

Item No. 17

Supplemental Material

For

City of Sacramento

City Council

Housing Authority

Redevelopment Agency

Economic Development Commission

Sacramento City Financing Authority

Agenda Packet

Submitted: 8/31/07

For the Meeting of: 9/4/07



Additional Material



Revised Material

Subject: Agreement: Continental Plaza IV (Noticed on 8-16-07, passed for publication on 8-21-07, published on 8-24-07) [To Be Delivered]

Contact Information: Michael York, Associate Planner, 808-8239

Please include this supplemental material in your agenda packet. This material will also be published to the City's Intranet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604 B (916) 808-7200.



REPORT TO COUNCIL City of Sacramento

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

STAFF REPORT
September 4, 2007

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

Title: Continental Plaza IV Development Agreement

Location/Council District: 425, 601 and 611 North 7th Street; APN's: 001-0020-017, 018, 049, 050 & 051; Council District 1

Recommendation: 1) Adopt a **Resolution** certifying an Addendum to the Environmental Impact Report (EIR) for Continental Plaza Planned Unit Development (PUD); 2) adopt an **Ordinance** adopting a Development Agreement; 3) adopt an **Ordinance** amending the districts established by the Comprehensive Zoning Code Title 17 of the City code relating to Continental Plaza Planned Unit Development (PUD); and 4) adopt a **Resolution** amending the Continental Plaza PUD Development Guidelines and Schematic Plan

Contact: Michael York, Associate Planner, 808-8239; Jeanne Corcoran, Senior Planner, 808-5317

Presenters: Michael York, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 4885

Description/Analysis

Issue: The applicant is requesting a Development Agreement to vest development rights of Continental Plaza Phase IV consisting of a 810,000 gross square feet (gsf) office building, parking structure, and a 4,300 gsf child care facility in the existing Phase I office building for an additional 10 years, to expire October 24, 2017.

At the August 28, 2007 Council hearing the applicant requested one additional change to the Resolution to amend the Planned Unit Development (PUD) Guidelines. The requested change was to remove the three (3) year time limit for the 1:325 parking ratio within the PUD, set to expire in 2010. The parking ratio change from 1:600 to 1:325 would have no time limit.

Language was read into the record regarding an agreement between the applicant and Regional Transit that 200 interim parking spaces be set aside within the proposed parking garage of the Continental Plaza PUD for use by Regional Transit for a future light rail station.

An intent motion was made by Councilmember Tretheway to adopt staff recommendation with amended language to be incorporated into the resolution for the PUD and Schematic Plan. The intent motion and subsequent Council vote removed the term limit for the parking requirements and the agreement between the applicant and Regional Transit to set aside 200 interim parking spaces.

Between the intent motion on August 28, 2007, and the writing of this report, Councilmember Tretheway has facilitated a revised agreement in cooperation amongst Regional Transit, the Sacramento Metropolitan Air Quality Management District, City staff, and the applicant to fall back to the three (3) year time limit for the 1:600 parking ratio to expire on October 4, 2010 and that the zoning administrator would be authorized to process a special permit minor modification for a one (1) year extension for a total of four (4) years expiring on October 4, 2011.

Policy Considerations: The General Plan and the Central City Community Plan have several competing policies supporting or contrary to the request of the applicant. The project favors policies that: promote the Central City's role as the region's commercial, office and employment center; promote reuse and revitalization of existing developed areas with emphasis on commercial and industrial areas; provide for the intensification of commercial and office uses within walking distance of planned light rail extensions; and, encourage mixed use development to generate greater pedestrian activity.

In creating a lower parking ratio and permitting a greater number of parking spaces the project is contrary to the transportation and land use goals of supporting transit; reducing traffic congestion and providing alternate modes of transportation such as biking, car pooling, and walking, and creating pedestrian friendly streets.

Committee/Commission Action: On July 12, 2007 the Planning Commission heard and considered the actions requested. The Planning Commission voted to support the request, subject to conditions and forward to City Council.

