



REPORT TO COUNCIL

City of Sacramento

9

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

Consent
January 30, 2007

Honorable Mayor and
Members of the City Council

Title: The Gateway at Stonehenge (P06-011)

Location/Council District: 1737 Kathleen Avenue, Sacramento, CA; Council District 3

Recommendation: 1) Review a **Resolution** approving the Mitigated Negative Declaration and Mitigation Monitoring Program; 2) Review a **Resolution** adopting the North Sacramento Community Plan Land Use Map amendment; 3) Review an **Ordinance** amending the Comprehensive Zoning Ordinance (Title 17 of the Sacramento City Code) to rezone a property from the M-1 zone to the R-2A zone; and 4) Pass for Publication the **Ordinance** title as required by Sacramento City Charter 32c and continue to February 6, 2007 for adoption.

Contact: David Hung, Associate Planner, (916) 808-5530; Gregory Bitter, Principal Planner, (916) 808-7816

Presenters: Not Applicable

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: This is a request to subdivide one 0.69± net acre parcel into ten parcels and construct nine two-story townhouse units and one common lot. The applicant is requesting an amendment to the North Sacramento Community Plan designation from Industrial to Residential (11-21 du/na) and a rezone from the M-1 (Light Industrial) zone to the Multi-Family (R-2A) zone.

Policy Considerations:

General Plan: The General Plan designates the subject parcel as Heavy Commercial or Warehouse. The proposed residential project on a 0.69± net acre site will not require a General Plan Amendment since Section 9-16 of the General Plan allows the specific land use map (in this case the North Sacramento Community Plan) to take precedence over the General Plan designation for land uses below five acres in size.

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. This proposed infill development will provide single-family dwellings which foster a walkable community and easy access to public transit.

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

Committee/Commission Action: On December 14, 2006, the Planning Commission approved (seven ayes and one absent) the entitlements to develop The Gateway at Stonehenge project. Previously, the Design Review and Preservation Board approved the design review application (DR06-014) for the same project on November 15, 2006.

Environmental Considerations: The Environmental Services Manager initially determined that the Project could have a significant impact on the environment. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. Therefore, a Mitigated Negative Declaration has been prepared. These mitigation measures address Noise and Cultural Resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Attachment 4, Exhibit A).

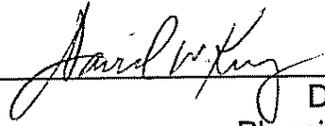
The Mitigated Negative Declaration was available for public review during the period of Saturday, October 7, 2006 through Friday, October 27, 2006. One comment letter in response to the Mitigated Negative Declaration was received from Sacramento Metropolitan Air Quality Management District (SMAQMD) requesting that the Urban Emissions Model (URBEMIS) report be included with the MND for SMAQMD review.

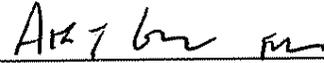
On December 1, 2006, revisions were made to the Mitigated Negative Declaration in the Project Description to change the Rezone from R-2B to R-2A. This revision is also reflected throughout the environmental document. The revision does not identify or create any new potential impacts. Pursuant to CEQA Guidelines Section 15073.5(c)(4) the revisions made on December 1, 2006 do not require recirculation of the Initial Study/Mitigated Negative Declaration.

Rationale for Recommendation: The project is consistent with the objectives of the General Plan and the North Sacramento Community Plan.

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:

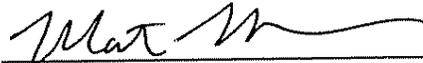

Ray Kerridge
City Manager

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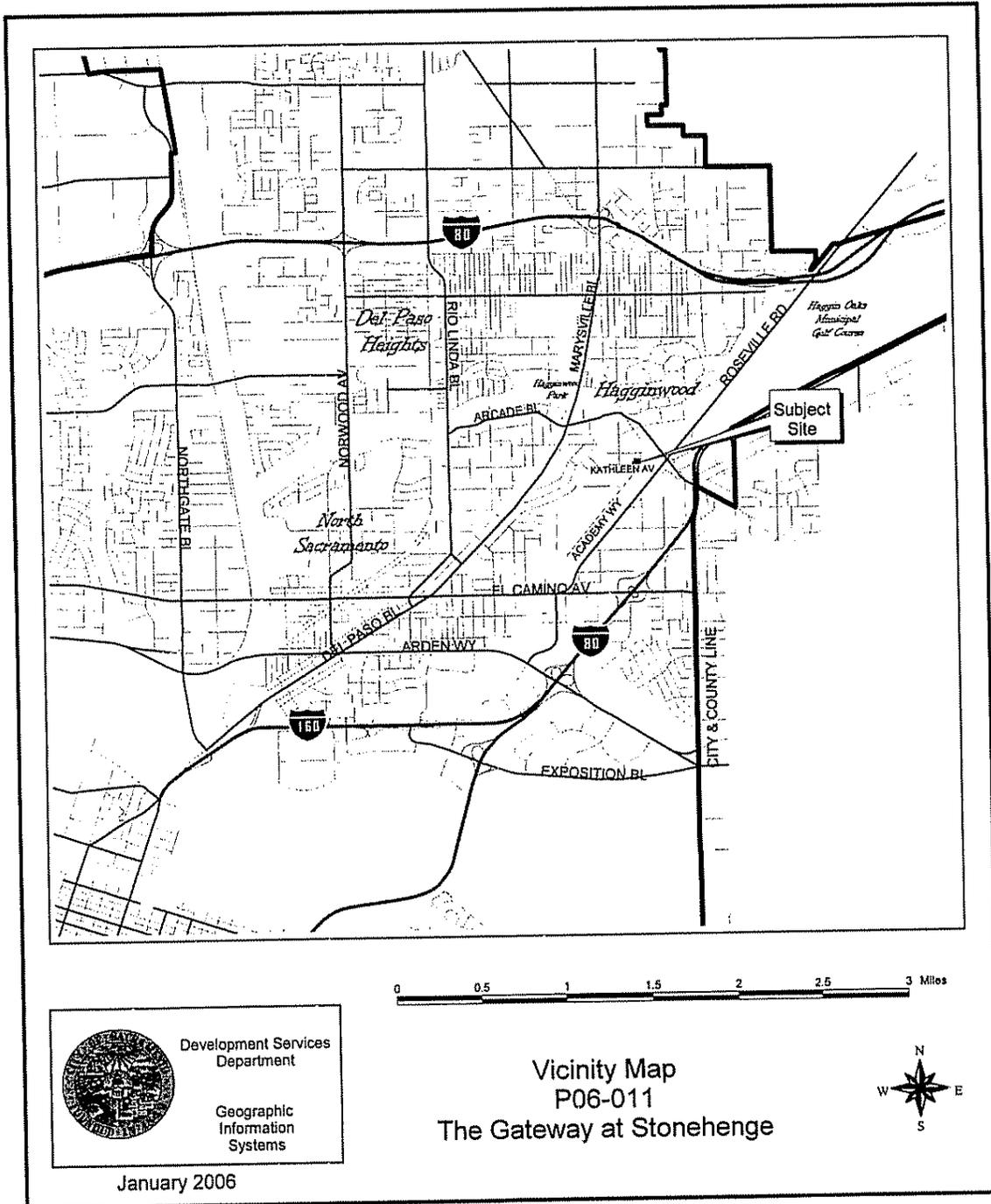
Attachment 1: Background

Background Information: The subject site is currently vacant and is across the street from the Marconi/Arcade light rail station and parking lot to the east and the former Airgas plant to the south. At the time of the writing of this report, the Airgas site is being closed down and decommissioned. The proposed site is subject to the City's Light Rail Station Ordinance since it is within a quarter-mile radius of a light rail station; certain uses within this radius require special permit approval by the City. In 2003, four smaller parcels were merged to form one parcel (Z03-364). In 2005, the property owner applied for entitlements to construct a building to be partially used for an auto body shop (P05-049); however, due to strong neighborhood opposition and conflict with the City's Light Rail Ordinance, the applicant withdrew application P05-049 and opted to apply for entitlements to develop nine (9) two-story townhouse units and one common lot.

