



REPORT TO COUNCIL 18

City of Sacramento

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

Consent
October 31, 2006

Honorable Mayor and
Members of the City Council

Title: Natomas East/Gateway Tower (P06-001)

Location/Council District: 2490 Natomas Park Drive; APN: 274-0042-035; (District 1)

Recommendation: Review: 1) a **Resolution** approving the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) a **Resolution** adopting the South Natomas Community Plan Amendment; 3) a **Resolution** adopting a Planned Unit Development Schematic Plan and Guidelines Amendment to the Natomas Corporate Center Planned Unit Development; 4) an **Ordinance** amending the Comprehensive Zoning Ordinance and 5) Pass for Publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted November 14, 2006;

Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Greg Bitter, Senior Planner, (916) 808-7816

Presenters: Arwen Wacht, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: The applicant is requesting to amend the South Natomas Community Plan land use designations and rezone the subject site in order to develop an office building with support retail and a future hotel. The applicant is also requesting a Planned Unit Development (PUD) Schematic Plan and Guidelines Amendment to allow the development of a twelve-story office building (with support retail uses) and a future hotel development at this location. The proposed locations of the Office/Office Park and Support Commercial designations and the proposed Office Planned Unit Development (OB-PUD) and General Commercial Planned Unit Development (C-2-PUD) zoning designations will allow for the development of the proposed office building with support commercial and the future hotel project at this location. The proposal is consistent with the South Natomas Community Plan policies that promote quality design standards and themes in office parks, promote design standards for office developments near freeways, and providing appropriate commercial services in close proximity to office and business parks. The proposal is not controversial.

Policy Considerations: The project is consistent with the following General Plan goals: to actively promote the continued vitality and diversification of the local economy, and expand employment opportunities for City residents; to ensure that the City of Sacramento captures a Regional Central City's share of the regional office market; to provide new regional commercial and office centers to incorporate accessory uses; to promote developments that foster accessibility and connectivity between areas and safely and efficiently accommodate a mixture of cars, transit, bicyclists, and pedestrians; and to use the existing assets of infrastructure and public facilities to increase infill and re-use, while maintaining important qualities of community character. The project is also consistent with the South Natomas Community Plan policies to promote quality design standards and themes in office parks, standards for office development adjacent to the freeway, and to provide appropriate commercial services for office/business parks.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento Strategic Plan, specifically by adhering to policies that provide a mix of land uses, foster a walkable community, and promote multi-modal transportation and land use patterns that support walking, cycling, and public transit.

Committee/Commission Action: On September 28, 2006, the Planning Commission unanimously approved (six ayes, zero noes, two absences, and one vacant position), with mitigation measures and amended conditions, the Natomas East/Gateway Tower project and forwarded the recommendation to the City Council for approval of the South Natomas Community Plan Map Amendment, Rezone, PUD Schematic Plan Amendment and PUD Guidelines Amendment. At the same meeting, the Planning Commission approved the Mitigated Negative Declaration, Mitigation Monitoring Plan, Tentative Subdivision Map and Special Permit for this project.

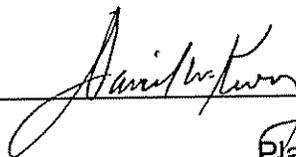
Environmental Considerations: The Environmental Services Manager has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Mitigated Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant 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 address biological resources, transportation/circulation, air quality, and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit A of Attachment 13).

The Mitigated Negative Declaration was available for public review during the period of Friday, August 29, 2006 through Thursday, September 28, 2006. As of the date of the writing of this staff report (September 19, 2006), no comments have been received on the environmental document.

Rationale for Recommendation: Staff recommends approval of the proposal, as conditioned in this report. This recommendation is based upon the following: 1) the proposal is consistent with the policies of the General Plan, North Natomas Community Plan, and the amended Natomas Corporate Center Planned Unit Development (PUD) Guidelines and Schematic Plan; 2) the proposed uses are consistent with the proposed zoning; and 3) the project contributes positively to the surrounding area.

Financial Considerations: This project has no fiscal considerations.

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

Respectfully Submitted by:  _____
David Kwong
Planning Manager

Approved by:  _____
William Thomas
Director of Development Services

Recommendation Approved:

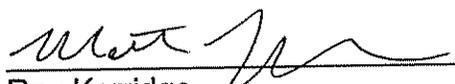
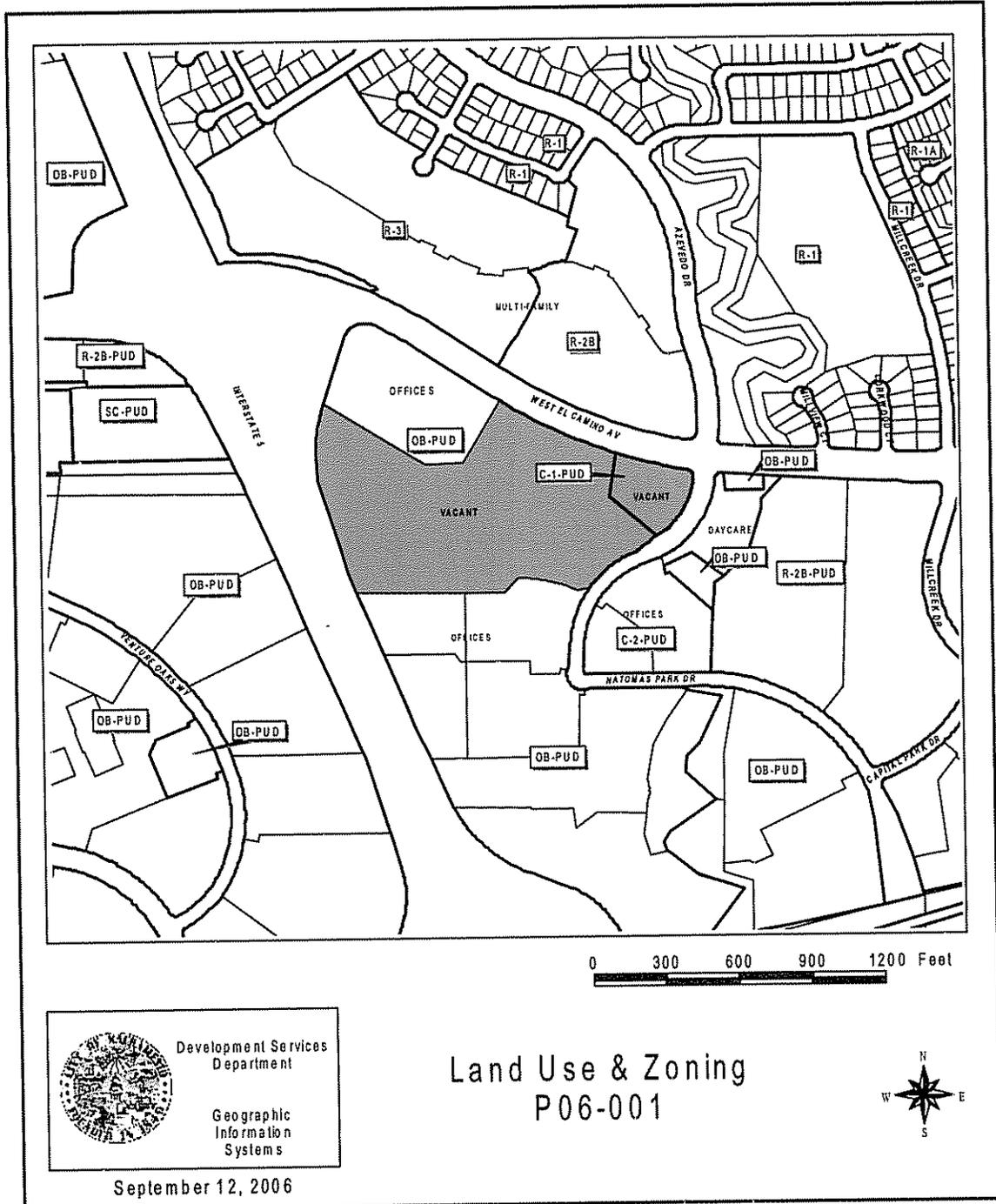
 _____
Ray Kerridge
City Manager

