Material List:

1. Arch. Grade Composition Roofing
2. Cementitious Siding
3. Cementitious Trim
4. Wood Post
5. Wood Railing
6. Brick Veneer
7. Decorative Shutters
8. Metal Accent Roof
9. Metal Sectional Garage Door

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN I ALT ELEVATIONS - STYLE "A"

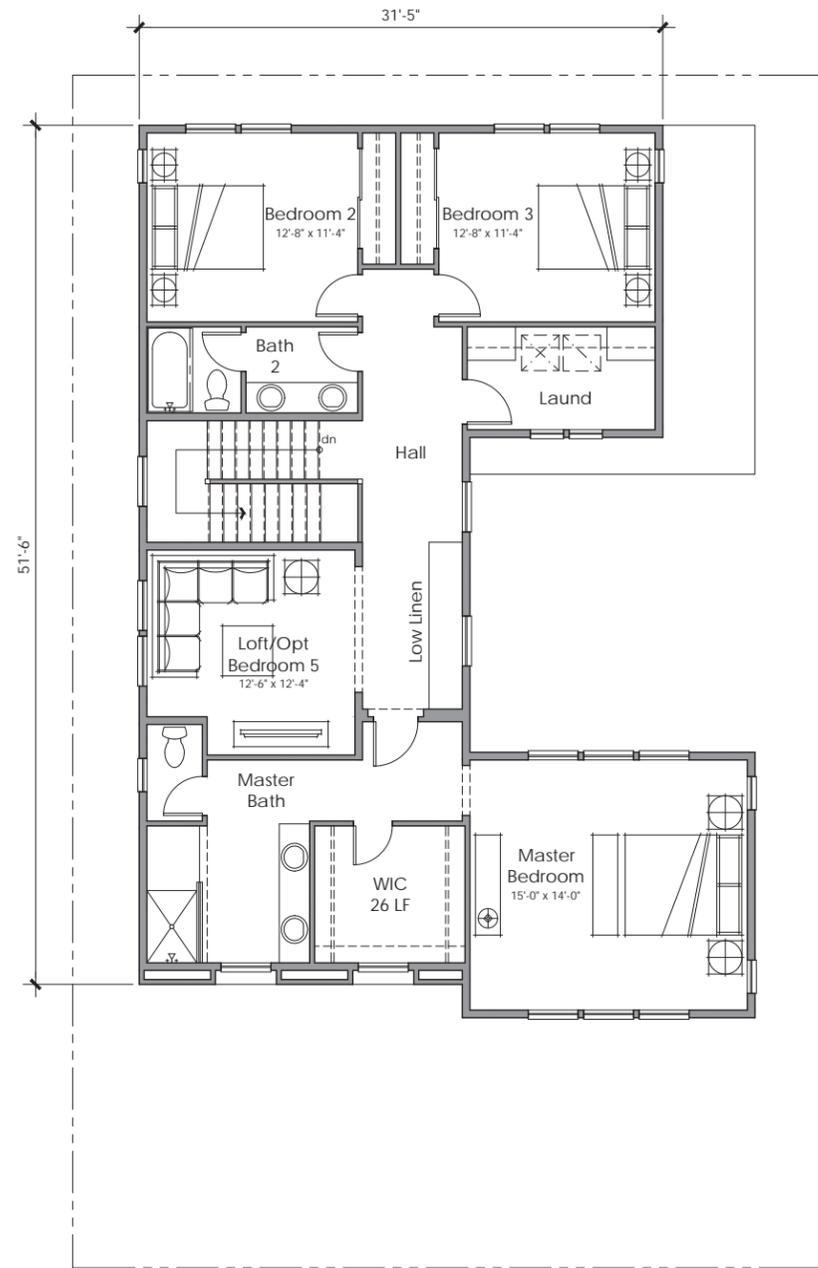
SACRAMENTO, CA  
KTGY # 2014-0478

01.22.2015

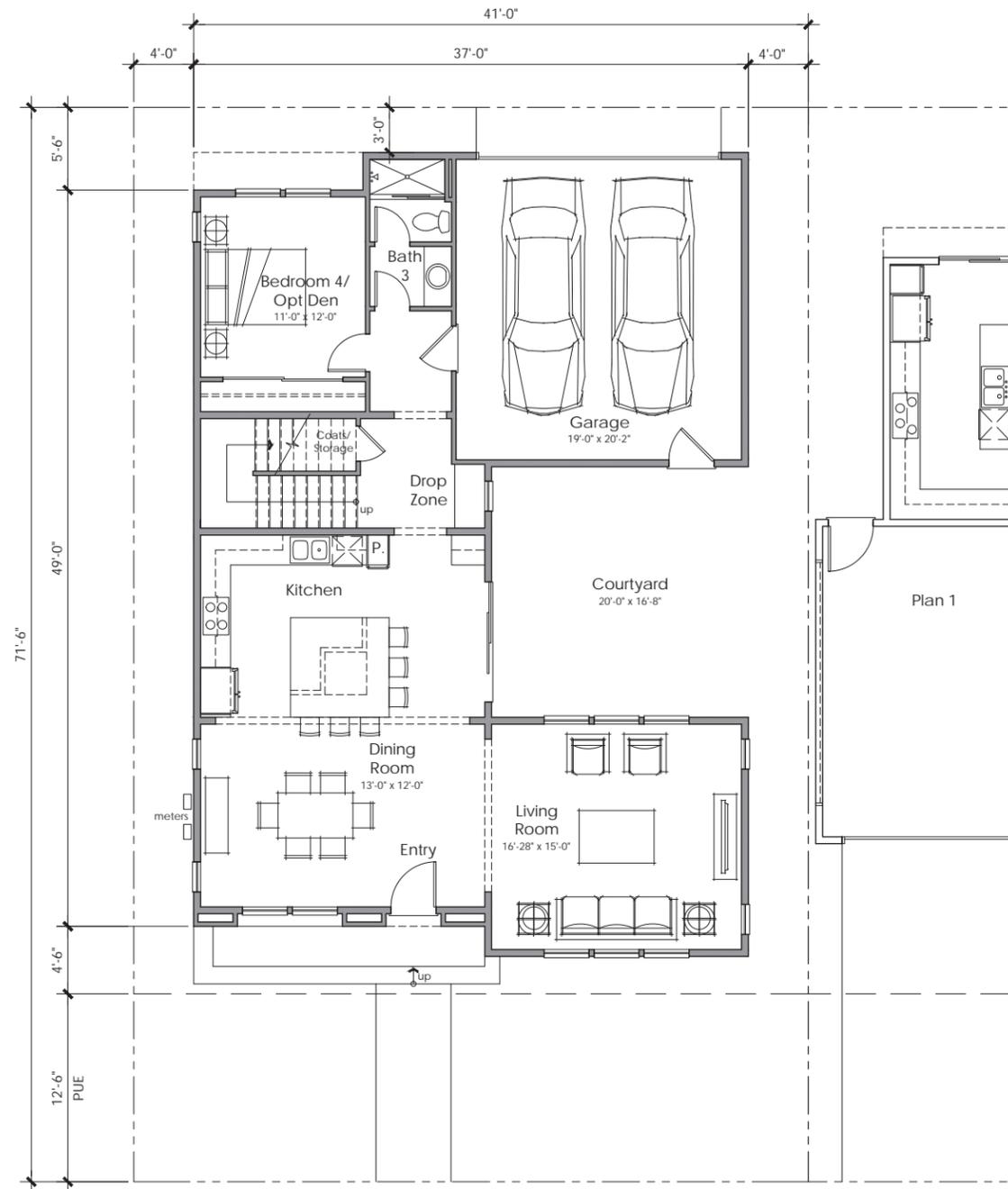
KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com



AI.4



Second Floor  
1411 s.f.



First Floor  
1204 s.f.