Development Agreement: The applicant has requested a Development Agreement to extend the term of their current entitlements until 2017, to construct an 810,000 square foot office building, parking and child care center known as Continental Plaza IV and to increase the parking ratio to 1:325. The terms of the Development Agreement can be found in Attachment 1 Background. Since the July 12, 2007 Planning Commission

hearing upon request by the staff the applicant has agreed to dedicate a 40 foot right-of-way to the east of Continental Plaza IV. This right-of-way, to be known as North 8th Street, is anticipated to reduce potential traffic impacts on North 7th Street identified in the Township 9 Environmental Impact Report.

Environmental Considerations: The Development Services Department, Environmental Planning Services has reviewed the project for compliance with the requirements of the California Environmental Quality Act (CEQA). The Development Agreement and the amendments to the PUD Guidelines and Schematic Plan are determined to be within the scope of the Draft Initial Study and Notification of the Use of the Railyards Specific Plan/Richards Boulevard Area Plan EIR and SEIR for the Continental Plaza Phase III and Phase IV adopted on October 29, 1996. An Addendum to the adopted Continental Plaza PUD EIR has been prepared in accordance with CEQA Guidelines Section 15164. The Addendum describes the proposed development of the Continental Plaza PUD project, evaluates the potential environmental effects of the proposed project, and provides justification for use of an Addendum. The analyses and mitigation measures in the Draft Initial Study and Notification of the Use of the Railyards Specific Plan/Richards Boulevard Area Plan EIR and SEIR for the Continental Plaza Phase III and Phase IV are applicable as amended in the Continental Plaza PUD Addendum. With implementation of the mitigation measures identified in the Addendum and as brought forth by SMAQMD, the proposed project will result in less than significant impacts to the physical environment.

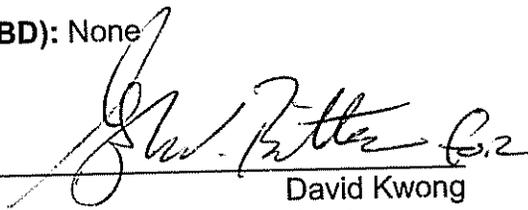
Rationale for Recommendation: Staff recommends approval of the Development Agreement, the rezone and the amendments to the PUD Guidelines and Schematic Plan since Continental Plaza PUD supports and promotes the Central City's role as the region's office and employment center; reuses and revitalizes an existing developed area and encourages the intensification of uses around light rail stations and the first three phases of the Continental Plaza PUD contributed to the widening and street improvements of Richards Boulevard from 7th to 16th Street; the construction of the 7th Street extension through the UP Railyards connecting Richards Boulevard to the Central Business District; and, the preliminary work for the reconfiguration of the intersection at Richards Boulevard and North 16th Street.

It is equally important and significant that in order to be competitive and to recapture and retain these significant State office projects that the City is strategically positioned to not only be competitive with adjacent areas, but to retain these office tenants that help make up the fabric of our Urban Core, particularly in an area such as Richards Boulevard that is on the edge of becoming an extension of the downtown area. This positioning will again strategically be the catalyst for revitalizing the area into an extension of our urban core. The creation of the demand of these facilities will

subsequently support the Light Rail system and provide for a pedestrian friendly environment as opposed to its current industrial environment.

Financial Considerations: None

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
David Kwong
Planning Manager

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:

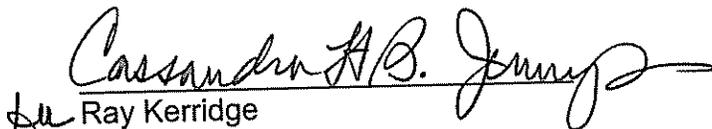

Ray Kerridge
City Manager

Table of Contents:		
Report	Pg	1
Attachments	Pg	5
1 Background	Pg	9
2 Resolution – Addendum & MMP	Pg	12
Exhibit A- MMP	Pg	42
3 Ordinance – Development Agreement	Pg	44
Exhibit A- Development Agreement	Pg	45
4 Ordinance - Rezone	Pg	46
Exhibit A – Rezone	Pg	47
5 Resolution – PUD Guidelines and Schematic Plan	Pg	48
Exhibit A - PUD Guidelines	Pg	58
Exhibit B – Schematic Plan	Pg	59
6 Conclusion for Preparation of Addendum	Pg	63
7 Land Use and Zoning Map		