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Attachment 2 – Land Use & Zoning Map



Attachment 3 – Background

Background Information: The Natomas Corporate Center Planned Unit Development (PUD) Guidelines and Schematic Plan were approved on December 14, 1982 (P82-066). The following is an outline of some of the amendments that have been associated with the subject site in the Natomas Corporate Center PUD Guidelines and Schematic Plan:

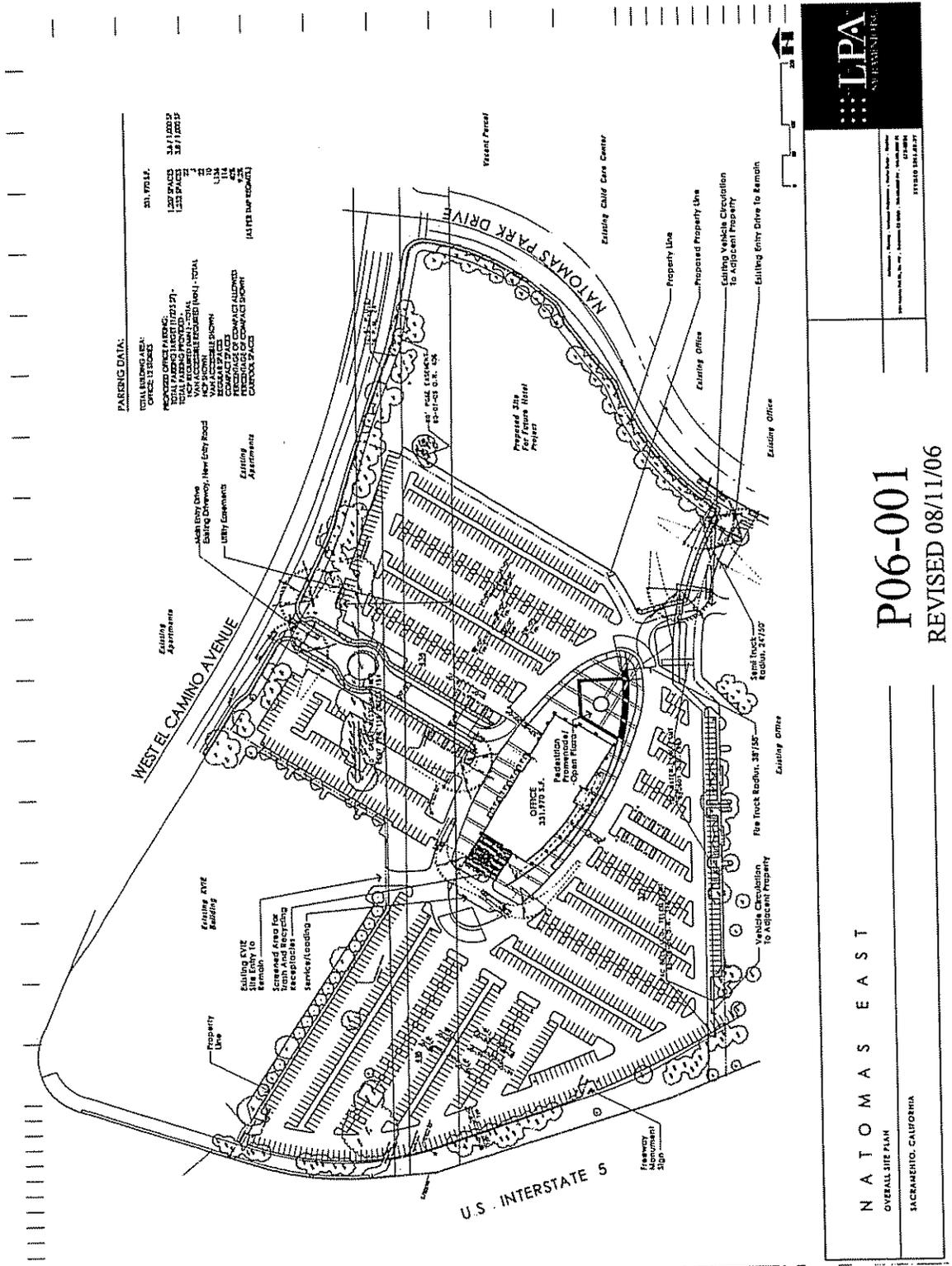
- On December 14, 1982, the Natomas Corporate Center Planned Unit Development (PUD) and Development Guidelines were approved by City Council (P82-066).
- On July 1, 1986, the City Council approved a Tentative Map to subdivide 18± acres into two parcels (P86-187).
- On July 7, 1987, the City Council approved a Tentative Map to subdivide one 19± acre parcel into three parcels (P87-256). On June 20, 1989, the City Council approved a three-year Tentative Map Time Extension for the previously approved Tentative Map (P87-256). The Final Map was not filed and the Tentative Map expired.
- On May 5, 1988, the Planning Commission recommended approval of a Community Plan Amendment to re-designate acreage from Office to Parks/Open Space and a PUD Schematic Plan and Guidelines Amendment to the Natomas Corporate Center PUD to increase the total permitted office space for the PUD by 60,000± square feet for a total of 853,313± square feet of office and a park site (P88-046).
- On April 13, 1995, the Planning Commission approved a PUD Schematic Plan Amendment to transfer 17,406 square feet of office entitlements from this parcel (APN: 274-0042-035) to a vacant 4.65± acre site (APN: 274-0042-040) within the Natomas Corporate Center PUD, a Special Permit to construct a three-story office building on that 4.65± acre site, and a Tentative Map to subdivide one parcel into two parcels (P95-007).
- On December 17, 1996, the City Council approved a Community Plan Amendment, Rezone, PUD Schematic Plan Amendment, and PUD Guidelines Amendment (P96-090). The Community Plan Amendment re-designated 3.0± acres (across Natomas Park Drive from this site) from Office to Support Commercial. The Rezone re-designated this same parcel from the Office Planned Unit Development (OB-PUD) zone to the General Commercial Planned Unit Development (C-2-PUD) zone. The PUD Schematic Plan Amendment amended an approved three-story 79,996 square foot building into a one-story 14,000 square foot office building and a four-story 92,500 square foot hotel building, and transferred 21,321 square feet from the east side of Natomas Park Drive to this project site (APN: 274-0042-035). The PUD Guidelines Amendment amended the Natomas Corporate Center PUD Guidelines to include support commercial uses (hotels and sit-down restaurant uses) as an allowed use in the Natomas Corporate Center PUD in the C-2-PUD zone. On December 5, 1996, the Planning Commission approved a Special Permit to construct a four-story

92,500 square foot hotel, a Tentative Map to subdivide one parcel into three parcels, and a Variance to allow an off-site detached sign and to exceed the maximum allowable height for detached signage for the parcel across Natomas Park Drive from this project site (P96-090). The Planning Commission also recommended approval for the previously listed entitlements.

- On April 15, 1997, the City Council approved a PUD Guidelines Amendment and Schematic Plan Amendment (P96-073) to the Natomas Corporate Center PUD to increase allowable building heights from six (6) stories to ten (10) stories, re-designate 2.0± acres from Office/Office Park to Public/Quasi Public, and increase the total allowable building square footage from 337,733 square feet to 488,125 square feet on 19.0± acres in the OB-PUD zone.
- On September 19, 2001, the City Council approved a PUD Guidelines and Schematic Plan Amendment to the Natomas Corporate Center PUD (P00-157). The PUD Guidelines Amendment modified setback requirements. The PUD Schematic Plan Amendment transferred 17,000 square feet of office square footage from this parcel (APN: 274-0042-035) to a parcel across the street from this site (APN: 274-0042-041) and transferred 14,000 square feet of support commercial square footage from APN: 274-0042-041 to this site (APN: 274-0042-035). On July 26, 2001, the Planning Commission approved a Special Permit (P00-157) to construct a 17,000 square foot office building on APN: 274-0042-041 and recommended approval on the previously listed entitlements.
- On December 11, 2003, the Planning Commission approved a PUD Schematic Plan Amendment to depict offices, commercial, and restaurant uses on 19± acres in the Natomas Corporate Center Planned Unit Development (PUD), a Tentative Map to subdivide one 19.0± acre parcel into three parcels, and a Special Permit to develop two ten-story office buildings and a parking structure on three proposed parcels in the Office Planned Unit Development (OB-PUD) zone.