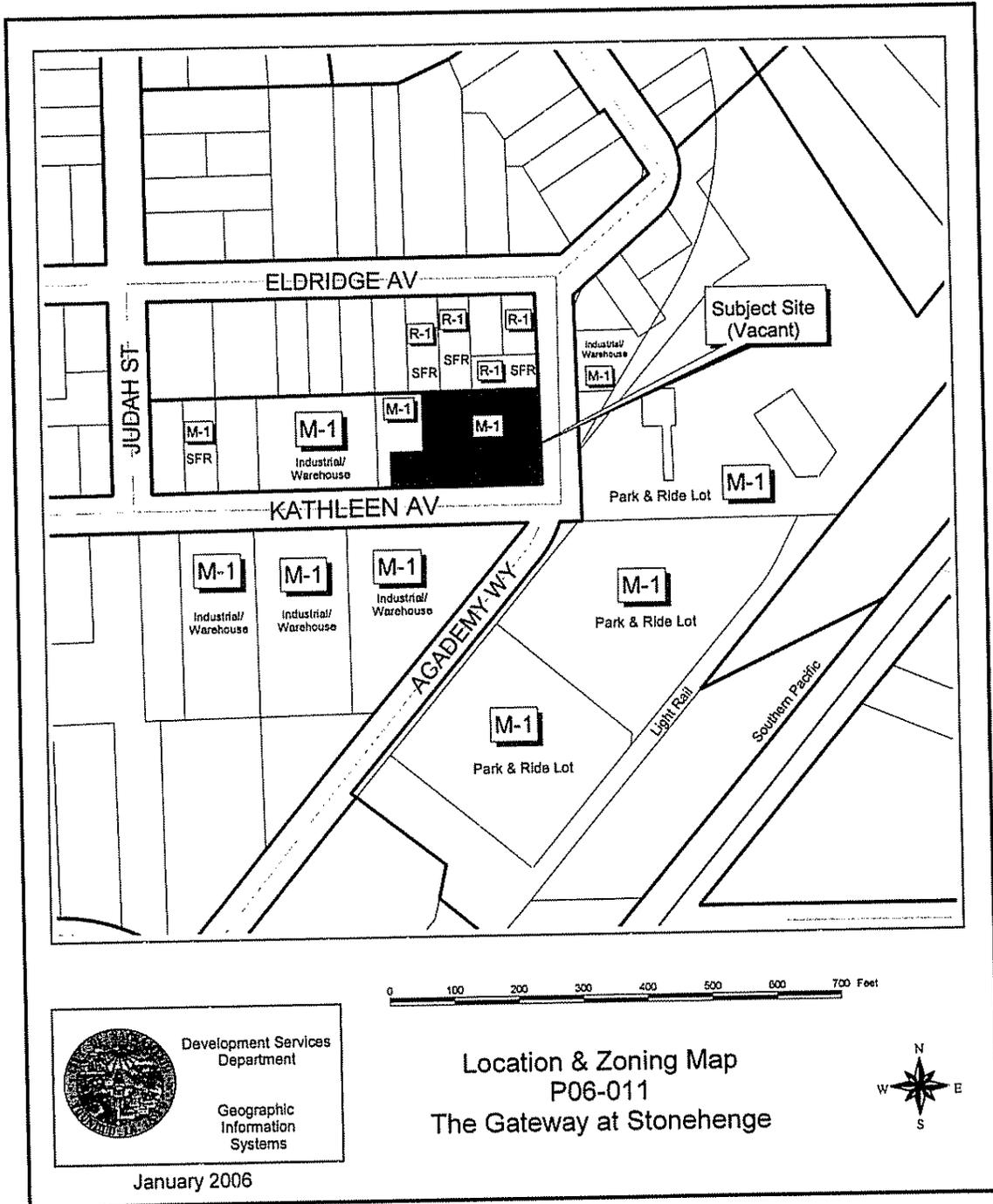
A public hearing for the project has been noticed by publication and mail for February 6, 2007 pursuant to Sacramento City Code sections 17.204.020(B) and 17.208.020(C).

Public/Neighborhood Outreach and Comments: The proposal was routed to such associations as the Hagginwood Community Association, the North Hagginwood Neighborhood Alliance, and the Ben Ali Community Association. The project was also reviewed by the North Sacramento Redevelopment Advisory Committee (RAC) Design Review Subcommittee on March 31, 2006. Staff received comments from the Hagginwood Community Association and the Ben Ali Community Association and certain issues were addressed and then incorporated into the project, which was then approved by the Design Review and Preservation Board and the Planning Commission.