Attachment 1 Background

On July 12, 2007, the Planning Commission heard public testimony regarding the request to: enter into a Development Agreement to extend the term of the approvals for Continental Plaza IV for 10 years (2017); rezone 1.19± acres to M-2 PUD/SPD and OB PUD/SPD; amend the Planned Unit Development (PUD) Guidelines to permit a greater amount of parking, and; amend the PUD Schematic Plan to add 1.19± acres into the PUD.

Public testimony was received from Larry Greene, Executive Director, Sacramento Metropolitan Air Quality Management District concerned with the Addendum for this project. Mr. Greene indicated in his testimony that he had met with City staff and the applicant and was prepared to support the project subject to the SMAQMD's air quality mitigation being included in the Development Agreement. The applicant agreed to the air quality measures.

Testimony was also received from Fred Arnold, Director of Real Estate for Sacramento Regional Transit. Mr. Arnold expressed concern with the additional parking and the impact this parking ratio may have on the ability for Regional Transit to obtain financing for the Downtown Natomas Airport (DNA) extension. Mr. Arnold further stated that in order to meet their federal financing agreement, a 450 space park and ride lot is needed on an interim basis to extend the light rail line to Richards and North 7th Street, pending the extension over the river to the Natomas area. Mr. Arnold could not provide any suggestions at the time to address Regional Transit concerns but indicated that the applicant and Regional Transit were meeting to resolve this issue and hope to have additional information at the City Council hearing.

The Planning Commission, after some discussion regarding the land use policies of increasing parking around a light rail station, recommended approval of this project with the following conditions:

- The additional parking (1:325) is permitted for a term of three years expiring October 4, 2010. This will allow the applicant to pursue the state office use that is to be released this year by the California Department of General Services, while promoting the overall direction of the City to invest in transit and create livable, walkable communities. This term limitation has been placed in the Development Agreement and the PUD Guidelines and Development Standards.
- The applicant will perform an air quality analysis prior to action by the City Council and implement the necessary standard

construction and operational Air Quality mitigation measures. The operational Air Quality Mitigation Plan (AQMP) is to be completed and endorsed by the Sacramento Metropolitan Air Quality Management District by December 31, 2007.

The applicant is in the process of completing the URBEMIS v. 8.7 or v. 9.4. Analysis as agreed to with the Sacramento Metropolitan Air Quality Management District (SMAQMD). Based on this analysis the applicant will develop a plan endorsed by SMAQMD. The Development Agreement and the Mitigation Monitoring Plan have been modified incorporating this condition.

- Lastly the Commission directed the applicant to work in good faith with City's Department of Transportation to implement pedestrian friendly street elements at the intersection of North 7th Street and Richards Boulevard.

The Terms and Conditions of the Agreement can be found in Section II of the Development Agreements. A few of the more significant terms of the Development Agreement include:

- Term. The term of this Agreement shall commence on the Effective Date and shall extend for a period of ten (10) years thereafter, unless it is sooner terminated or modified by the mutual consent of the parties.
- Landowners' Dedication of Park Easement: Within the 7th Street right of way easement that was previously dedicated by LANDOWNERS or their predecessors to CITY for a public street, LANDOWNERS shall grant to CITY a twenty 20 foot easement for recreational purposes, measured from the centerline of the roadway, to allow for creation of a linear parkway within the street median. The easement shall be in a form approved by the City Attorney, and shall be executed and conveyed to the CITY within thirty (30) days of the CITY'S written request. Upon conveyance of the easement, the land subject to the easement shall be considered on-site open space for purposes of satisfying the on-site open space requirement for development in the Richards Boulevard Plan area, as set forth in Chapter 17.120 of the City Code.
- Funding of Traffic Signal: Landowners shall pay to the City One Hundred and Seventy-Five Thousand Dollars (\$175,000.00), this figure representing one-half of the estimated cost of the traffic

signal to be installed at 8th Street and Richards Blvd. Landowners shall provide these funds at the time of issuance of building permit(s). The amount shall be adjusted by a figure equal to the percentage increase, if any, of the construction cost index for San Francisco (based on 1913 U.S. average = 100) during the period from the Effective Date of this Agreement to the date of payment.

- Continental Plaza will dedicate land for the development of North 8th Street and pay 50% of the design and construction of this street.

The following SMAQMD conditions will be included in the Development Agreement as well as incorporated into the Mitigation Monitoring Plan (MMP):

- The applicant will perform an air quality analysis acceptable to the SMAQMD for both construction and operational emissions of Continental Plaza Phase IV (building and parking structure) using URBEMIS v. 8.7 or v. 9.4. This analysis will be completed and accepted by the District prior to the project being heard by City Council.
- The proponent will implement the SMAQMD's standard construction mitigation and pay any off-site construction mitigation fees that would normally be assessed in an EIR prior to the issuance of a grading permit.
- The proponent will develop and implement an operational Air Quality Mitigation Plan (AQMP) endorsed by the SMAQMD which commits to the mitigation of 15% of the project's NOX emissions. This AQMP will include measures from the District's most recent list of mitigation measures, "Recommended Guidance for Land Use Emission Reductions" specifically including, but not limited to:
 - ❖ User paid parking;
 - ❖ Mandatory membership in the applicable Transportation Management Association (TMA) as a condition of any tenant lease agreements, purchase agreement or other means acceptable to the District.
 - ❖ Alternative transportation incentive program requirement included in all tenant lease agreements, purchase agreements or other means acceptable to the SMAQMD.

This AQMP will be completed by the proponent and endorsed by the District no later than the date of issuance of a grading permit or 12/31/07, whichever comes first. Under no circumstances, will any grading or improvement permit be issued if these conditions have not been met.

- The developer will assure the on-going implementation of this AQMP to all four phases of Continental Plaza through lease or purchase agreements. The Development Agreement, the Mitigation Monitoring Plan and the PUD Guidelines have been amended to incorporate the above conditions.

RESOLUTION NO.

Adopted by the Sacramento City Council

**CERTIFYING THE ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT
AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE
CONTINENTAL PLAZA PLANNED UNIT DEVELOPMENT (PUD) PROJECT
(P07-015)**

BACKGROUND

A. On July 12, 2007, the City Planning Commission conducted a public hearing and forwarded to the City Council a recommendation to approve with conditions the Continental Plaza Development Agreement, rezone and amendments to the Continental Plaza PUD Development Guidelines.

B. On August 28, 2007 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.208.020c and 18.16.080, and received and considered evidence concerning the Continental Plaza PUD.

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

Section 1. The City Council finds as follows:

A. On August 28, 2007, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq. ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 et seq.), and the City of Sacramento environmental guidelines, the City Council approved an Addendum to the Environmental Impact Report (EIR) and, having reviewed and considered the information contained in the Addendum, adopted a mitigation monitoring plan, and approved the Development Agreement extending the term of the Continental Plaza IV Special Permit (P01-125), Special Permit Time Extension (Z04-210) and amended the Continental Plaza PUD Development Guidelines (P07-015).