The applicant is now requesting a South Natomas Community Plan Map Amendment, Rezone and PUD Schematic Plan and Guidelines Amendment. The Planning Commission approved a Tentative Subdivision Map and PUD Special Permit to allow the development of one (1) twelve-story office (331,970± square feet) and support commercial (20,896± square feet) building and a future hotel on 19± acres in the Natomas Corporate Center Planned Unit Development on September 28, 2006 (P06-001).

Attachment 5 – Overall Site Plan



PARKING DATA:

TOTAL BUILDING AREA OFFICE REQUIRED	331,870 S.F.
PROPOSED OFFICE PARKING	1,200 SPACES
TOTAL PARKING PROVIDED	1,200 SPACES
TOTAL ACCESSIBLE REQUIRED (Total) - TOTAL	4
NO SHOWING	10
REGULATORY	114
PERCENTAGE OF COMPACT ALLOWED	4%
PERCENTAGE OF COMPACT SHOWN	4%
CHECKED OFFICES	(AS PER THE REQUIREMENTS)

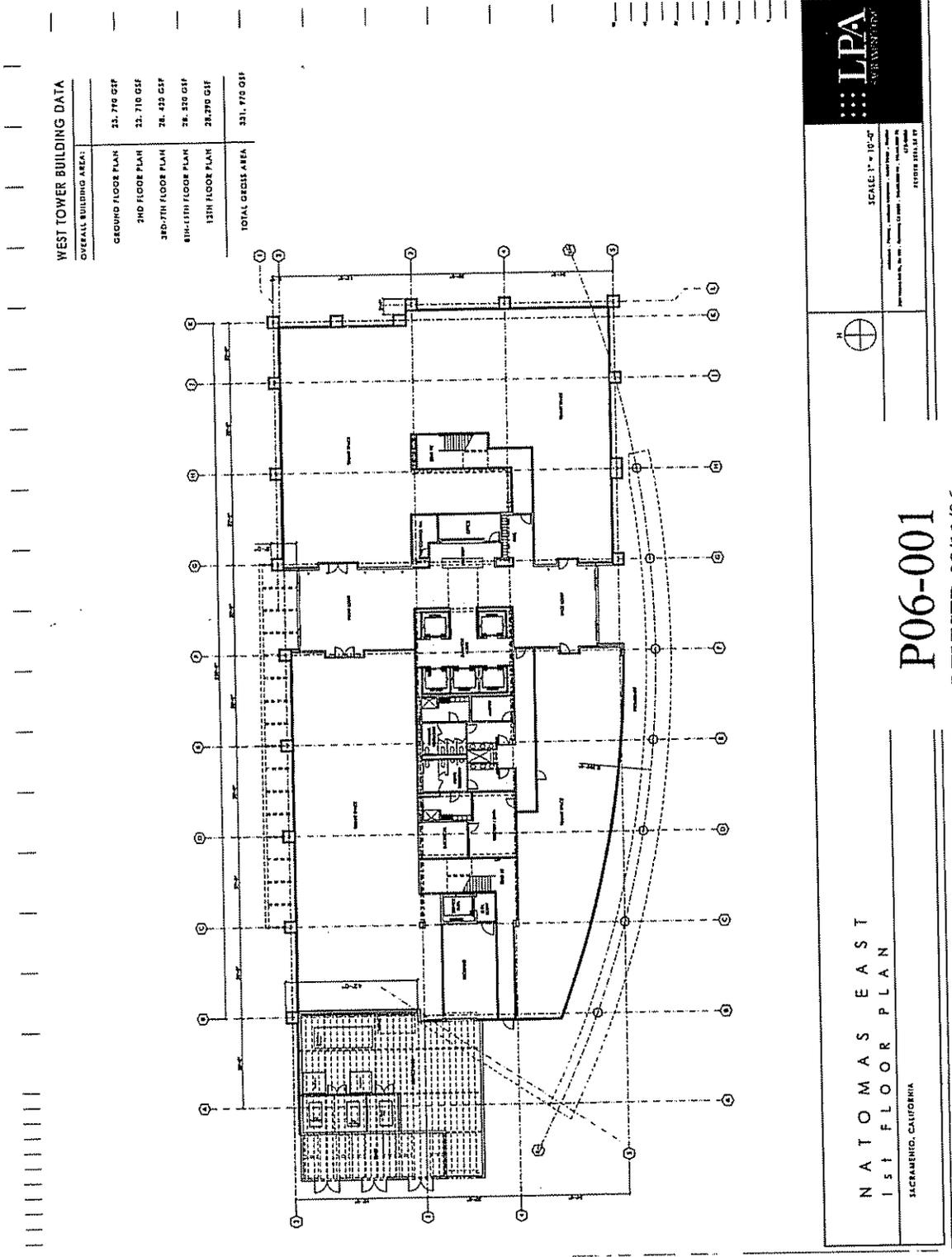


151516 10/31/06

P06-001