Plan 2: 2615 s.f.  
4 Bedrooms + Loft  
Opt Den + Opt Bedroom 5  
3 Bath

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 2 FLOOR PLAN

SACRAMENTO, CA  
KTGY # 2014-0478

01.22.2015

0 2 4 8  
A2.0

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation



Front Elevation

**Farmhouse  
Material List:**

1. Arch. Grade  
Composition Roofing
2. Cementitious Siding
3. Cementitious Trim
4. Wood Post
5. Wood Railing
6. Decorative Shutters
7. Metal Sectional  
Garage Door



Right Elevation



Rear Elevation

**S STREET**

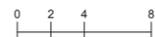
Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

**PLAN 2 ELEVATIONS - STYLE "A"**

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015



**A2.1**

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation

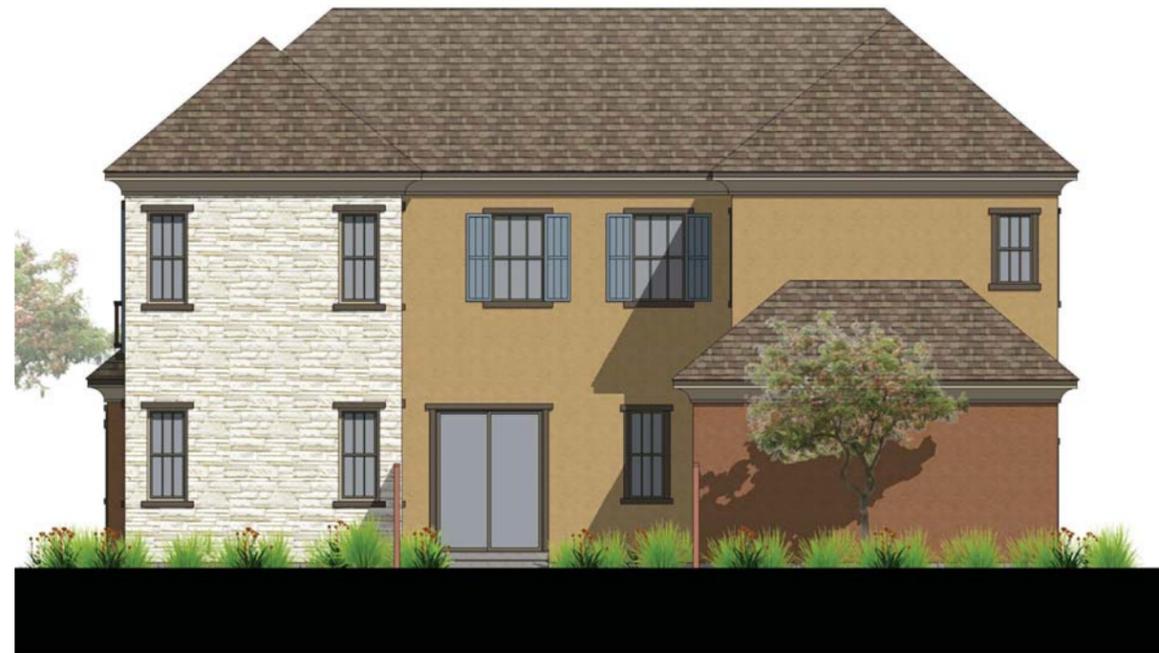


Front Elevation

**French Cottage**

**Material List:**

1. Arch. Grade Composition Roofing
2. Stucco
3. Stucco Trim
4. Masonry Veneer
5. Decorative Shutters
6. Metal Sectional Garage Door