B. The Continental Plaza PUD Modification P07-015 (Project Modification) proposes to modify the previously approved Project as follows:

1. Add approximately 1.19 gross acres to the Continental Plaza PUD;

2. Modify PUD Guidelines for parking from one parking space per 600 gross square feet of office space (1:600) to one parking space per 325 gross square feet of office space (1:325);

3. Modify the six (6) story parking structure to an eight (8) story, ninety-five foot (95') tall parking structure; and,

4. Extend the term of the special permit to October 29, 2017.

C. The Initial Study on the Project Modification determined that the proposed changes to the original Project did not require the preparation of a subsequent EIR. An addendum to the previously certified EIR was then prepared to address the modification to the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously certified EIR for the Project, the previously adopted findings of fact and findings of overriding consideration, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification. The City Council finds that the previously certified EIR and the addendum constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:

A. No substantial changes are proposed by the Project Modification that will require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

B. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

C. No new information of substantial importance has been found that shows any of the following:

1. The Project Modification will have one or more significant effects not discussed in the previously certified EIR;

2. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;

3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the

Project Modification; or

4. Mitigation measures which are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously certified EIR for the Project, the previously adopted findings of fact and findings of overriding consideration, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification, the City Council finds that the EIR and addendum reflect the City Council's independent judgment and analysis, certifies the EIR and the addendum for the Project Modification, and readopts the findings of fact and findings of overriding consideration .

[Section 4. The Mitigation Monitoring Plan for the Project is adopted for the Project Modification, and the mitigation measures shall be implemented and monitored as set forth in the plan, based on the following findings of fact:

A. The mitigation monitoring plan has been adopted and implemented as part of the Project;

B. The addendum to the EIR does not include any new mitigation measures, and has not eliminated or modified any of the mitigation measures included in the Mitigation Monitoring Plan;

C. The mitigation monitoring program meets the requirements of CEQA Section 21081.6 and the CEQA Guidelines section 15091.

Section 5. 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 EIR Guidelines adopted pursuant thereto.

Section 6. 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, 1st Floor, Historic City Hall, Sacramento, California 95814. The City Clerk is the custodian of records for all matters before the City Council.

Table of Contents:
Exhibit A: Mitigation Monitoring Plan

Exhibit A

**MITIGATION MONITORING PLAN
FOR
CONTINENTAL PLAZA PUD (P07-015)**

TYPE OF ENVIRONMENTAL DOCUMENT:
ADDENDUM TO AN ADOPTED ENVIRONMENTAL DOCUMENT

PREPARED BY:
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES

DATE:
August 1, 2007

ADOPTED BY:
CITY OF SACRAMENTO

DATE:

ATTEST:

CONTINENTAL PLAZA PUD (P07-015)
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., Room 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Continental Plaza (P07-015)
Owner/Developer/Applicant: Cleve Livingston, Inc.
Address: 8950 Cal Center Drive, Bldg 1, Suite 115
Sacramento, CA 95826

Project Location / Legal Description of Property (if recorded):

The approximate 18-acre project site is located on Richards Boulevard along North 7th Street in the Richards Boulevard Special Planning District, APNs 001-0020-017, -018, -049, -050, & -051.

Project Components:

The project includes a request to enter into a Development Agreement with the City of Sacramento and to modify the PUD Guidelines and Schematic Plan for Continental Plaza PUD on approximately 18.25 acres in the Heavy Industrial Planned Unit Development Special Planning District (M-2 PUD/SPD) and Office Building Planned Unit Development Special Planning District (OB PUD/SPD). Entitlements include: Development Agreement; Amendment to Continental Plaza PUD Development Guidelines; and, Amendment to Continental Plaza PUD Schematic Plan. The purpose of the project is to obtain the necessary entitlements to vest development rights of Continental Plaza Phase IV consisting of an 810,000 sf office building, off-site parking, and a 4,300 sf child care facility in the existing Phase I office building for an additional 10 years (2017). In addition, the applicant is requesting to amend the Continental Plaza (PUD) Development Guidelines with respect to parking and to incorporate the former rail spur to the east.