REVISED 08/11/06

NATOMAS EAST
OVERALL SITE PLAN
SACRAMENTO, CALIFORNIA

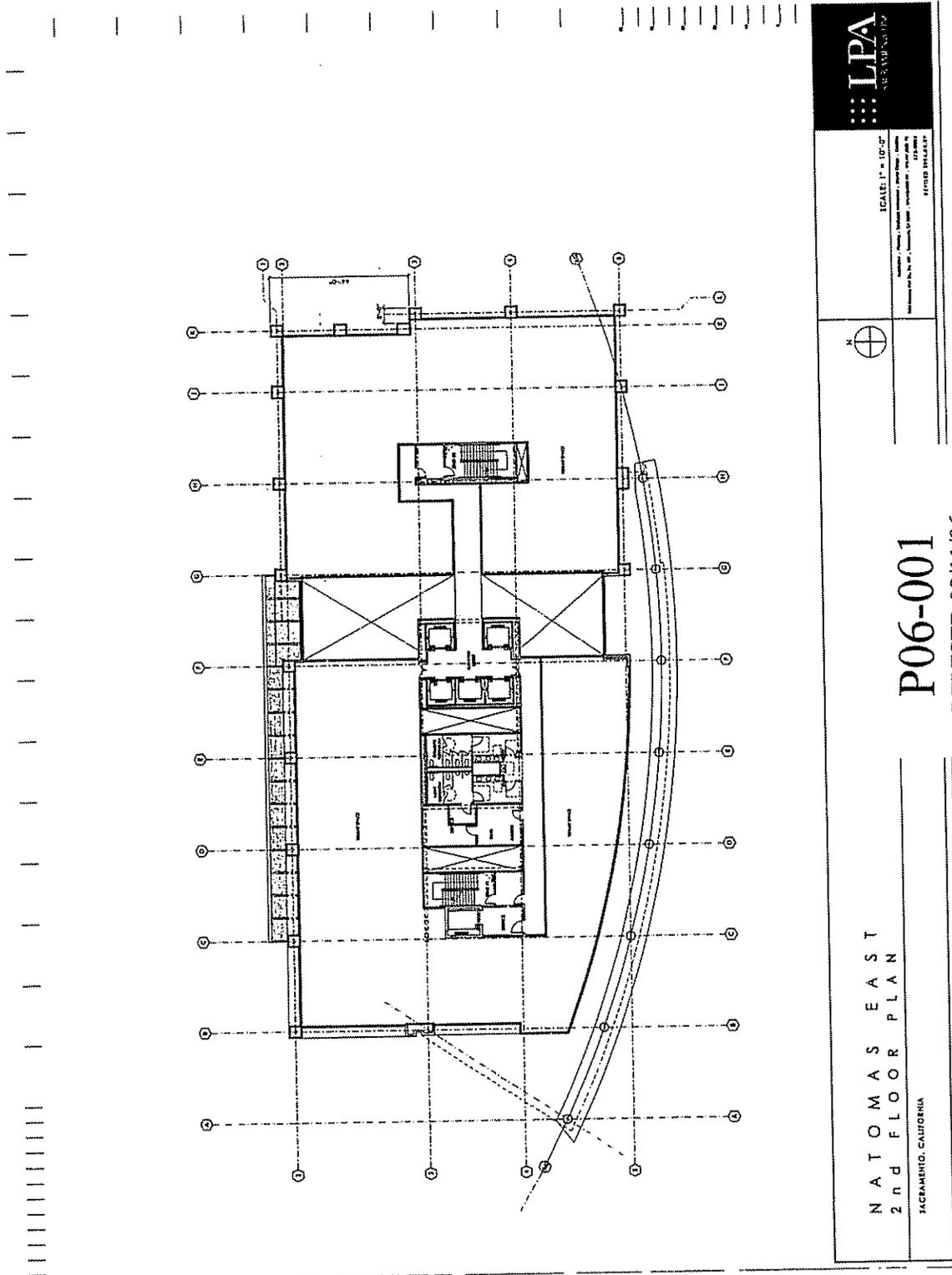
Attachment 7 – First Floor Plan



N A T O M A S E A S T
1 5 T F L O O R P L A N
SACRAMENTO, CALIFORNIA

P06-001
REVISED 08/11/06

Attachment 8 – Second Floor Plan

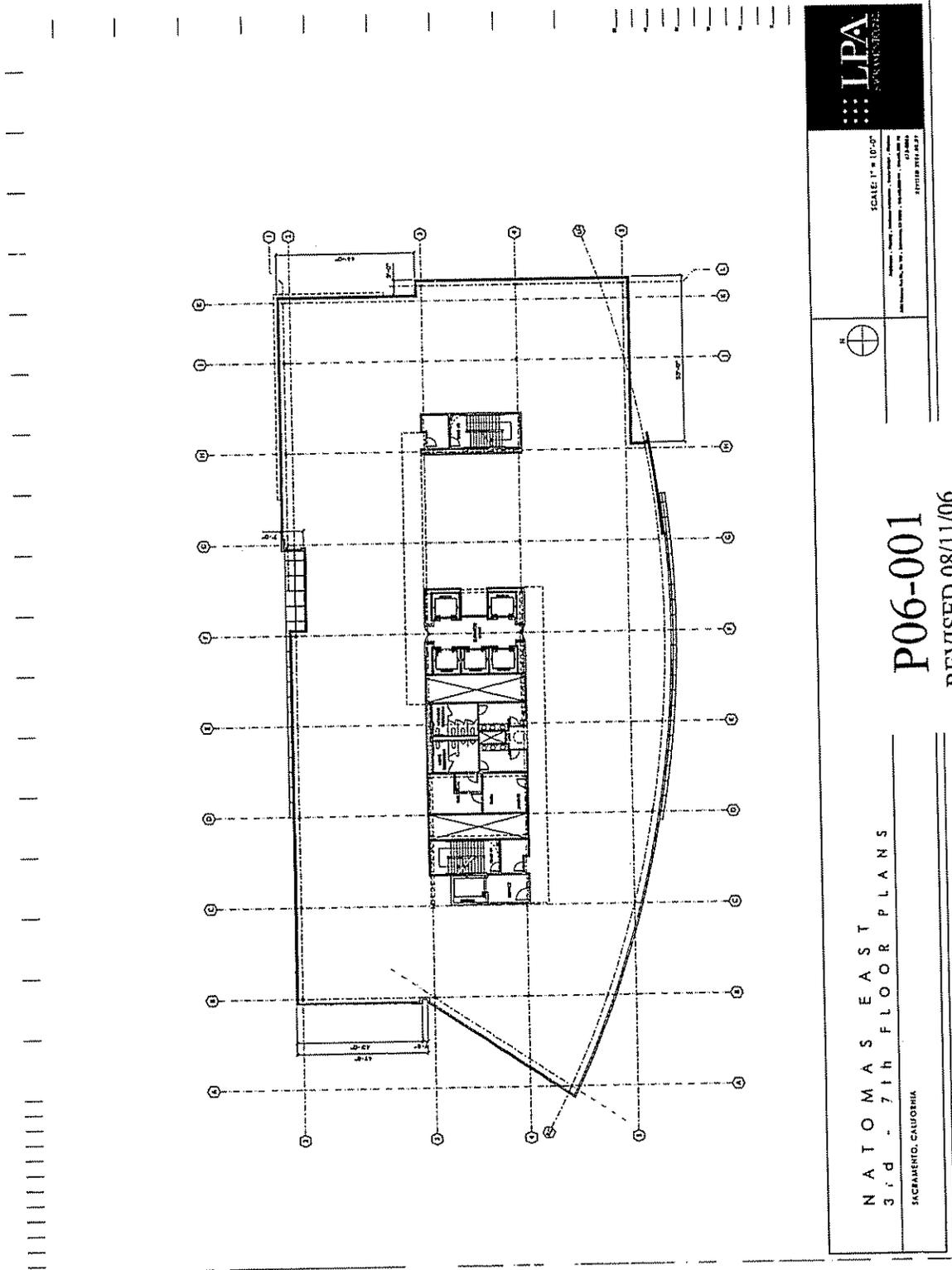


SCALE: 1/8" = 1'-0"	
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PROJECT: Natomas East/Gateway Tower	
DRAWN BY: [Name]	
CHECKED BY: [Name]	
REVISIONS:	
REVISION NO. DATE DESCRIPTION	
1 08/11/06 Initial Design	
2 08/11/06 Revised Design	
3 08/11/06 Final Design	
4 08/11/06 Construction Documents	
5 08/11/06 Construction Documents	
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7 08/11/06 Construction Documents	
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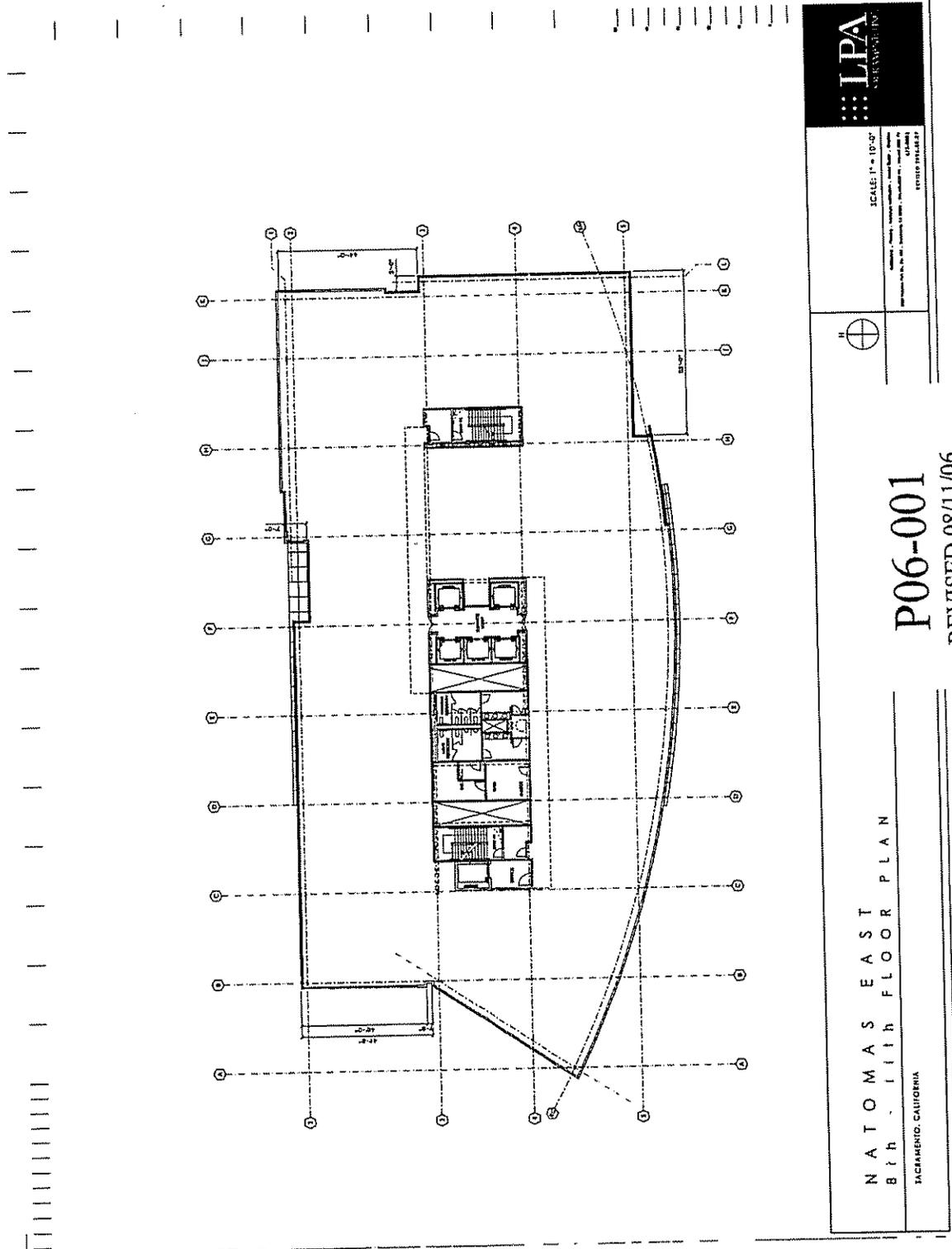
NATOMAS EAST
2ND FLOOR PLAN
SACRAMENTO, CALIFORNIA