Attachment 2: Vicinity Map



Attachment 3: Land Use & Zoning Map



Attachment 4: Resolution to consider the Mitigated Negative Declaration and Mitigation Monitoring Plan

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE GATEWAY AT STONEHENGE (P06-011), LOCATED AT 1737 KATHLEEN AVENUE. (APN: 265-0373-028) (P06-011)

BACKGROUND

- A. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an Initial Study on Gateway at Stonehenge (P06-011) ("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 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 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 California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:
 - 1. On October 6, 2006 a Notice of Intent (NOI) to Adopt the MND dated October 5, 2006 was circulated for public comments for 20 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.
 - 2. On October 6, 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 County Clerk.
 - 3. On December 1, 2006, revisions were made to the Mitigated Negative Declaration, including the Initial Study based on the revision of the project description. The revisions were made pursuant to CEQA Guidelines

Section 15073.5 (c)(4) and do not require recirculation.

- 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. 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 records for all matters before the City Council.

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

- Section 1. 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 2. The City Council adopts the MND for the Project.
- Section 3. 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 Plan 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 Plan.
- Section 4. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination (NOD) 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.

Table of Contents:

Exhibit A – Mitigation Monitoring Plan

**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 Blvd., Ste. 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Gateway at Stonehenge (P06-011)

Owner/Developer/Applicant: Russ Hungate
Expo Enterprises
1133 Blumenfeld Drive
Sacramento, CA 95815
Phone: (916) 821-5940

City of Sacramento Contact: Rochelle Hall, Assistant Planner
Environmental Planning Services
Development Services Dept
2101 Arena Blvd., Ste. 200
Sacramento, CA 95834
(916) 808-5914

Project Location

The proposed project site is located south and west of Business 80. The site is bounded on the east by Academy Way, an industrial warehouse, a park and ride lot, the light rail, Southern Pacific Railroad, Roseville Road and finally Business 80. Kathleen Avenue followed by El Camino Avenue bounds the project site to the south. Sacramento Municipal Utility District (SMUD), industrial warehouse, Judah Street, and Del Paso Boulevard are located to the west of the site. To the north of the project site are existing Single Family residential dwelling units (R-1), Eldridge Avenue, and Marconi Boulevard. The project site is located on Assessor's Parcel Number (APN) 265-0373-028, and addressed 1737 Kathleen Avenue.

Project Components

The proposed project consists of entitlements to construct nine (9) two-story townhouse units and one (1) common lot in the proposed Multiple Family (R2-BA) zone in the North Sacramento Community Plan Area. Specific entitlements include:

- A. **North Sacramento Community Plan Amendment** to re-designate 0.69 acre from Industrial to Residential (11-21 du/da);
- B. **Rezone** 0.69 acres from Light Industrial (M-1) to Multiple Family (R-2BA) zone;
- C. **Tentative Parcel Map** to subdivide 0.69 acres to nine (9) townhouse parcels and one (1) common parcel in the proposed Multiple Family (R-2BA) zone; and
- D. **Special Permit** to allow the development of an alternative housing type, nine townhouses and one common lot, within the proposed Multiple Family (R-2BA) zone;

SECTION 2: GENERAL INFORMATION

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

The mitigation measures have been taken 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 AT STONEHENGE (P06-011)
MITIGATION MONITORING PLAN**

		VERIFICATION OF COMPLIANCE			
MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p>Cultural Resources: CR-1a In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the</p>	Applicant	City of Sacramento— DSD Native American Heritage Commission	Measures shall be included on all grading plans	Measures shall be implemented during construction activities, as specified.	