Right Elevation



Rear Elevation

**S STREET**

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

**PLAN 2 ELEVATIONS - STYLE "B"**

SACRAMENTO, CA

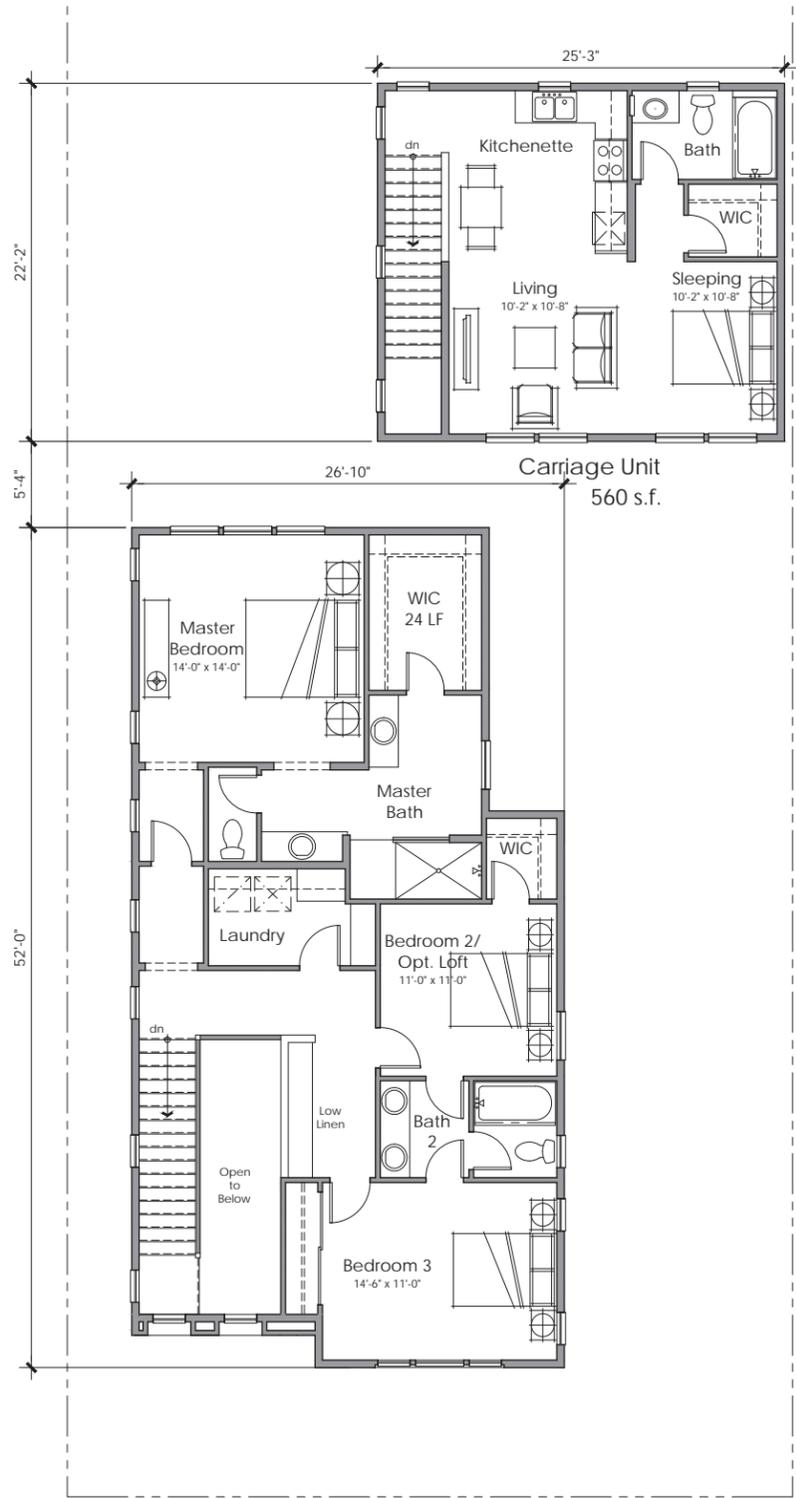
KTGY # 2014-0478 01.22.2015



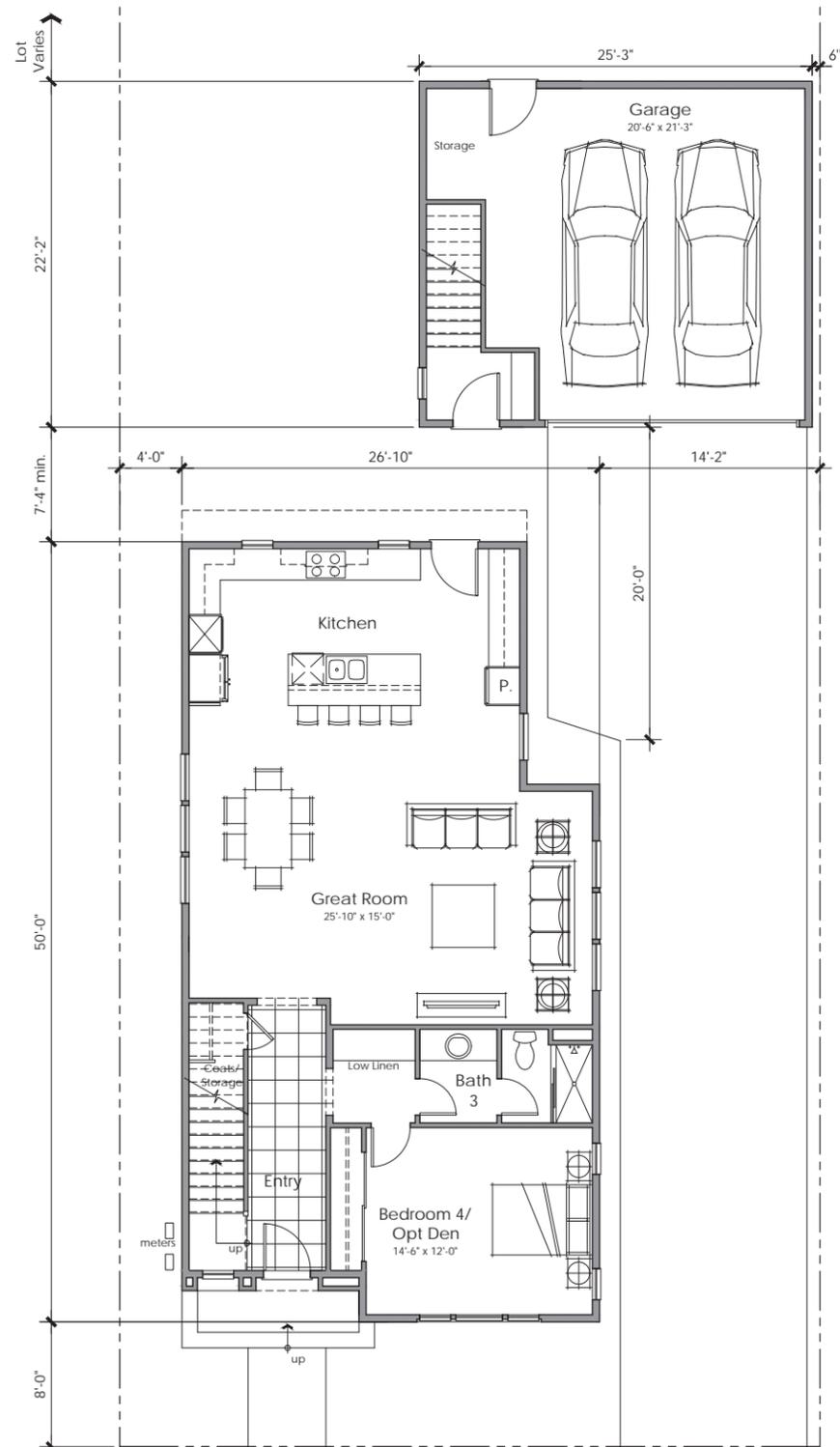
**A2.2**

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Second Floor  
1120 s.f.



First Floor  
1237 s.f.

Plan 3 : 2917 s.f.  
2357 s.f. + 560 s.f. (Carriage)  
3 Bedrooms + Opt Den  
3 Bath

### CARRIAGE UNIT PLAN 3 FLOOR PLAN

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

0 2 4 8  
**A3.0**

## S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation



Front Elevation



Right Elevation



Rear Elevation

American Cottage  
Material List:

1. Arch. Grade Composition Roofing
2. Cementitious Siding
3. Cementitious Trim
4. Wood Post
5. Wood Railing
6. Brick Veneer
7. Decorative Shutters
8. Metal Accent Roof
9. Metal Sectional Garage Door

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 3 ELEVATIONS - STYLE "A"

SACRAMENTO, CA  
KTGY # 2014-0478

01.22.2015

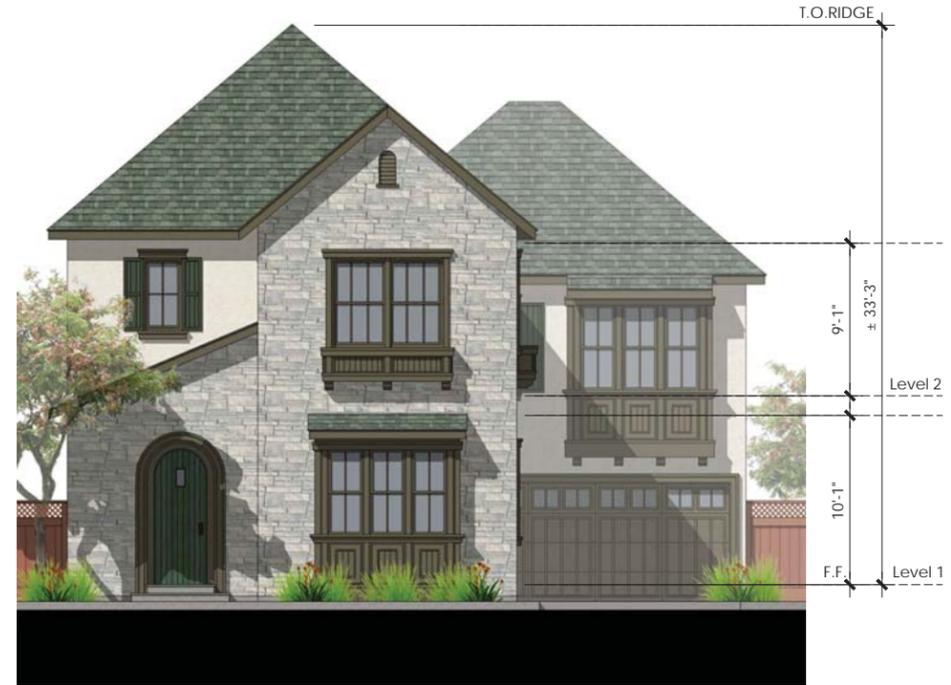
KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com



A3.1



Left Elevation



Front Elevation



Right Elevation



Rear Elevation

French Cottage

Material List:

1. Arch. Grade Composition Roofing
2. Stucco
3. Stucco Trim
4. Masonry Veneer
5. Potshelves
6. Decorative Shutters
7. Metal Sectional Garage Door

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 3 ELEVATIONS - STYLE "B"