P06-001
REVISED 08/11/06

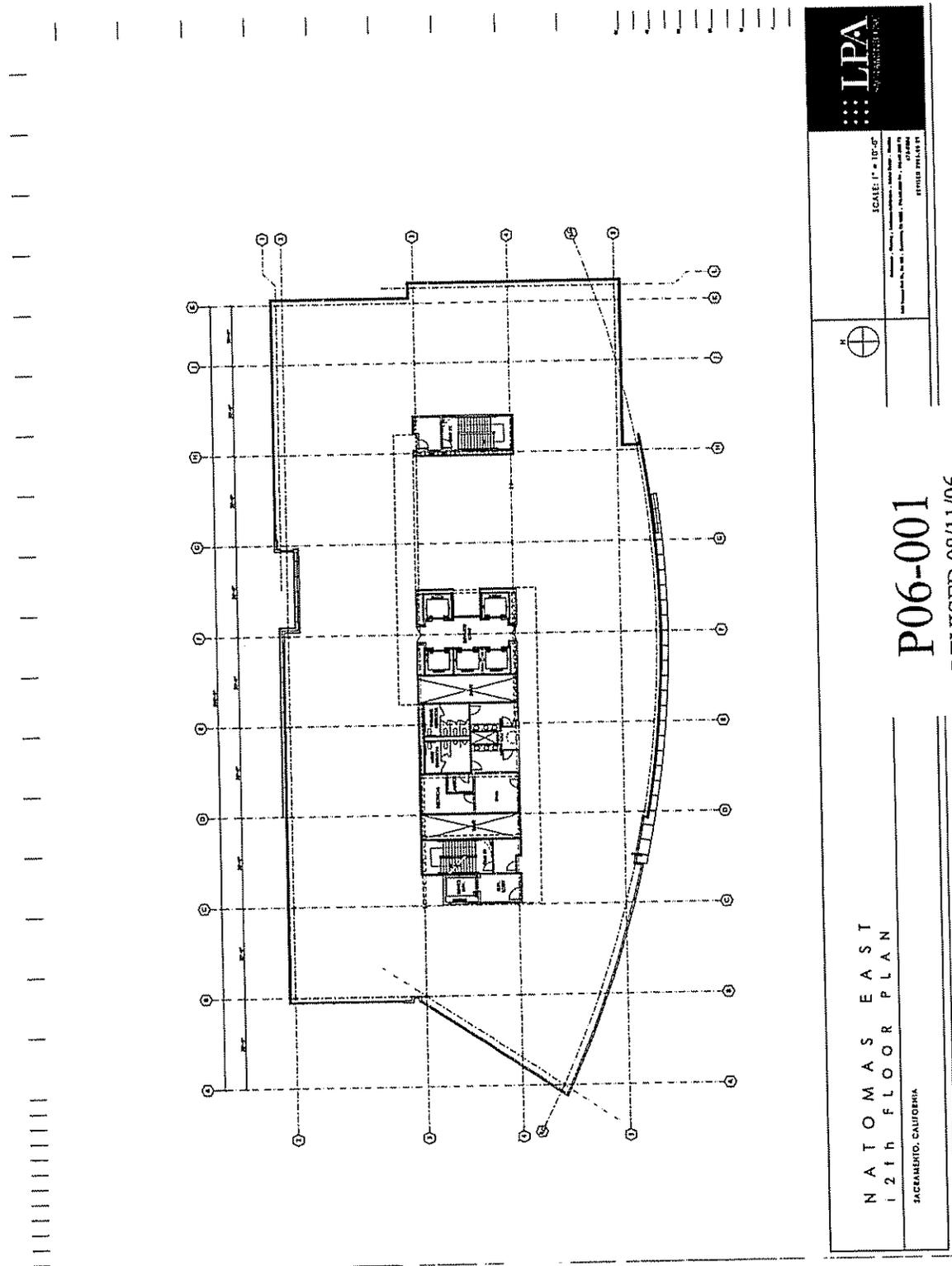
Attachment 9 – Third through Seventh Floor Plan



Attachment 10 – Eighth through Eleventh Floor Plan



Attachment 11 – Twelfth Floor Plan



SCALE: 1" = 10'-0"
PROJECT: Natomas East/Gateway Tower
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 08/11/06