SECTION 2: GENERAL INFORMATION

The following MMP includes mitigation originally adopted with project approval and additional mitigation for air quality resources as outlined in the Continental Plaza PUD Addendum. These measures pertain to those issues explicitly discussed in the Addendum to the Adopted Environmental Document (P07-015) and shall be considered with all previously identified mitigation measures for the proposed project. The intent of the Plan is to prescribe and enforce a means for properly and

successfully implementing the mitigation measures as identified within the environmental document 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/applicant identified above. This MMP is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

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

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
	4.3 Urban Design and Visual Quality				
4.3-4(b)	City	Development Services Department; Current Planning	Include design standards listed in 4.3-4(b) in the RBAP.	RBAP	
<p>Include the following design standards and guidelines in the final approved version of the Richards Boulevard Area Plan:</p> <ul style="list-style-type: none"> • The configuration of exterior light fixtures shall emphasize close spacing and lower intensity light that is directed downward in order to minimize glare on adjacent residential areas and other sensitive receptors. • Highly reflective mirrored glass shall be avoided as a primary building material for facades. 	Developer	Current Planning Division	Design buildings in compliance with design standards set forth in the RBAP.	Special Permit	
	4.4 Microwave, Radar, and Radio Transmission				
4.4-3(b)	Developer	Development Services Department, Building Division	Provide written confirmation that building will not interfere with communication tower at 111 Bercut Drive	Building Permit	
<p>Approval shall not be given to any building exceeding 100 feet in height until it has been shown that it would not interfere or can mitigate interference with signals to or from the State's proposed communications tower at 111 Bercut Drive, or existing communications facilities.</p>					
	4.6 Cultural Resources				
4.6-1(d)	City and Contractor	Development Services Department, Building Division	Prepare information packet for distribution to construction teams working in	Grading Permits	
<p>The project construction team shall become familiar with the indicators of historic and prehistoric archaeological sites. In the event that subsurface archaeological or historical remains are discovered during development or construction of specific projects, work in the area shall stop immediately and a qualified archaeologist and a representative of</p>					

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>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>Developer</p>	<p>Development Services Department, Building Division</p>	<p>archaeologically sensitive areas, and provide packet to construction team. In the event that subsurface archaeological or historical artifacts are discovered on a project site, stop all work in the vicinity of the find, and consult with a qualified archaeologist and a representative of the Native American Heritage Commission.</p>	<p>During grading and construction</p>	
<p>4.1 Transportation and Circulation (previously 4.8 Transportation)</p>					
<p>4.8-1(a) Implement a Transportation Management Plan.</p>	<p>Developer</p>	<p>Department of Transportation, Alternate Mode Coordinator</p>	<p>Prepare project-specific Transportation Management</p>	<p>Building Permit</p>	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>4-1(a) The significant impacts at these adjacent intersections shall be mitigated by the developer by widening Richards Boulevard through the interchange area. Currently, Richards Boulevard is five lanes wide under I-5. Discussions with City staff have indicated that widening to seven lanes under I-5 appears feasible. The seven lanes would consist of three eastbound through lanes, a single eastbound left turn lane, a double westbound left turn lane, and a single westbound through lane. Additionally, the ramp from I-5 southbound to Richards Boulevard shall be restriped to allow left turns from both intersection approach lanes, and the ramp from I-5 northbound to Richards Boulevard shall be widened to permit an exclusive double right turn lane. This intersection geometry is illustrated in Figure A-12 of the DSEIR Technical Appendix.</p> <p>Some roadway widening immediately east and west of the interchange along Richards Boulevard would also be required. With this improvement, the Richards Boulevard and I-5 Southbound Ramps intersection level of service would improve to "C" during the p.m. peak hour with an average vehicle delay of 23.9 seconds. The Richards Boulevard and I-5 Northbound Ramps intersection level of service would improve to "B" during the p.m. peak hour with an average vehicle delay of 14.4</p>	<p>Developer, City</p>	<p>Development Services Department Building Division</p>	<p>Plan in compliance with areawide Transportation Management Plan measures. Prior to building permit issuance for Continental Plaza Phase IV, pay the Transportation Impact Fee of the Railyards/Richards Boulevard Area Infrastructure Financing Plan as adopted by the City Council on March 10, 1998 by Ordinance No. 98-011. The Transportation Impact Fee has been calculated based on the costs of</p>	<p>Building Permit</p>	