SACRAMENTO, CA

KTGY # 2014-0478

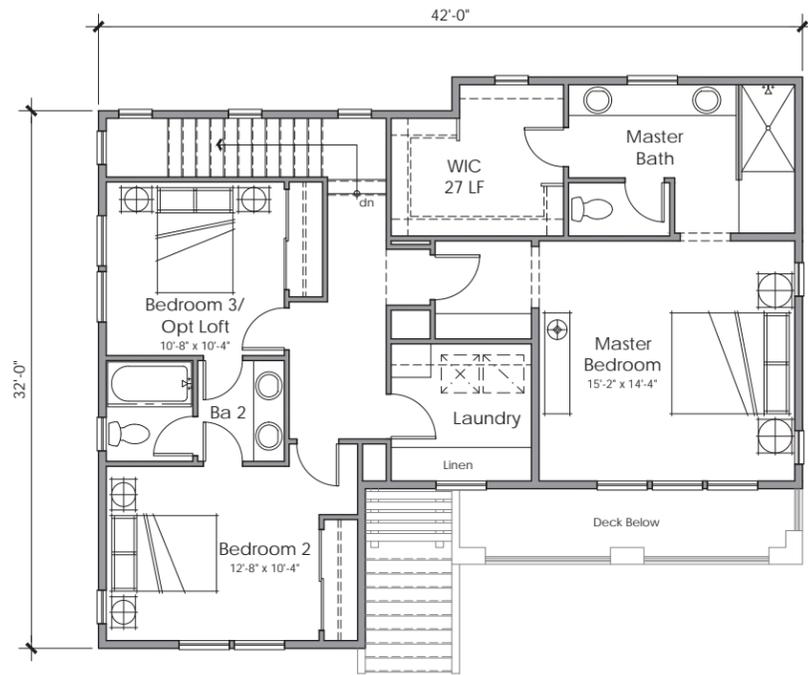
01.22.2015



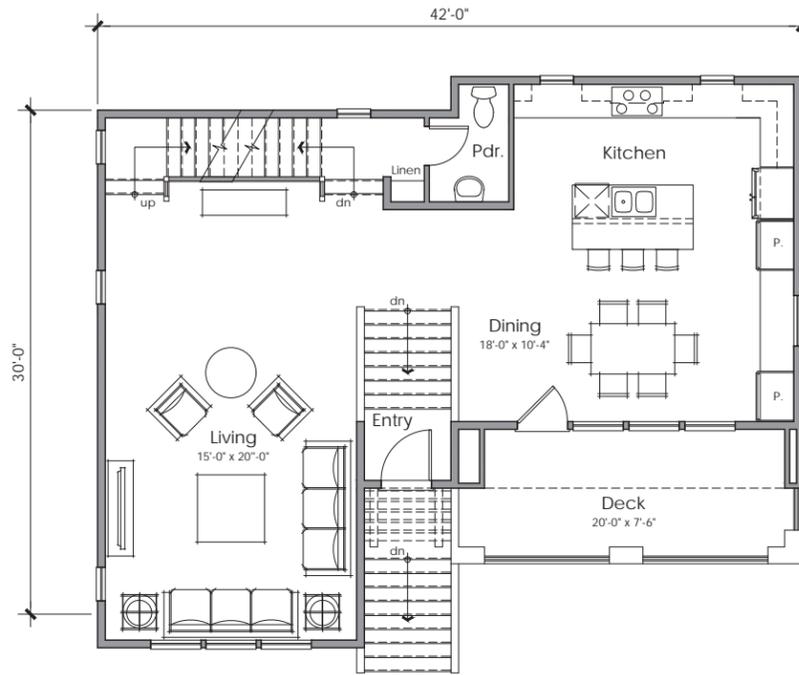
A3.2

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com

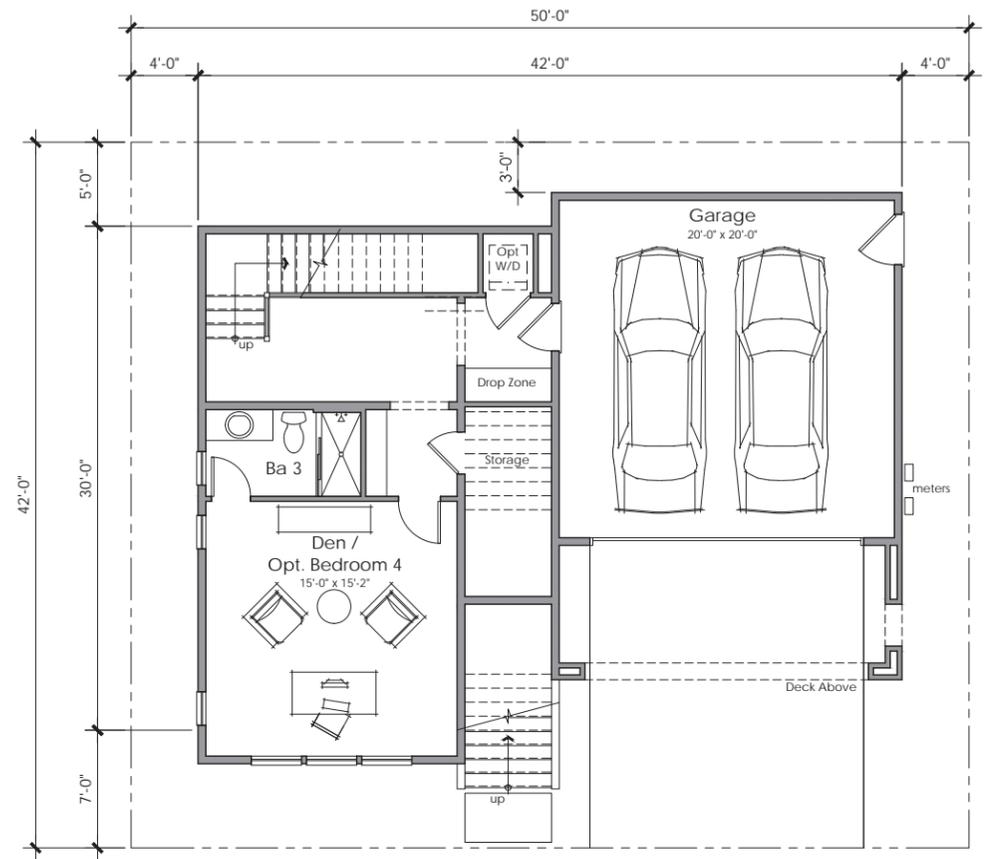




Third Floor  
1067 s.f.



Second Floor  
1066 s.f.



First Floor  
636 s.f.

Plan 4 : 2769 s.f.  
3 Bedrooms +Den  
Opt Loft + Bedroom 4  
3.5 Bath

S STREET

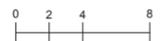
Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 4 FLOOR PLAN

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015



A4.0

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





- American Cottage  
Material List:**
1. Arch. Grade Composition Roofing
  2. Cementitious Siding
  3. Cementitious Trim
  4. Wood Post
  5. Wood Railing
  6. Brick Veneer
  7. Decorative Shutters
  8. Metal Accent Roof
  9. Metal Sectional Garage Door



S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 4 ELEVATIONS - STYLE "A"

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015



A4.1

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Left Elevation

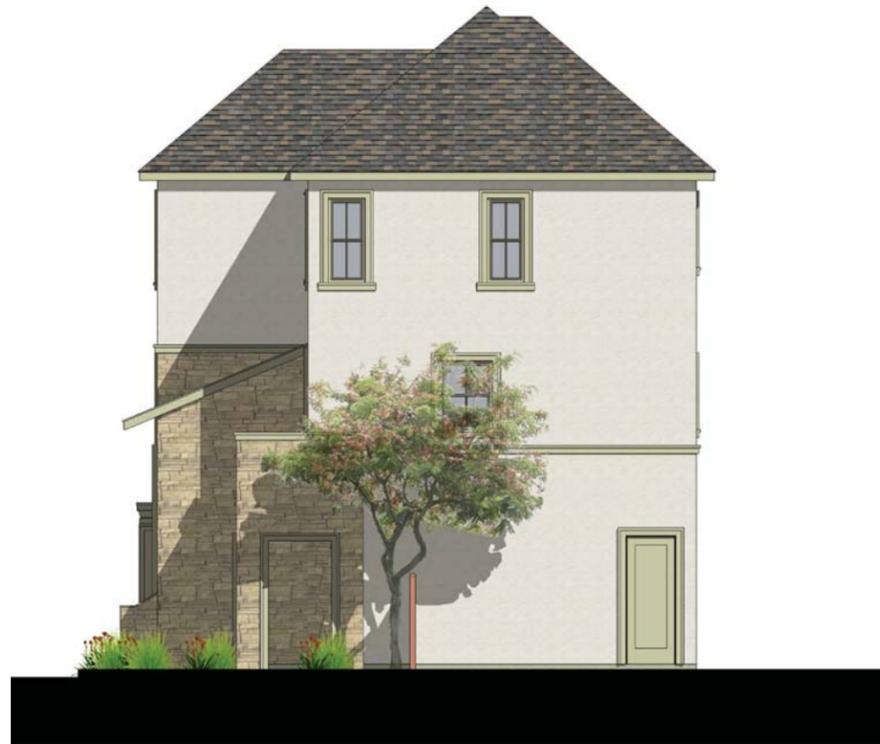


Front Elevation

French Cottage

Material List:

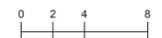
1. Arch. Grade Composition Roofing
2. Stucco
3. Stucco Trim
4. Masonry Veneer
5. Potshelves
6. Decorative Shutters
7. Metal Sectional Garage Door



Right Elevation



Rear Elevation



A4.2

S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

PLAN 4 ELEVATIONS - STYLE "B"

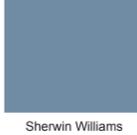
SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com



	SCHEME 1 AMERICAN COTTAGE	SCHEME 2 AMERICAN COTTAGE	SCHEME 3 AMERICAN COTTAGE	SCHEME 4 FRENCH COTTAGE	SCHEME 5 FRENCH COTTAGE	SCHEME 6 FRENCH COTTAGE	SCHEME 7 FARMHOUSE	SCHEME 8 FARMHOUSE
TILE ROOF	 Eagle Roofing Ponderosa, Hershey Blend	 Eagle Roofing Bel Air 4679 Light Gray Range	 Eagle Roofing Bel Air 4689 Brown Range	 Eagle Roofing Bel Air 4634 Kings Canyon Blend	 Eagle Roofing Bel Air 4602 Concord Blend	 Eagle Roofing Bel Air 4689 Brown Range	 Eagle Roofing Bel Air 4697 Slate Range	 Eagle Roofing Bel Air 4697 Light Gray Range
SIDING 1	 Sherwin Williams Greek Villa SW	 Sherwin Williams Riverway SW 6222	 Sherwin Williams Restrained Gold SW 7698	 Sherwin Williams Classic Light Buff SW 0050	 Sherwin Williams Alabaster SW 7008	 Sherwin Williams Golden Fleece SW 6388	 Sherwin Williams Ibis White SW 7000	 Sherwin Williams Nebulous White SW 7063
SIDING 2	 Sherwin Williams Superior Bronze SW 6152	 Sherwin Williams Snowbound SW 7004	 Sherwin Williams Navajo White SW 6126	 Sherwin Williams Green Earth SW 7748	 Sherwin Williams Wool Skin SW 6148	 Sherwin Williams Antique White SW 6119	 Sherwin Williams Grizzle Gray SW 7068	
EAVE / FASCIA / TRIM/GARAGE / RAILING	 Sherwin Williams Superior Bronze SW 6152	 Sherwin Williams Extra White SW 7006	 Sherwin Williams Navajo White SW 6126			 Sherwin Williams Griffin SW 7026	 Sherwin Williams Pure White SW 7005	 Sherwin Williams Grizzle Gray SW 7068
ACCENT 1	 Sherwin Williams Butternut SW 6389	 Sherwin Williams Snowbound SW 7004	 Sherwin Williams Outerspace SW 6251	 Sherwin Williams Basil SW 6194	 Sherwin Williams Browse Brown SW 6012	 Sherwin Williams Leisure Blue SW 6515	 Sherwin Williams Breaktime SW 6463	 Sherwin Williams Fine Wine SW 6307
METAL ROOF	 ATAS International, Inc. Slate Grey	 ATAS International Inc. Sierra Tan	 ATAS International, Inc. Slate Grey				 ATAS International, Inc. Charcoal Grey	
BRICK	 Belden Brown 8621	 Belden Princess Blend	 Belden Burgundy Blend	 El Dorado Rough Cut Falling Spring	 El Dorado Limestone Austin Cream	 El Dorado Stacked Stone Alderwood		

# S STREET

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

# MATERIAL BOARD

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

# A6.0

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





ARCHITECTURAL: S STREET SINGLE FAMILY

T1.0 Sheet Index

SP1.0 Conceptual Site Plan

A0.1 Street Scene

A1.0 Plan 1 Floor Plan

A1.1 Plan 1 Elevations - Style "A"

A1.2 Plan 1 Elevations - Style "B"