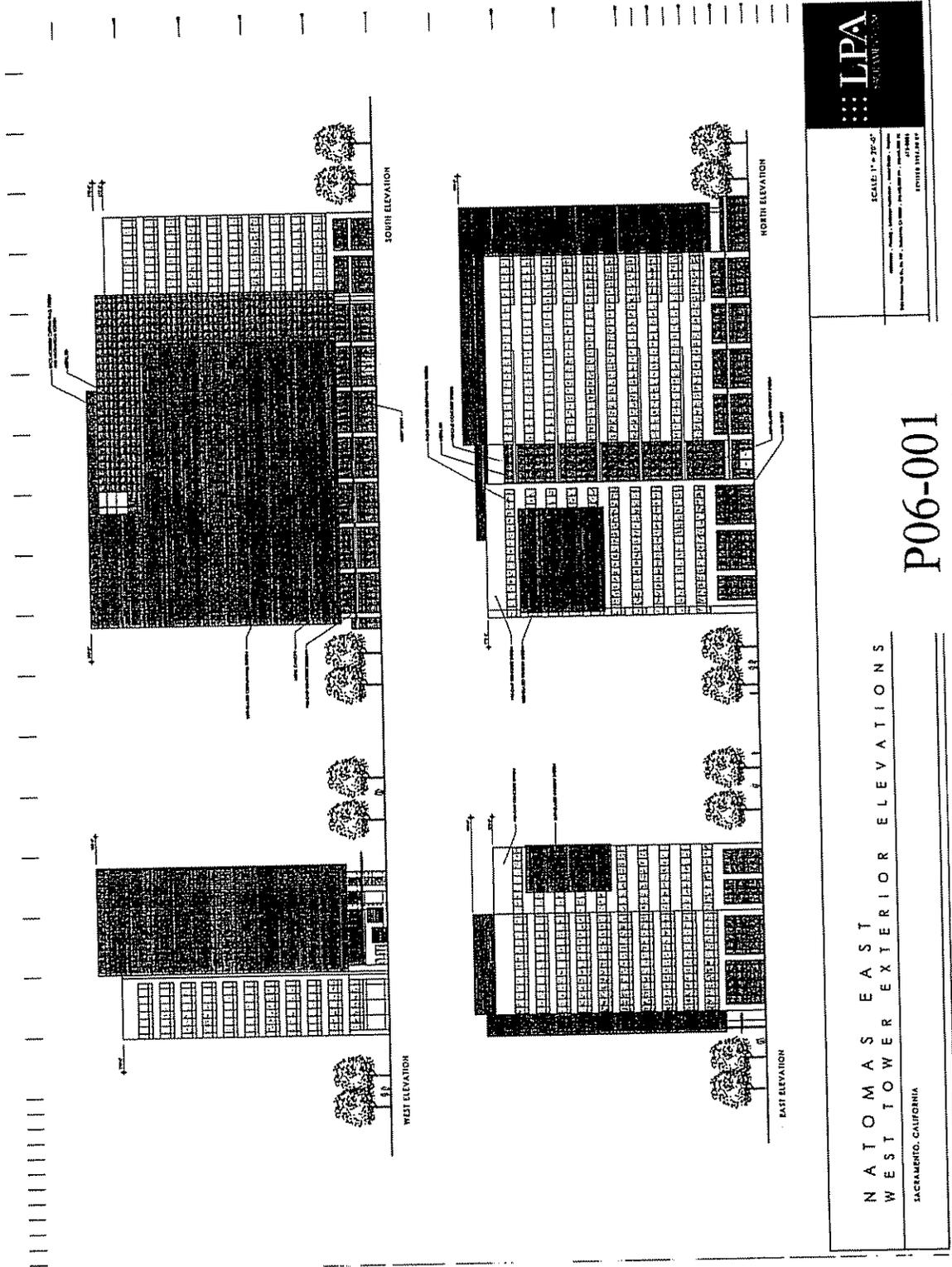


P06-001

REVISED 08/11/06

NATOMAS EAST
12TH FLOOR PLAN
SACRAMENTO, CALIFORNIA

Attachment 12 – Exterior Elevations



Attachment 13 - Mitigation Negative Declaration & Mitigation Monitoring Plan Resolution

RESOLUTION NO. 2006-

Adopted by the Sacramento City Council

APPROVING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR THE NATOMAS EAST/GATEWAY TOWER PROJECT, LOCATED AT 2490 NATOMAS PARK DRIVE IN SOUTH NATOMAS, SACRAMENTO, CALIFORNIA. (P06-001) (APN: 274-0042-035)

BACKGROUND

- A. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an Initial Study on "Natomas East/Gateway Tower, P06-001" ("Project") to determine if the Project may have a significant effect on the environment.
- B. The Initial Study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicants before the proposed Mitigated Negative Declaration and Initial Study were released for public review were determined by the 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 may 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 State's California Environmental Quality Act (CEQA) and the Sacramento Local Environmental Procedures as follows:
 - 1. On August 28, 2006 a Notice of Intent (NOI) to adopt the MND dated August 28, 2006 was circulated for public comment for thirty 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 August 28, 2006, the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento City Clerk.
- C. 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.

- D. 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.
- E. The City Council has final approval authority over the following Project entitlements:
1. South Natomas Community Plan Map Amendment to re-designate 19.1± acres from 17.2± acres of Office/Office Park and 1.9± acres of Support Commercial to 15.1± acres of Office/Office Park and 4.0± acres of Support Commercial
 2. Rezone 19.1± acres from 17.2± acres of Office Building Planned Unit Development (OB-PUD) zone and 1.9± acres of Limited Commercial Planned Unit Development (C-1-PUD) zone to 15.1± acres of Office Planned Unit Development (OB-PUD) zone and 4.0± acres of General Commercial Planned Unit Development (C-2-PUD) zone
 3. PUD Schematic Plan Amendment to the Natomas Corporate Center Planned Unit Development to depict office, support commercial, and a hotel on 19.08± acres
 4. PUD Guidelines Amendment to the Natomas Corporate Center Planned Unit Development to allow the development of a twelve-story office building, support retail, and hotel uses at this location
- F. Pursuant to CEQA 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 record for all matters before the City Council.

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

- Section 1. With respect to the entitlements over which the City Council has final approval authority, the City Council adopts the Mitigated Negative Declaration for the Project.
- Section 2. Pursuant to CEQA Guidelines Section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring

Plan to require all reasonable feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Plan.

Section 3. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to Section 21152(a) of the Public Resources Code and the State Environmental Impact Report (EIR) Guidelines adopted pursuant thereto.

Table of Contents:

Exhibit A Mitigation Monitoring Plan – 10 pages

Exhibit A – Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR:

GATEWAY TOWER (P06-001)

PREPARED BY:

CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES
ROCHELLE HALL
808-5914

TYPE OF ENVIRONMENTAL DOCUMENT:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:

AUGUST 28, 2006

ADOPTED BY:

CITY OF SACRAMENTO
PLANNING COMMISSION

DATE:

ATTEST:

**GATEWAY TOWER (P06-001)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Gateway Tower (P06-001)

Owner/Developer: John S. Kelly
Bannon Investors, Ltd.
3610 American River Drive, Suite 190
Sacramento, CA 95864
Phone: (916) 978-4897

City of Sacramento Contact: Rochelle Hall, Assistant Planner
Environmental Planning Services
Development Services Department
2101 Arena Boulevard, Suite 200
Sacramento, CA 95834
(916) 808-5914

Project Location

The proposed project site is located within the South Natomas Community Plan Area on the south side of Interstate 80. The site is located between Interstate 5 (bounding the site on the west) and Natomas Park Drive (bounding the site on the east), and West El Camino Avenue bounds the site on the north. Capital Oaks Drive bisects the site. The project site is comprised of Assessor's Parcel Number (APN): 274-0042-035.

Project Components

The proposed project consists of entitlements to subdivide the project site into two parcels. One (1) parcel includes construction of one (1) twelve-story 352,866 square foot building, consisting of 331,970 square feet of office and 20,896 square feet of support commercial, and the second parcel includes construction of a 175-room hotel in the future on approximately 19 acres in the previously approved Natomas Corporate Center PUD. Specific entitlements include:

- A. Mitigation Monitoring Program** The Mitigation Monitoring Plan for the Natomas East Project (P03-020) shall be applicable to the current Gateway Towers Project, except where noted in this Initial Study, where new findings may add or subtract from the 2003 Mitigation Monitoring Plan document;

- B. Planned Unit Development (PUD) Guidelines Amendment** to the Natomas Corporate Center PUD Guidelines to increase the allowable height limit from ten (10) stories to twelve (12) stories;
- C. Planned Unit Development Schematic Plan Amendment** to the Natomas Corporate Center PUD to construct 331,970 square feet of office, 20,896 square feet of support commercial, and a proposed hotel site on approximately 19 acres;
- D. Rezone** of approximately 19 acres from 17.21 acres of Office Building Planned Unit Development (OB-PUD) zone and 1.86 acres of Limited Commercial Planned Unit Development (C-1-PUD) zone to 15.1 acres of Office Building Planned Unit Development (OB-PUD) zone and 3.97 acres of General Commercial Planned Unit Development (C-2-PUD) zone;
- E. South Natomas Community Plan Amendment** to re-designate approximately 19 acres from 17.21 acres of Office and Office Park and 1.86 acres of Support Commercial to 15.41 acres of Office and Office Park and 3.97 acres of Support Commercial;
- F. Special Permit** to allow the development of one (1) twelve-story 352,866 square-foot office building, consisting of 331,970 square feet of office and 20,896 square feet of support commercial, on approximately 15 acres in the Office Planned Unit Development (OB-PUD) and the proposed General Commercial Planned Unit Development (C-2 –PUD) zones; and
- G. Tentative Map** to subdivide approximately 19 acres into two parcels.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for biological resources and transportation. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. In addition, this MMP includes applicable mitigation measures from the 2003 Natomas East Initial Study/Mitigated Negative Declaration (IS/MND), including mitigation for air quality and cultural resources and are enacted as part of this project to reduce significant impacts. They are included in this MMP as a method of tracking their compliance. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