**GATEWAY AT STONEHENGE (P06-011)
MITIGATION MONITORING PLAN**

<p>qualified archeologist according to current professional standards.</p> <p>CR-1b If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p>					
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**GATEWAY AT STONEHENGE (P06-011)
MITIGATION MONITORING PLAN**

<p>CR-2 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>					
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**GATEWAY AT STONEHENGE (P06-011)
MITIGATION MONITORING PLAN**

<p>Noise: N-1: Construction of a 6-foot high noise barrier along the east side of the Lot 4 backyard/patio. This barrier should be of solid construction, such as masonry or stucco, with no gaps or holes that would compromise its noise-insulation performance. The barrier should connect directly to the northeast corner of the Lot 4 home or be a continuation of the east wall. It is expected that this barrier would provide the additional acoustical shielding required for compliance with the City's 60 dB Ldn criterion.</p>	<p>Applicant</p>	<p>City of Sacramento -- Department of Development Services</p>	<p>Construction plans shall incorporate the applicable noise attenuation measure and be approved by the Building Division. The Building Division shall require full compliance and completion of the specified noise attenuation measure.</p>	<p>Prior to issuance of any Final Building Permits, Certificate of Occupancy,</p>	
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Attachment 5: Resolution to approve Community Plan Amendment

RESOLUTION NO.

Adopted by the Sacramento City Council

**AMENDING THE NORTH SACRAMENTO COMMUNITY PLAN LAND USE
MAP FOR 0.69± ACRE OF INDUSTRIAL TO 0.69± ACRE OF RESIDENTIAL
(11-21 DU/AC) FOR THE PROPERTY LOCATED AT 1737 KATHLEEN
AVENUE (APN: 265-0373-028) (P06-011)**

BACKGROUND

The City Council conducted a public hearing on February 6, 2007 concerning the North Sacramento land use map, and based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds:

- A. The proposed land use amendment is consistent with the conversion of this site to Residential (11-21 du/ac) to implement the goals and policies of the North Sacramento Community Plan to provide adequate housing opportunities to attract new residents;
- B. The proposed plan amendment is compatible with the surrounding uses; and
- C. The proposal is consistent with the Community Plan goal to accommodate the growth projected for North Sacramento by the City General Plan in an orderly and efficient manner, one which enhances the existing attractive features of the community.

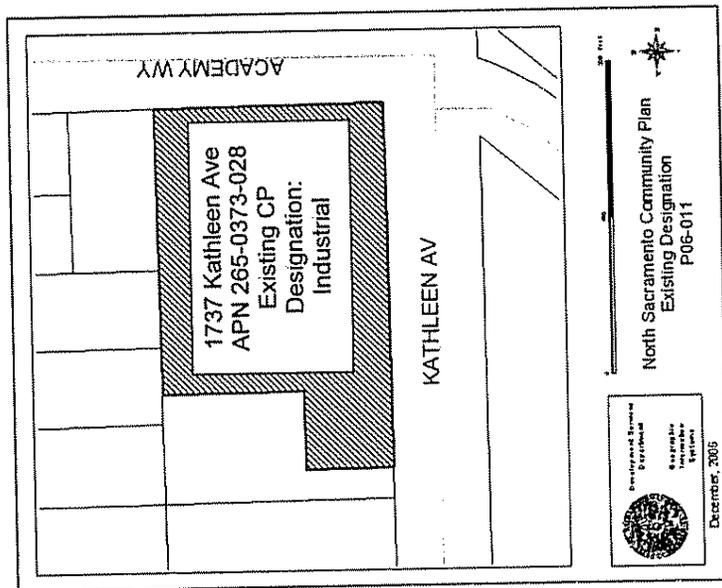
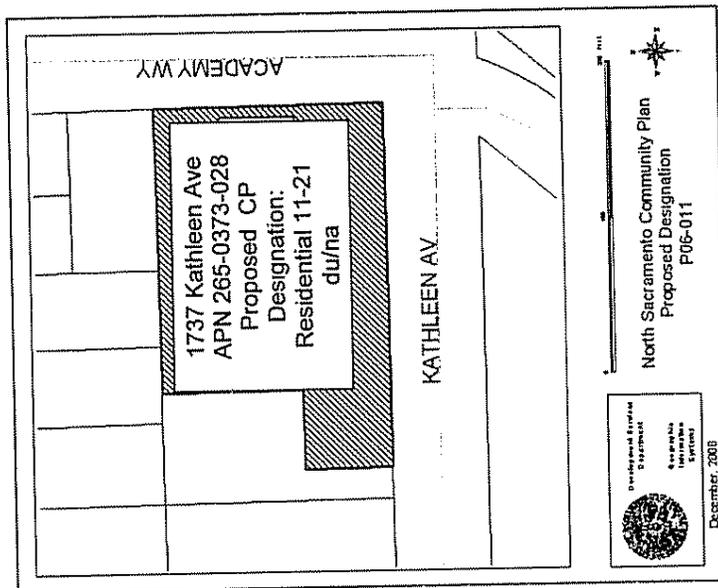
**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The property (APN: 265-0373-028), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the North Sacramento land use map as Residential (11-21 du/ac).