A1.3 Plan 1 Alt Floor Plan

A1.4 Plan 1 Alt Elevations - Style "A"

A2.0 Plan 2 Floor Plan

A2.1 Plan 2 Elevations - Style "A"

A2.2 Plan 2 Elevations - Style "B"

A3.0 Plan 3 Floor Plan

A3.1 Plan 3 Elevations - Style "A"

A3.2 Plan 3 Elevations - Style "B"

A4.0 Plan 4 Floor Plan

A4.1 Plan 4 Elevations - Style "A"

A4.2 Plan 4 Elevations - Style "B"

A6.0 Material Board

**S STREET**

Evergreen Management Company  
2295 Gateway Oaks Drive  
Sacramento, CA 95833

**SHEET INDEX**

SACRAMENTO, CA

KTGY # 2014-0478

01.22.2015

**T1.0**

KTGY Group, Inc.  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com



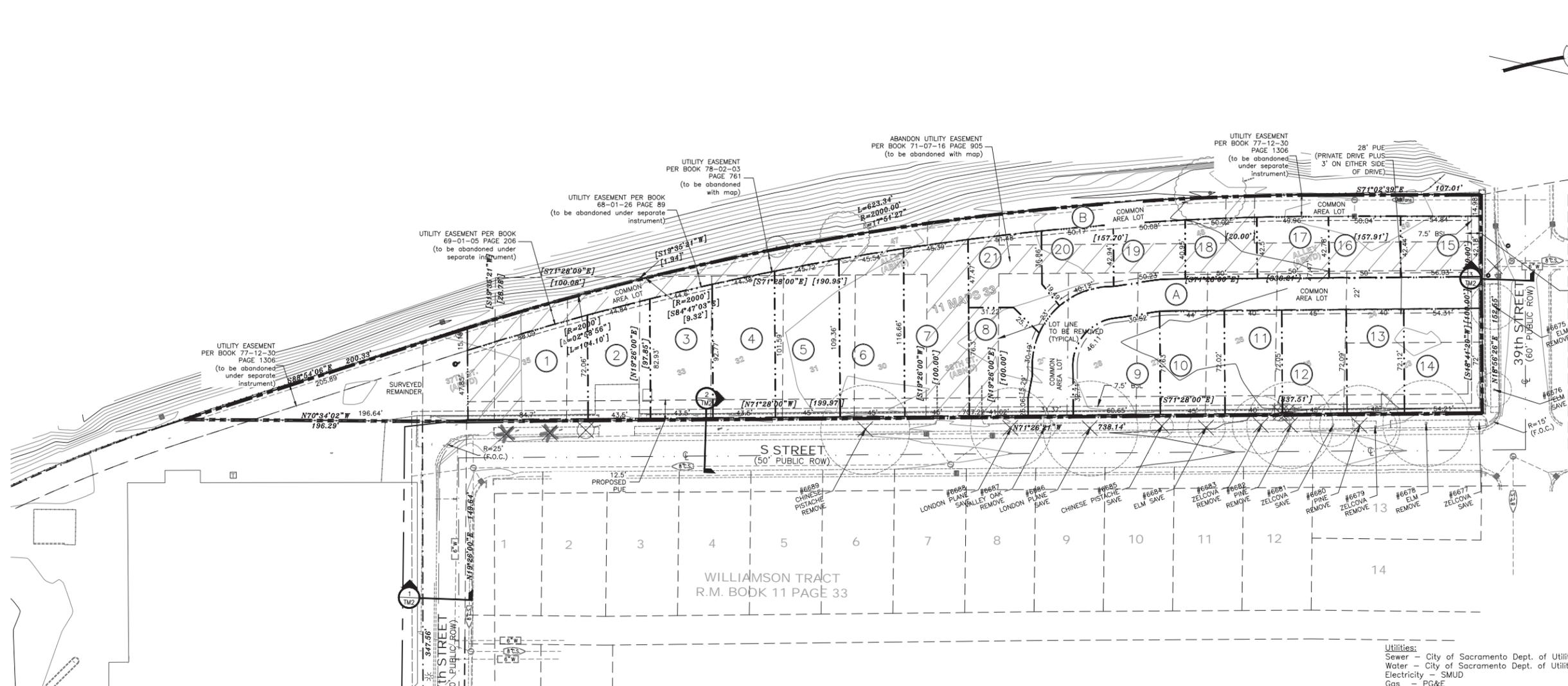
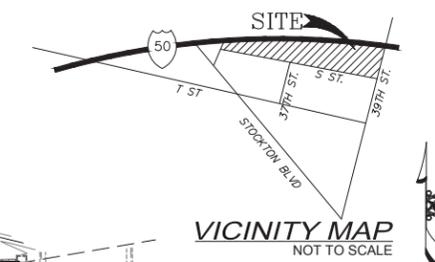


37th Street Plan 1 All Style A Plan 1 Style B Plan 1 Style A Plan 1 Style B Plan 3 Style B With Carriage Unit Plan 3 Style A With Carriage Unit Plan 3 Style B With Carriage Unit Plan 1 Style B Entrance to Private Drive Plan 1 All Style A Plan 2 Style B Plan 1 Style B Plan 2 Style A Plan 1 Style A Plan 2 Style B 39th Street 2 Street Elevation

**S STREET**  
 Evergreen Management Company  
 2200 Gateway Oaks Drive  
 Sacramento, CA 95833

**STREET SCENE ELEVATION**  
 SACRAMENTO, CA  
 02 20 2023 8.11.20

**A0.1**  
 KTOY Group, Inc.  
 Architecture+Planning  
 17922 Fitch  
 Irvine, CA 92614  
 949.851.2133  
 ktgy.com



- Legend:**
- Existing Boundary Line
  - Existing Roadway Centerline
  - Existing Easement
  - Existing Setback Line
  - Old Lot Lines
  - Proposed Parcel Line
  - Proposed Easement
  - Proposed Right of Way Line
  - Existing Tree to be Removed
  - Abandon Utility Easements on map Book 71-07-16, Page 905 Book 78-02-03, Page 761

**Land Use Summary:**

PARCEL NUMBER	USE	LOT AREA (SF)	LOT AREA (AC)
1	SINGLE FAMILY	5,059 SF	0.12 AC
2	SINGLE FAMILY	3,375 SF	0.08 AC
3	SINGLE FAMILY	3,825 SF	0.09 AC
4	SINGLE FAMILY	4,231 SF	0.10 AC
5	SINGLE FAMILY	4,757 SF	0.11 AC
6	SINGLE FAMILY	5,096 SF	0.12 AC
7	SINGLE FAMILY	5,387 SF	0.12 AC
8	SINGLE FAMILY	3,215 SF	0.07 AC
9	SINGLE FAMILY	3,917 SF	0.09 AC
10	SINGLE FAMILY	3,225 SF	0.07 AC
11	SINGLE FAMILY	2,869 SF	0.07 AC
12	SINGLE FAMILY	3,231 SF	0.07 AC
13	SINGLE FAMILY	2,875 SF	0.07 AC
14	SINGLE FAMILY	3,917 SF	0.05 AC
15	SINGLE FAMILY	2,400 SF	0.05 AC
16	SINGLE FAMILY	2,130 SF	0.05 AC
17	SINGLE FAMILY	2,137 SF	0.05 AC
18	SINGLE FAMILY	2,091 SF	0.05 AC
19	SINGLE FAMILY	2,063 SF	0.05 AC
20	SINGLE FAMILY	2,270 SF	0.05 AC
21	SINGLE FAMILY	2,940 SF	0.07 AC
A	COMMON AREA	8,494 SF	0.19 AC
B	COMMON AREA	10,712 SF	0.25 AC
SURVEYED REMAINDER		6,452 SF	0.15 AC
S STREET ROW		1,047 SF	0.02 AC
<b>TOTAL</b>		<b>97,717± SF</b>	<b>2.24± AC</b>

**Owner/Applicant:**  
T Street Ventures c/o The Evergreen Company  
Attn: Trey Gundlach  
2295 Gateway Oaks Drive  
Suite 135  
Sacramento, CA 95833  
(916) 993-4710

**Engineer:**  
RSC Engineering, Inc.  
Attn: Rick Chavez  
2250 Douglas Blvd., Suite 150  
Roseville, CA 95661  
(916) 788-2884

**Assessor's Parcel Number:**  
011-0021-029  
010-0082-004 (portion of)

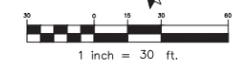
**Existing Use, Zone, Community & General Plan:**  
Vacant parking lot  
C-2 (General Commercial)  
Retail/Commercial

**Proposed Use, Zone, Community & General Plan:**  
Single Family Residential

**Existing Acreage:**  
2.24± Acres (97,717 SF)

**Proposed Total Lots:**  
23 Lots  
21 Single Family  
2 Common Area  
1 Surveyed Remainder  
Approximate Area of the Average Single Family Lot  
• 3,383 SF