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

**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

VERIFICATION OF COMPLIANCE		
MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING RESPONSIBILITY
VERIFICATION OF COMPLIANCE		
COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>Biological Resources:</p> <p>BR-1: All project related activity must comply with the provisions of Sacramento City Codes Chapter 12.56, City Street Trees, and 12.64, Heritage Trees.</p> <p>BR-2: Avoid destruction of oak trees by re-designing parking lots around existing tree stands by creation of tree islands.</p> <p>BR-3: Any pruning required for equipment clearance or other construction activities shall be carried out or supervised by a certified arborist. If trenching activities sever roots, all roots shall be cut clean. Any roots greater than 2-inches in diameter require an inspection by an ISA certified arborist prior to severing. Any tree roots to be severed shall be the maximum feasible distance from the trunk. Any roots over one-inch in diameter that are damaged as a result of construction activities shall be traced back and cleanly cut behind any split, cracked, or damaged area. If the project arborist determines that</p>	<p>Applicant</p>	<p>City Planning & Building Department & Department of Fish & Game, and U.S. Fish & Wildlife Service</p>
<p>Submittal of construction plans with mitigation measures identified. Implementation of mitigation measures prior, during, and after construction</p>	<p>Mitigation measures shall be completed prior to the issuance of a Notice to Proceed</p>	

**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

<p>excavation and/or root severing has weakened the tree or surrounding soil, a safety evaluation will be performed. If the tree is deemed to be unsafe due to possible soil failure and felling of the tree, the tree may need to be removed. Steel bracing will be used in trenches to protect workers and equipment from soil failure.</p> <p>BR-4: All trees that are not permitted to be removed shall be protected by installing a construction fence around the drip line, and no construction activities allowed to take place inside the perimeter. If activities must occur under the drip lines of trees, at least 12 inches of mulching will be temporarily installed to protect tree roots from compaction. The contractor shall be held liable for any damage to existing trees not permitted for removal. The contractor will hire a certified arborist to do the appraisal, submit a report for review by the City Arborist, and mitigate for damages.</p>					
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**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

<p>Transportation/Circulation: T-1: For the Natomas Park Drive / Garden Highway intersection: The project sponsor shall pay the City of Sacramento to prepare a signal timing plan to adjust the AM peak-hour traffic phase timing on the southbound, eastbound and westbound approach left turn and through movements to match project traffic demands.</p>	<p>Applicant</p>	<p>City Development Services Department - Development Engineering</p>	<p>Submittal of construction plans with mitigation measures identified</p>	<p>Mitigation measures shall be completed prior to issuance of Certificate of Occupancy of a building</p>	
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**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

The following section contains mitigation measures from the 2003 Natomas East IS/MND, and are applicable to the proposed project.

MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING RESPONSIBILITY	VERIFICATION OF COMPLIANCE		
			COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>Air Quality:</p> <p>AQ-1: The project developer shall enclose, cover or water twice daily all soil piles during construction of the project.</p> <p>AQ-2: The project developer shall water exposed soil with adequate frequency to keep soil moist at all times during construction of the project.</p> <p>AQ-3: The project developer shall water all haul roads twice daily during construction of the project.</p> <p>AQ-4: The project developer shall cover the load of all haul/dump trucks securely during construction of the project.</p>	Developer/Contractor	City Planning & Building Department & SMAQMD	Note shall be included on all construction plans and documents	<p>Prior to issuance of any Notice to Proceed, the mitigation measures shall be verified on grading plans.</p> <p>Measures shall be implemented in field during construction</p>	

**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

<p>Biological Resources:</p> <p>BR-1: Projects within one mile of an active nest tree shall provide:</p> <ul style="list-style-type: none"> • One acre of Habitat Management (HM) land (at least 10% of the land requirements shall be met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90% of the HM lands protected by a conservation easement that is acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk, for each acre of development authorized (1:1 ratio); or • One-half acre of HM land (all of the HM land requirements shall be met by fee title acquisition or a conservation easement that is acceptable to the Department) which allows for the active management of the habitat for prey production on the HM lands, for each acre of development authorized (0.5:1 ratio). 	<p style="text-align: center;">Applicant</p>	<p style="text-align: center;">City Planning & Building Department & Department of Fish & Game, and U.S. Fish & Wildlife Service</p>	<p>Submittal of construction plans with mitigation measures identified. Implementation of mitigation measures prior, during, and after construction</p>	<p>Mitigation measures shall be completed prior to the issuance of a Notice to Proceed</p>	
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GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN

<p>Projects within 5 miles of an active nest tree greater than one mile from the nest tree:</p> <ul style="list-style-type: none"> • 0.75 acres of HM land for each acre of urban development authorized (0.75:1 ratio) shall be provided. All HM lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk. <p>Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree:</p> <ul style="list-style-type: none"> • 0.5 acres of HM land for each acre of urban development authorized (0.5:1 ratio) shall be provided. All HM lands protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk; <p style="text-align: center;">or</p>					
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**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

<p>BR-2: The developer shall pay into a fee program established jointly by the City of Sacramento and the CDFG, if available;</p> <p style="text-align: center;">or</p> <p>BR-3: The applicant shall satisfy any other mitigation measures that the CDFG develops and deems appropriate.</p> <p>BR-4: If construction activities are to occur during February through September, pre-construction surveys for nesting, and other raptor species should be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, the CDFG should be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing, or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.</p>					
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**GATEWAY TOWERS (P06-001)
MITIGATION MONITORING PLAN**

<p>Cultural Resources:</p> <p>CR-1: If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p> <p>CR-2: If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited, pursuant to CEQA Section 15064.5, the State Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and 5097.98.</p>	<p style="text-align: center;">Applicant</p>	<p>City of Sacramento— DSD Native American Heritage Commission</p>	<p>Measures shall be included on all grading plans</p>	<p>Measures shall be implemented during construction activities, as specified.</p>	
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Attachment 14 – Resolution - South Natomas Community Plan Map Amendment

RESOLUTION NO. 2006-

Adopted by the Sacramento City Council

**AMENDING THE SOUTH NATOMAS COMMUNITY PLAN LAND USE MAP TO RE-DESIGNATE 17.2± ACRES OF OFFICE/OFFICE PARK AND 1.9± ACRES OF SUPPORT COMMERCIAL TO 15.1± ACRES OF OFFICE/OFFICE PARK AND 4.0± ACRES OF SUPPORT COMMERCIAL, FOR THE PROPERTY LOCATED AT 2490 NATOMAS PARK DRIVE IN SOUTH NATOMAS, SACRAMENTO, CALIFORNIA.
(P06-001) (APN: 274-0042-035)**

BACKGROUND

The City Council conducted a public hearing on November 9, 2006 concerning the South Natomas land use map, and, based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds:

- A. The proposed plan amendment is compatible with the surrounding uses;
- B. The subject site is suitable for office, support commercial, and hotel uses; and
- C. The proposal is consistent with the policies of the General Plan and the South Natomas Community Plan which promote quality design standards and themes in office parks, promote standards for office development adjacent to the freeway, and provide appropriate commercial services for office/business parks.