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Exhibit A: Community Plan Amendment – 1 page

Exhibit A: Community Plan Amendment Exhibit



ORDINANCE NO.

Adopted by the Sacramento City Council

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE TITLE 17 OF THE SACRAMENTO CITY CODE, BY REZONING 0.69± ACRE OF LIGHT INDUSTRIAL (M-1) ZONE TO 0.69± ACRE MULTI-FAMILY (R-2A) ZONE, FOR THE PROPERTY LOCATED AT 1737 KATHLEEN AVENUE (APN: 265-0373-028) (P06-011)

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

SECTION 1

The property generally described, known and referred to as The Gateway at Stonehenge (APN: 265-0373-028) which is shown on Exhibit A, consists of 0.69± acre currently in the Light Industrial (M-1) zone established by the Comprehensive Zoning Ordinance (Title 17 of the City Code). Said property, totaling 0.69± acre, is hereby removed from the M-1 zone and placed in 0.69± acre of Multi-Family (R-2A) zone.

SECTION 2

Rezoning of the property described in the attached Exhibit A by the adoption of this Ordinance shall be deemed to be in compliance with the procedures for the rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as said procedures have been affected by recent court decisions.

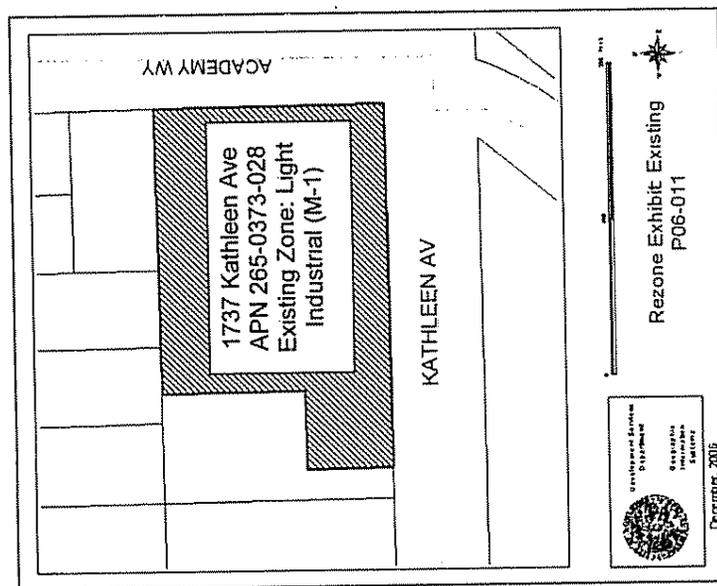
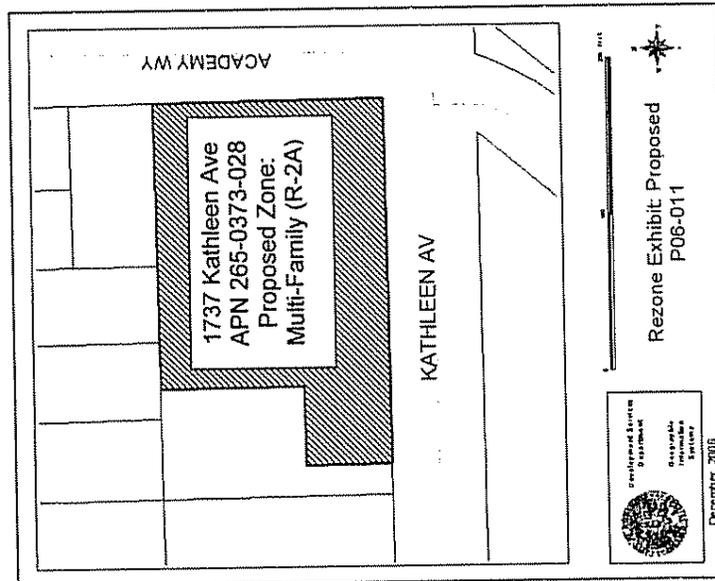
SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning map, which is a part of said Comprehensive Zoning Ordinance, Title 17 of the City Code, to conform to the provisions of this Ordinance.