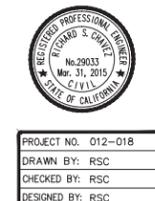
- Utilities:**  
Sewer - City of Sacramento Dept. of Utilities  
Water - City of Sacramento Dept. of Utilities  
Electricity - SMUD  
Gas - PG&E  
Telephone - AT&T  
Cable - Comcast  
Waste Disposal - City of Sacramento Dept. of Utilities  
School - Sacramento City Unified  
Fire - City of Sacramento  
Park - City of Sacramento
- Subdivision Modifications:**  
Section 15.7.3 local residential intersection spacing less than 120'. Private drive is 69' from S Street intersection measured at the nearest curb returns.  
Section 15.7.5 curb return radii less than 27'. 37th Street is shown at 15' based on previous configuration.  
Section 15.13.4 proposed angled parking on T Street where ADT is greater than 4,000 and Class II bike lanes are proposed.  
Section 16.48.110 N. No masonry wall or woven wire fence adjacent to street or other facilities deemed hazardous? O. No sound reduction barrier proposed adjacent to Caltrans ROW.
- Notes:**  
1. Based on survey dated September 2, 2014, by SiteLine Survey.  
2. Street trees in conflict with proposed driveways to be removed.  
3. Refer to final parcel map for accurate lot dimensions and configuration.  
4. Client reserves the right to record final map in phases.  
5. Any existing septic tanks and/or wells will be abandoned pursuant to the environmental mitigation measures.  
6. Abutter's rights to and from highway have been relinquished per Book 67-11-08 Page 471, Book 69-01-15 Page 202 and Book 68-01-26 Page 87.  
7. S Street will be modified to a standard residential street section.  
8. 39th Street will remain as existing and does not meet the standard street section.  
9. Please see grading and utility sheet for proposed grading and utility locations.  
10. Additional ROW on T Street and 37th Street will be dedicated to the City of Sacramento under separate instrument.  
11. Additional ROW on S Street will be dedicated via this map.



**TENTATIVE SUBDIVISION MAP**

**Stockton Boulevard and T Street**  
Single Family Residential

3675 T STREET  
SACRAMENTO, CA



PROJECT NO. 012-018  
DRAWN BY: RSC  
CHECKED BY: RSC  
DESIGNED BY: RSC

REVISION: 01-23-2015

DATE: 08-26-2014  
PROJECT NO: 1134-0001  
SCALE: 1" = 30'  
SHEET: 1 OF 2





**Meeting Date:** 8/18/2015

**Report Type:** Staff/Discussion

**Report ID:** 2015-00724

**Title: Ordinance Establishing the Sacramento Community Police Commission  
(Passed for Publication 08/11/2015; Published 08/14/2015)**

**Location:** Citywide

**Recommendation:** Pass an Ordinance repealing and adding Chapter 2.110 and amending Section 2.40.030 of the Sacramento City Code to replace the Community Racial Profiling Commission with the Sacramento Community Police Commission.

**Contact:** Francine Tournour, Director, (916) 808-7345, Office of Public Safety Accountability

**Presenter:** Francine Tournour, Director, (916) 808-7345, Office of Public Safety Accountability

**Department:** City Manager

**Division:** Public Safety Accountbly

**Dept ID:** 02001031

**Attachments:**

1-Description/Analysis

2-Ordinance

---

**City Attorney Review**

Approved as to Form

Sheryl Patterson

8/5/2015 2:03:19 PM

**Approvals/Acknowledgements**

Department Director or Designee: Howard Chan - 8/5/2015 8:57:20 AM

## Description/Analysis

**Issue Detail:** In March 2004, the Sacramento City Council established a Community Racial Profiling Commission (CRPC) to serve as an advisory body to the Mayor and City Council regarding traffic stop data collection and analysis regarding racially biased policing. Since completing the traffic stop data study in 2008, the CRPC has experienced diminished participation due to the limited authority allowed beyond traffic stop data analysis.

The proposed Ordinance will replace the Community Racial Profiling Commission with the Sacramento Community Police Commission with expanded powers and duties and a focus on bias-free policing and strengthening community-police relations. This new commission will continue to provide guidance and recommendations to the Mayor and City Council on bias-free policing and will solicit community input. The Commission will review the Sacramento Police Department's (SPD) training programs, workforce diversity, and community engagement and other evaluation measures to provide recommendations to strengthen community-police relations. The Commission will be supported primarily by SPD and the Office of Public Safety Accountability.

**Background:** Recent events, beginning with the August 9, 2014 shooting of Michael Brown, an unarmed black teenager by a white police officer, in Ferguson, Missouri, have exposed rifts in the relationships between local police and the communities they protect and serve.

While Sacramento did not experience a similar incident and SPD is a positive example of constitutional and effective policing, the City of Sacramento leaders recognized a need to learn from recent deaths of both civilians and police officers in other cities and do everything possible to prevent such painful events from happening here.

### Community Meetings

Eleven days after the Ferguson incident, Mayor Kevin Johnson convened Sacramento's elected officials, law enforcement, community leaders and other residents to discuss proactive measures that the City could take to strengthen community-police relations. An average of 250 people attended each of the four "Just Justice" meetings. Topics discussed included four R's: Relationships, Recruitment, Resident Frustration and Race. One of the recorded takeaways was the need to reconstitute the Racial Profiling Commission.

### Public Safety Ad Hoc Committee:

Based on feedback shared at these community meetings and other stakeholder input, Mayor Johnson developed a framework of recommendations organized around four pillars: 1) Training, 2) Diversity, 3) Engagement, and 4) Accountability. The Mayor announced this framework at the City Council meeting on December 16, 2014, and he appointed three City

Council Members to the Public Safety Ad Hoc Committee to begin moving the recommendations forward.

Since January 2015, the Public Safety Ad Hoc Committee – composed of Vice Mayor Allen Warren (Chair), Mayor Pro Tem Angelique Ashby, Council Member Rick Jennings, and a representative of the Mayor’s Office - has met monthly to address specific areas of Mayor Johnson’s framework.

On July 16, 2015, Mayor Pro Tem Angelique Ashby briefed the Community Racial Profiling Commission on the proposal to eliminate that commission and replace it with the Sacramento Community Police Commission.

On July 28, 2015, the Public Safety Ad Hoc Committee submitted its recommendation to the City Council to establish the Sacramento Community Police Commission. On that same date, the Mayor acted to expedite the adoption of the ordinance by bypassing the Law and Legislative Committee.

Sacramento Community Police Commission:

On June 18, 2015, Mayor Kevin Johnson and the Public Safety Ad Hoc Committee members informed the media and the community of the “Officer Next Door” initiative. The announcement outlined initial details on the proposed Sacramento Community Police Commission.

**Purpose:** The Sacramento Community Police Commission (SCPC) will consist of 11 members to monitor the implementation, evaluation, and sustainability of the Officer Next Door initiative and the ensuing measures.

**Responsibilities:** The Commission will communicate with diverse communities across the City to propose recommendations to the Mayor and City Council to ensure bias-free policing and strengthen community-police relations. The SCPC will work with SPD to develop metrics to monitor the implementation of those recommendations and regularly report to the Mayor and City Council on the progress of the City in meeting those metrics. The SCPC will keep minutes and records of all proceedings.

**Member Selection & Criteria:** The Public Safety Ad Hoc Committee has recommended allowing the Mayor to make the initial Commission appointments, subject to City Council approval, and bypass the Personnel and Public Employee Committee process to expedite formation of the new commission. The Mayor’s selection process will include input from a panel of community members he selects. The initial terms of the commission members will be staggered. Of the 11 individuals to serve on the Commission, there will be at least one former law enforcement official and one representative from each of the following seven categories: faith-based organizations; civil right organizations; business or philanthropy

organizations; organizations representing minority groups; organizations that work with youth in poor and distressed neighborhoods; an academic institution; and an organization that provides assistance to persons suffering from mental illness or homelessness. There will also be two at-large members who live in the City. Subsequent appointments will be made through the Personnel and Public Employees Committee. The final member will be a representative of the Sacramento Police Officers Association, which will nominate a member to be appointed to the SCPC.

When evaluating possible candidates for the SCPC, the following items will be considered for each candidate to ensure the success of the Commission:

- An articulable interest in ensuring bias-free policing and strengthening police-community relations;
- Demonstrated experience working effectively with diverse populations;
- A firm grasp of the concept of municipal jurisdiction; and
- Ability to articulate a precise vision for the role of the Commission and describe how its work might positively impact the communities it is designated to serve.

Applicants will be required to submit the following, in addition to the requirements set forth in Chapter 2.40 of the City Code:

- A resume that demonstrates an ongoing commitment to local communities and to issues that bear a rational relationship to public safety and/or community-police relations.
- A cover letter that contextualizes this ongoing commitment and specifically addresses the points above.