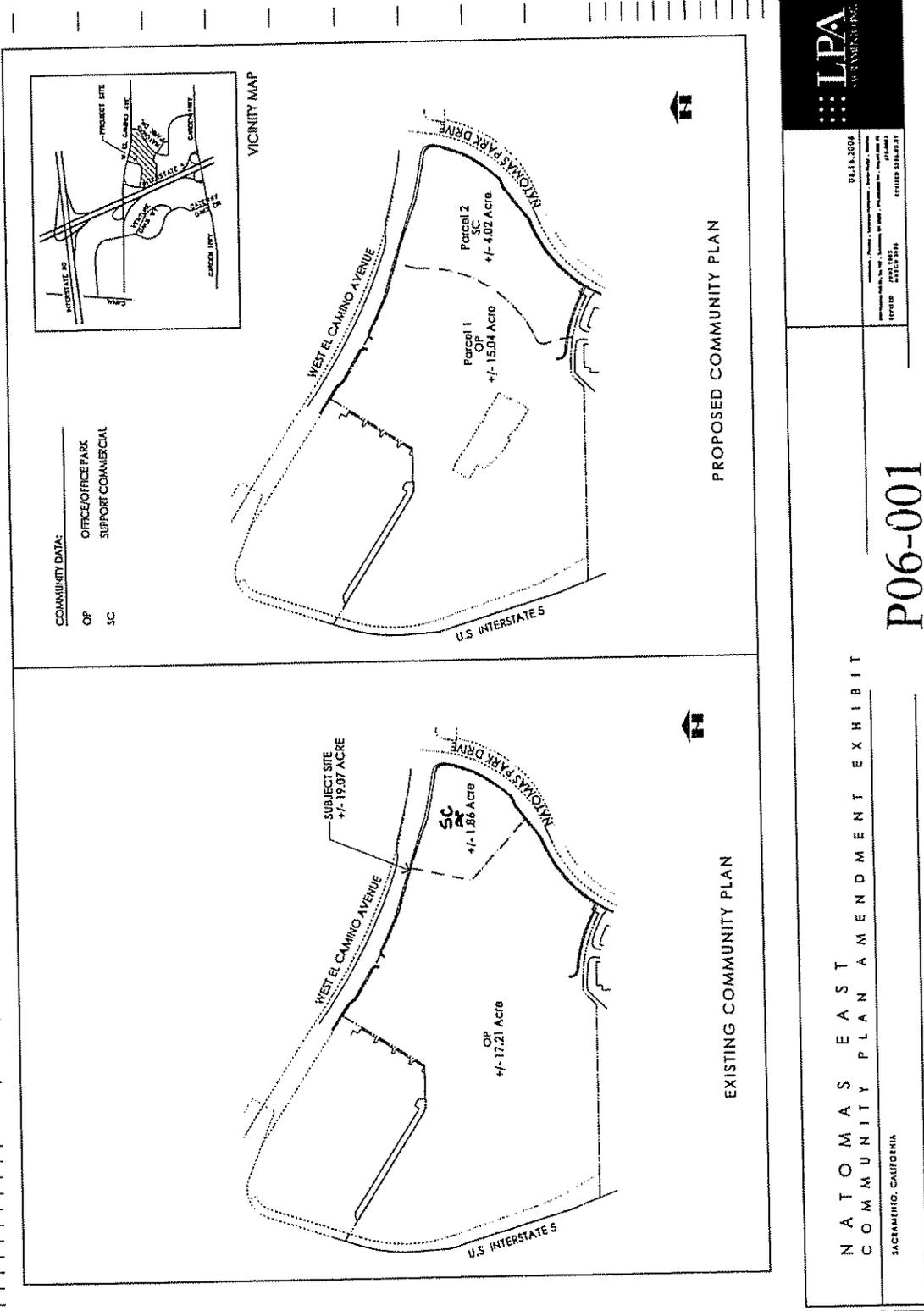
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council adopts the South Natomas Community Plan Map Amendment for the property, as described on the attached Exhibit A, in the City of Sacramento which is hereby re-designated on the South Natomas Community Plan land use map from 17.2± acres of Office/Office Park and 1.9± acres of Support Commercial to 15.1± acres of Office/Office Park and 4.0± acres of Support Commercial (APN: 274-0042-035)

Table of Contents:

Exhibit A - South Natomas Community Plan Map Amendment - 1 page

Exhibit A – South Natomas Community Plan Map Amendment



Attachment 15 – Resolution – PUD Schematic Plan and Guidelines Amendment

RESOLUTION NO. 2006-

Adopted by the Sacramento City Council

AMENDING THE NATOMAS CORPORATE CENTER PLANNED UNIT DEVELOPMENT SCHEMATIC PLAN AND GUIDELINES, LOCATED SOUTHWEST OF THE INTERSECTION OF WEST EL CAMINO AVENUE AND NATOMAS PARK DRIVE IN SOUTH NATOMAS, SACRAMENTO, CALIFORNIA (P06-001) (APN: 274-0042-035)

BACKGROUND

- A. The Planning Commission conducted a public hearing on September 27, 2006, and the City Council conducted a public hearing on November 14, 2006 concerning the above plan amendments, and, based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:
1. The PUD Schematic Plan and Guidelines Amendments conform to the General Plan and South Natomas Community Plan; and
 2. The PUD Schematic Plan and Guidelines Amendments meet the purposes and criteria stated in the City Zoning Ordinance in that the PUD assures that new development is healthy and of long-lasting benefit to the community and the City; and
 3. The PUD Schematic Plan and Guidelines Amendments will not be injurious to the public welfare, nor to other property in the vicinity of the development, and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures that development will be well-designed, and that the office, hotel, and support retail uses will not create a negative impact on adjacent uses.

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

- Section 1. The City Council of the City of Sacramento, in accordance with the City Code, Chapter 17, that the Natomas Corporate Center Planned Unit Development Guidelines and Schematic Plan Amendments (as shown on the attached Exhibits A and B) are hereby adopted.

Table of Contents:

- Exhibit A - Natomas Corporate Center PUD Schematic Plan Amendment
Exhibit B - Natomas Corporate Center PUD Guidelines Amendment

Exhibit B – Natomas Corporate Center PUD Guidelines Amendment

(underlined text to be added)
(~~strike through text to be deleted~~)

V. BUILDING STANDARDS

D. Building Height

The following is the maximum building height.

1. Office and Support Commercial Uses – 65 feet, except for buildings A, B, C, and D as marked on the Schematic Plan which shall have a maximum building height of 85 feet (6 stories), and buildings E & F which shall have a maximum building height of ~~440 feet~~ 186 feet (10 stories) (12 stories).

If a mechanical penthouse is provided, an additional 10 feet shall be permitted.

Non-residential structures in the office building zone located within fifty feet of the Bannon Slough Parkway and any residential units shall not exceed two stories (thirty-five feet) in height.

ORDINANCE NO. 2006-

Adopted by the Sacramento City Council

AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE, TITLE 17 OF THE CITY CODE, BY REMOVING 17.2± ACRES OF OFFICE PLANNED UNIT DEVELOPMENT (OB-PUD) ZONE AND 1.9± ACRES OF LIMITED COMMERCIAL PLANNED UNIT DEVELOPMENT (C-1-PUD) ZONE AND PLACING 15.1± ACRES IN THE OFFICE PLANNED UNIT DEVELOPMENT (OB-PUD) ZONE AND 4.0± ACRES IN THE GENERAL COMMERCIAL PLANNED UNIT DEVELOPMENT (C-2-PUD) ZONE, FOR THE PROPERTY LOCATED AT 2490 NATOMAS PARK DRIVE IN SOUTH NATOMAS, SACRAMENTO, CALIFORNIA (P06-001) (APN: 274-0042-035)

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

SECTION 1

The property generally described, known and referred to as APN: 274-0042-035, which is shown on attached Exhibit A, consists of 19.1± acres and is currently in the Office Planned Unit Development (OB-PUD) and Limited Commercial Planned Unit Development (C-1-PUD) zones established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said territory is hereby removed from the OB-PUD and C-1-PUD zones and placed in the OB-PUD and C-2-PUD zones.

SECTION 2

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

SECTION 3

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

Table of Contents:

Exhibit A - Rezone Map – 1 page