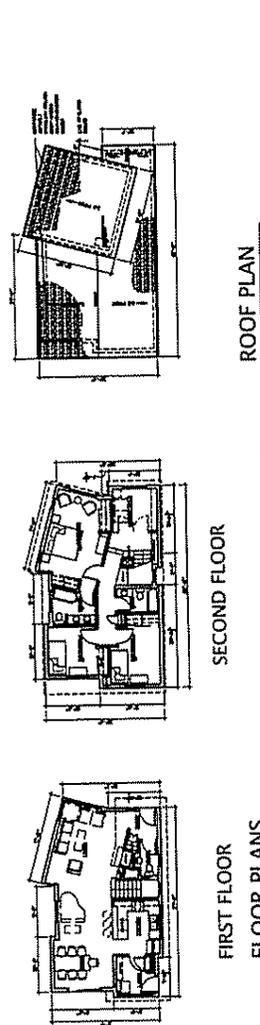
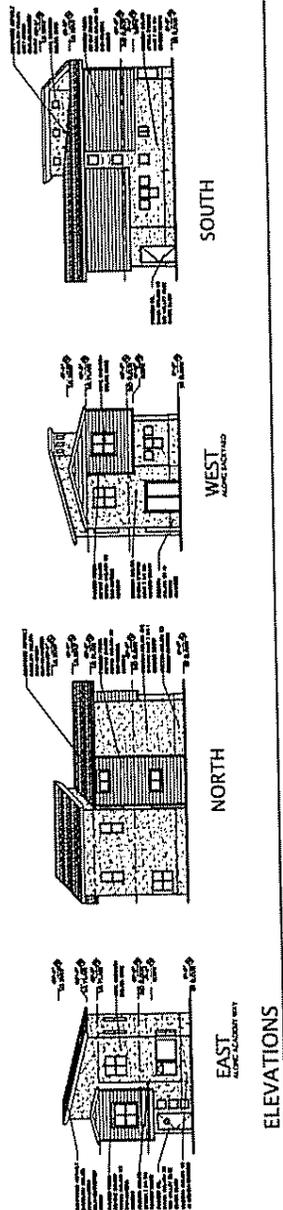
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Exhibit A: Rezone – 1 page