**Operational Considerations:** In order for the Commission to implement its responsibilities, it will need City staff's assistance in providing data in a timely manner. It is expected that the scope of the data requests would be as follows:

- The SCPC may request data from City departments, including SPD, which may be used to conduct independent analysis of SPD's training, policies and practices on the use of force, crisis intervention, stops and detention, and accountability measures to address bias-free policing and strengthen community-police relations.
- The SCPC will not review or report on specific cases of alleged misconduct, review or comment on discipline, and will not seek to influence the course or outcome of a specific complaint investigation or the discipline of specific police officers. The SCPC will not be provided with information regarding an individual police officer's actions, allegations of misconduct, or disciplinary action if that information is confidential or not otherwise available to the public.

**Timeline:**

- By October 2015, the new commission will be appointed and begin to work with SPD and the broader community to define metrics for monitoring success in achieving bias-free policing and strengthening community-police relations.
- By December 2015, the new commission will issue a report to the Mayor and City Council on progress toward developing these metrics and present a calendar for the commission's work and future progress reports.

**Economic Impacts:** None

**Environmental Considerations:** The proposed action is an organizational activity that is exempt from environmental review under the CEQA Guidelines section 15387(b)(5).

**Commission/Committee Action:** Review of the proposed Ordinance is bypassing the Law and Legislation Committee to expedite formation of the Commission and to meet the work schedule timeline included in the Next Door Initiative, so that the commission can provide their initial report to Mayor and Council by December.

**Rationale for Recommendation:** As the Public Safety Ad Hoc Committee's lead on the Accountability pillar of the Officer Next Door framework, Mayor Pro Tem Ashby has evaluated approaches across the nation and reviewing best practices in other cities to determine how best to repurpose the CRPC.

A new Community Police Commission is also being developed by the City of Cleveland and the U.S. Department of Justice to implement a consent decree and it has become an applicable model for the Sacramento community. The City of Seattle already has a similar model in place that was established under the terms of a settlement agreement.

While Sacramento has not faced discrimination lawsuits like Cleveland and Seattle, applying a similar model for community involvement is a proactive step to strengthen trust between the police and community and will further enhance Sacramento's standing and national leadership on this issue of strengthening community-police relations.

**Financial Considerations:** None as the SCPC will be staffed by existing resources within the Sacramento Police Department, the Office of Public Safety Accountability, the City Attorney's Office, and the City Manager's Office.

**Local Business Enterprise (LBE):** Not applicable.

**ORDINANCE NO. 2015-**

Adopted by the Sacramento City Council

**AN ORDINANCE REPEALING AND ADDING CHAPTER 2.110 AND  
AMENDING SECTION 2.40.030 OF THE SACRAMENTO CITY CODE,  
RELATING TO ESTABLISHMENT OF THE  
SACRAMENTO COMMUNITY POLICE COMMISSION**

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

**SECTION 1.**

To strengthen the trust between the Sacramento Police Department and the citizens of Sacramento, the city council replaces the Community Racial Profiling Commission with a new citizen commission to advise the mayor and city council on bias-free policing and the implementation, evaluation, and sustainability of efforts intended to strengthen community-police relations.

**SECTION 2.**

Chapter 2.110 of the Sacramento City Code is repealed.

**SECTION 3.**

Chapter 2.110 is added to the Sacramento City Code to read as follows:

**Chapter 2.110 SACRAMENTO COMMUNITY POLICE COMMISSION**

**2.110.010 Commission established.**

The Sacramento Community Police Commission is established.

**2.110.020 Purpose of commission.**

The commission is established for the purpose of providing recommendations to the mayor and city council on bias-free policing and the implementation, evaluation, and sustainability of efforts intended to strengthen community-police relations.

**2.110.030 Powers and duties of commission.**

The powers and duties of the commission are as follows:

- A. To advise the mayor and city council on bias-free policing;
- B. To advise the mayor and city council regarding the Sacramento Police Department's training programs, workforce diversity, community engagement, and accountability; and
- C. At least annually, to report and make recommendations to the mayor and the city council regarding the activities of the commission and the Sacramento Police Department's efforts to strengthen bias-free policing and community-police relations.

**2.110.040 Appointment of members and qualifications.**

- A. The initial members of the commission shall be appointed by the mayor with the concurrence of a majority of the city council. Members of the commission in subsequent terms shall be nominated by the personnel and public employees committee and appointed by the mayor with the concurrence of a majority of the city council.
- B. The commission consists of 11 members meeting the following criteria:
  - 1. Seat 1: A member who (a) resides or works in the city, (b) is a member of a faith based organization that is located in the city or provides services to city residents and is a tax-exempt religious organization under the United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
  - 2. Seat 2: A member who (a) resides or works in the city, (b) is a member of a civil rights organization that promotes elimination of prejudice and discrimination and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
  - 3. Seat 3: A member who (a) resides or works in the city, (b) is a member of either (i) a business organization located in the city, or (ii) a philanthropic organization that is located in the city and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
  - 4. Seat 4: A member who (a) resides or works in the city, (b) is a member of an organization that represents and advances the interests of minority groups and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
  - 5. Seat 5: A member who (a) resides or works in the city, (b) is a member of an organization that works with youth in poor and distressed neighborhoods and is a tax-exempt charitable organization under United States Internal Revenue Code

section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.

6. Seat 6: A member who (a) resides or works in the city, (b) is a member of an organization that provides assistance to persons who are homeless or suffer from mental illness and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.

7. Seat 7: A member who (a) resides or works in the city, (b) is an employee or an adjunct professor of an academic institution, and (c) possesses expertise in criminal justice matters.

8. Seat 8: A member who resides in the city.

9. Seat 9: A member who resides in the city.

10. Seat 10: A member who is a former peace officer.

11. Seat 11: A member who has been nominated by the Sacramento Police Officers Association.

#### **2.110.050 Term of office-Vacancy.**

Except as provided in this section for the length of the terms of the initial appointees, members of the commission shall serve a term of four years. A member shall hold office until his or her successor has been appointed.

Terms shall be staggered. The terms of the initial appointees to odd-numbered seats 1, 3, 5, 7, 9 and 11 shall expire on December 31, 2017 and the terms of the initial appointees to even-numbered seats 2, 4, 6, 8 and 10 shall expire on July 1, 2019. Thereafter, all members shall be appointed to serve four-year terms.

No member shall serve more than two consecutive terms. The terms established for the initial appointees constitute a full term for the purpose of calculating the two consecutive term limit.

If a vacancy occurs during the term of any member, a successor to serve the unexpired term shall be appointed in accordance with the requirements set forth in section 2.110.040. A successor appointed to complete an unexpired term may be eligible to serve up to two consecutive terms in addition to the unexpired term in accordance with section 2.40.120.

#### **2.110.060 Conflict of interest and financial disclosure statements.**

The provisions of Article III of chapter 2.16 governing conflicts of interest of board and commission members shall apply to members of the commission. In

addition, all appointees to the commission are required to file statements disclosing financial interests pursuant to a conflict of interest code adopted for the commission.

**2.110.070 Chairperson and organization of the commission.**

At its first meeting, and annually thereafter, the commission shall elect a commission chairperson and vice chairperson from among the members appointed to seats 1 through 9 as described in section 2.110.040. The chairperson and vice chairperson shall hold office at the pleasure of the commission. When there is a vacancy in the office of chairperson or vice chairperson, the commission shall fill that office from among the members appointed to seats 1 through 9 as described in section 2.110.040. The commission may adopt rules and procedures for the conduct of its business and may do any other things necessary or proper to carry out its functions, which may include the formation of one or more committees. Staff support to the commission shall be provided by the Sacramento Police Department and the Office of Public Safety Accountability, and one or more city employees that may be designated by the city manager.

**2.110.080 Commission meetings.**

The commission shall meet at least eight times annually. The meetings shall be noticed and held in accordance with the provisions of the Ralph M. Brown Act (California Government Code section 54950 et seq.). The commission has the authority to notice and hold special meetings in the manner specified by the Ralph M. Brown Act.

**2.110.090 Quorum - Voting.**

The quorum required for the commission to conduct business is six members. The affirmative vote of a majority of the members present and eligible to vote is necessary to approve any item.

**2.110.100 Compensation.**

Pursuant to City Charter section 29, the compensation commission shall establish the compensation that members of the commission receive for attending commission meetings.

**2.110.110 General requirements.**

Unless specifically provided otherwise in this chapter, the general requirements set forth in chapter 2.40, governing the appointment of board and commission members, attendance at board and commission meetings, voting, term limits, and removal, apply to the commission. A member is subject to removal for good cause, neglect of duty, or misconduct as provided in City Charter section 232.