Exhibit A: Rezone Exhibit

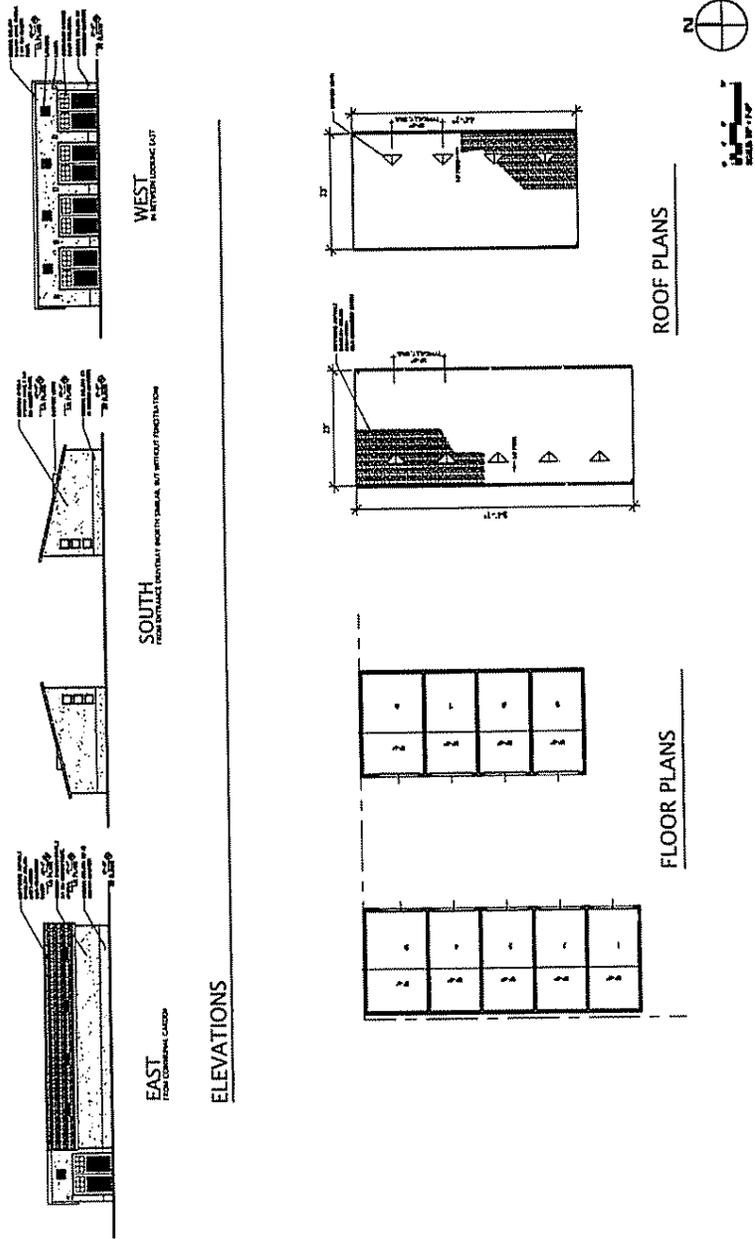


Attachment 9: Type A Floor Plan and Elevations



Macaulay + Architects ARCHITECTURE / PLANNING / INTERIORS
1100 MARKET STREET, SUITE 200, SACRAMENTO, CA 95811
THE GATEWAY AT STONEHENGE 1737 EAST LEE AVE. SACRAMENTO, CA 95811
PLANS & ELEVATIONS TYPE A SCALE 1/8" = 1'-0" DATE: JAN 11, 2007 A2.0

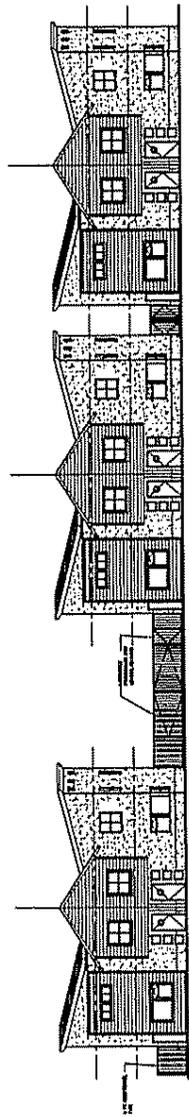
Attachment 11: Garages Plan and Elevations



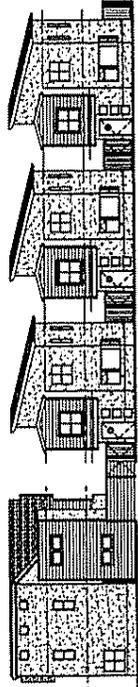
Macaulay + Architects ARCHITECTURE / PLANNING / INTERIORS
 1111 H STREET, SACRAMENTO, CA 95811 PHONE: 916.441.1881 FAX: 916.441.1882 WWW.MACMAULAY.COM

THE GATEWAY AT STONEHENGE PLANS & ELEVATIONS GARAGES A2.2
 1737 PATTERSON AVE. SACRAMENTO, CA 95811
 SCALE: 1/4" = 1'-0"

Attachment 12: Street Elevations



KATHLEEN AVE.



ACADEMY WAY

BUILDING ELEVATIONS ALONG STREETS

THE GATEWAY AT STONEHENGE ELEVATIONS ALONG STREETS A3
 137 KATHLEEN AVE. SACRAMENTO, CA 95815
 SCALE: 1/8" = 1'-0"
 DATE: JAN 11, 2006

Macaulay + Architects ARCHITECTURE / PLANNING / INTERIORS
 1115 P STREET, SACRAMENTO, CA 95811 PHONE: 916.442.8800 FAX: 916.442.8801 WWW.MACMAULAY.COM