## **SECTION 4.**

Section 2.40.030 of the Sacramento City Code is amended to read as follows:

### **2.40.030 Applicability.**

The provisions of this article shall apply to persons recommended to the mayor by the personnel and public employees committee as appointees for positions on the city council and the following boards and commissions:

Administration, investment and fiscal management board of the city retirement system

Board of plumbing examiners

Civil service board

Construction code board of appeals

Housing code advisory and appeals board

Old Sacramento variance appeals board

Parks and recreation commission (two seats)

Planning and design commission (four seats)

Preservation commission

Retirement hearing commission

Sacramento city public facilities financing corporation

Sacramento community police commission

Utilities rate advisory commission

**Meeting Date:** 8/18/2015

**Report Type:** Information

**Report ID:** 2015-00706

**Title: Informational Report: Community Racial Profiling Commission First and Second Quarterly Reports for 2015 (January through June 2015)**

**Location:** Citywide

**Recommendation:** Receive and file.

**Contact:** Ken Bernard, Deputy Chief of Police, Field Services, (916) 808-0800, Police Department

**Presenter:** None

**Department:** Police

**Division:** Field Services Administration

**Dept ID:** 11001111

**Attachments:**

1-Description/Analysis

2-CRPC (1st Quarterly Report 2015)

3-CRPC (2nd Quarterly Report 2015)

---

**City Attorney Review**

Approved as to Form

Gerald Hicks

7/28/2015 3:02:53 PM

**Approvals/Acknowledgements**

Department Director or Designee: Sam Somers - 7/27/2015 3:47:13 PM

## Description/Analysis

**Issue:** In July 2000, the Sacramento Police Department undertook a comprehensive study of traffic stops to address perceptions of racial profiling. In March 2004, City Council approved the establishment of a formal advisory commission to provide equitable representation, accountability, and reporting from Sacramento residents on this issue of national importance, as well as provide the City with a greater opportunity to be inclusive. In November 2004, City Council confirmed selections for membership on the Community Racial Profiling Commission, whose purpose was to assist the City with a racial profiling vehicle stop study. The Commission held its first meeting in January 2005 and set its schedule for monthly meetings. Since that time, the Commission has modified its schedule to quarterly.

In February 2006, Lamberth Consulting was awarded the contract to conduct the Traffic Stop Data study. Lamberth Consulting staff studied Police Department processes of data collection and mapping, in-car camera recording of pedestrian and vehicle stops, and Police Department policies related to enforcement stops. Lamberth staff conducted their study on data collected between December 1, 2007 and May 31, 2008, with the final report presented to the Sacramento City Council on August 12, 2008. The Commission members worked to develop the Commission's presentation to Council and a series of stakeholder meetings to present and discuss the Lamberth study results. These public stakeholder meetings, held on August 13-15, 2008 featured presentations by Dr. Lamberth and former Sacramento Police Chief Rick Braziel, as well as open dialogue among the attendees.

Since that study, the Commission has been working on identifying future goals, responsibilities, and powers for the Commission. The attached reports provide the City Council with the Community Racial Profiling Commission's first and second quarterly updates for 2015.

**Policy Considerations:** The work of the Community Racial Profiling Commission (CRPC) directly supports the City Council policies of inclusion, establishing and strengthening community partnerships, and enhancing educational opportunities for the entire community.

**Economic Impact:** None.

**Environmental Considerations:** Not applicable.

**California Environmental Quality Act (CEQA):** This report concerns administrative activities that will not have a significant effect on the environment, and does not constitute a "project" as defined by the California Environment Quality Act (CEQA) [CEQA Guidelines Sections 15061 (b) (3); 15378 (b) (2)].

**Sustainability Considerations:** Not applicable.

**Commission/Committee Action:** Not applicable.

**Rationale for Recommendation:** This is an informational report only. No action is required.

**Financial Considerations:** Not applicable.

**Local Business Enterprise:** Not applicable.

*City of*  
**SACRAMENTO**

COMMUNITY RACIAL PROFILING COMMISSION

5770 FREEPORT BLVD., SUITE 100, SACRAMENTO, CA 95822-3516

**Letter to the Mayor and City Council**

(Council Date)

**Subject:** Community Racial Profiling Commission Quarterly Report  
(January - March 2015)

The Community Racial Profiling Commission (CRPC), established in November 2004, continued to fulfill its mission to serve as an advisory body to the City Council regarding bias free policing. This first quarter report of 2015 describes the activities of the CRPC from January through March 2015.

**Commission Membership**

The following table depicts the status of Commission membership for the first quarter of 2015.

<b>CRPC 2015 1st Quarter Membership</b>			
<b>NAME</b>	<b>CATEGORY</b>	<b>NAME</b>	<b>CATEGORY</b>
Leslie Rubalcava	District 1	Jeffery Cassity	At-Large
Harry Block	District 2	Darryl Lucien	At-Large
Rosalyn Van Buren	District 3	Amina Merritt	At-Large
Clifton Roberts	District 4	Glynis Wood-Alberts	At-Large
Ashiya Odeye, Chair	District 5	Ken Bernard, Vice Chair, SPD	Standing
Vacant	District 6	Dustin Smith, SPOA	Standing
Kimberly Williams	District 7	Francine Tournour, OPSA	Standing
Jerome Chapel	District 8		

*The Mission of the Community Racial Profiling Commission is to serve as an advisory body of our community regarding bias free policing.*

The Commission held meetings on February 26, 2015 and March 19, 2015. Below is a summary of those meetings:

Consent Calendar items approved:

- Minutes for the August 21, 2014 meeting
- Minutes for the February 26, 2015 meeting
- Quarterly Report to Council for the Third Quarter of 2014

Membership updates included introduction of new members confirmed since last meeting and current district vacancies:

- Clifton Roberts (District 4)
- Kimberly Williams (District 7)
- 3 Vacancies: District 2, District 6, At-Large

Assistant City Clerk, Wendy Klock-Johnson, presented an overview of the parliamentary procedures and reviewed/discussed the Brown Act.

Commissioners voted to maintain prior recommendations on the proposed revisions to Ordinance 2004-17 and seek formal approval through the Law & Legislation Committee and ultimately City Council. The recommended changes are as follows:

- 1) Commission name change to the Community Racial Profiling and Police Relations Commission;
- 2) Powers and duties of the commission:
  - A) to serve as a community advisory body to the City that will provide recommendations regarding racial profiling and biased-based policing;
  - B) to engage and educate our affected communities and engage the Police Department to strengthen community and police relations and improve public trust;
  - C) to provide the Mayor and the City Council with periodic analysis and interpretation of the Sacramento Police Department's continuing traffic stop data collection study on racially biased policing.

Remaining 2015 meeting dates scheduled: May 21, August 20, November 19.

The Sacramento Police Department presented their latest vehicle stop data form (VSDF) compliance statistics reflecting a 98%+ compliance rate.

This is to certify that the foregoing is a true and correct copy of the 1st quarter report of 2015 as approved by the Community Racial Profiling Commission.



Sharon Iida  
Commission Clerk

*City of*  
**SACRAMENTO**

COMMUNITY RACIAL PROFILING COMMISSION

5770 FREEPORT BLVD., SUITE 100, SACRAMENTO, CA 95822-3516

**Letter to the Mayor and City Council**

(Council Date)

**Subject:** Community Racial Profiling Commission Quarterly Report  
(April - June 2015)

The Community Racial Profiling Commission (CRPC), established in November 2004, continued to fulfill its mission to serve as an advisory body to the City Council regarding bias free policing. This second quarter report of 2015 describes the activities of the CRPC from April through June 2015.

**Commission Membership**

The following table depicts the status of Commission membership for the second quarter of 2015.

<b>CRPC 2015 2nd Quarter Membership</b>			
<b>NAME</b>	<b>CATEGORY</b>	<b>NAME</b>	<b>CATEGORY</b>
Leslie Rubalcava	District 1	Jeffery Cassity	At-Large
Harry Block	District 2	Darryl Lucien	At-Large
Rosalyn Van Buren	District 3	Amina Merritt	At-Large
Clifton Roberts	District 4	Glynis Wood-Alberts	At-Large
Ashiya Odeye, Chair	District 5	Ken Bernard, Vice Chair, SPD	Standing
Vacant	District 6	Dustin Smith, SPOA	Standing
Kimberly Williams	District 7	Francine Tournour, OPSA	Standing
Jerome Chapel	District 8		

*The Mission of the Community Racial Profiling Commission is to serve as an advisory body of our community regarding bias free policing.*

The Commission held one meeting on April 16, 2015. Below is a summary of that meeting:

Councilmember Ashby discussed her role on the Public Safety Ad Hoc Committee, and explained that Accountability was her area of responsibility/focus. Other areas covered by the Public Safety Ad Hoc Committee include diversity, hiring, training, and youth outreach. The Councilmember Ashby shared a variety of concepts which included the possible changes to the role of this Commission, piloting a body camera project, creating civilian advisory oversight, independent investigations/monitoring, review the role of OPSA, continued data compilation and review, looking beyond traffic stops at all type of racial bias.

The Councilmember agreed to return to this Commission in the next couple of months and continue discussions with the Commission prior to going to Council.

This is to certify that the foregoing is a true and correct copy of the 2<sup>nd</sup> quarter report of 2015 as approved by the Community Racial Profiling Commission.



---

Sharon Iida  
Commission Clerk