Continental Plaza IV Development Agreement

	Verification of Compliance (Initials/Date)	Timing	Compliance Standards	Monitoring Responsibility	Implementing Responsibility	
seconds.			constructing the Railyards/Richards Boulevard Area Stage One Infrastructure and Facilities, including the widening of the Richards/I-5 undercrossing from five to seven lanes. The Transportation Impact Fee shall be paid based on the fee in effect at the time payment is made.		Developer, City	
4-1(b) The significant impacts at these adjacent intersections shall be mitigated by the developer by widening Richards Boulevard through the interchange area. Currently, Richards Boulevard is five lanes wide under I-5. Discussions with City staff have indicated that widening to seven lanes under I-5 appears feasible. The seven lanes would consist of three eastbound through lanes, a single eastbound left turn lane, a double westbound left turn lane, and a single westbound through lane. Additionally, the ramp from I-5 southbound to Richards		Building Permit	Prior to building permit issuance for Continental Plaza Phase IV, pay the Transportation Impact Fee of the Railyards/Richards Boulevard	Department of Transportation, Development Services Department, Building Division	Developer, City	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
	<p>Boulevard shall be restriped to allow left turns from both intersection approach lanes, and the ramp from I-5 northbound to Richards Boulevard shall be widened to permit an exclusive double right turn lane. This intersection geometry is illustrated in Figure A-12 of the DSEIR Technical Appendix.</p> <p>Some roadway widening immediately east and west of the interchange along Richards Boulevard would also be required. With this improvement, the Richards Boulevard and I-5 Southbound Ramps intersection level of service would improve to "C" during the p.m. peak hour with an average vehicle delay of 23.9 seconds. The Richards Boulevard and I-5 Northbound Ramps intersection level of service would improve to "B" during the p.m. peak hour with an average vehicle delay of 14.4 seconds.</p>		<p>Area Infrastructure Financing Plan as adopted by the City Council on March 10, 1998 by Ordinance No. 98-011. The Transportation Impact Fee has been calculated based on the costs of constructing the Richards/Richards Boulevard Area Stage One Infrastructure and Facilities, including the widening of the Richards/I-5 undercrossing from five to seven lanes. The Transportation Impact Fee shall be paid based</p>		

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>4-1(c) The significant impact to this intersection shall be mitigated by the developer by modifying the northbound and southbound approaches to the intersection. The southbound North 7th Street approach shall be widened to include a double right turn lane and one through and left turn lane, while the northbound North 7th Street approach shall be restriped to allow left turns from both intercession approach lanes. This intersection geometry is illustrated in Figure A-12 of the DSEIR Technical Appendix. With this mitigation measure, the level of service during the a.m. peak hour would improve to "C," with an average vehicle delay of 16.8 seconds. During the p.m. peak hour, the level of service would improve to "C," with an average vehicle delay of 21.8 seconds.</p>	<p>City, Developer</p>	<p>Department of Transportation City of Sacramento</p>	<p>Pay development impact fees according to the provisions of the Railyards Area, Richards Boulevard Area, and the Downtown Benefit District Area. If adequate fees are not available through the financing plan, the applicant shall design and construct all of the infrastructure and improvements specified for Mitigation Measure 4-1(c), consistent with</p>	<p>Building Permit</p>	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
			the provisions of the financing plan. If fees generated by the fee program are insufficient to pay for the required improvement(s), the applicant shall pay the additional amount required to implement the improvement and be entitled to reimbursement from fees generated by subsequent development. Applicant and City shall enter into a reimbursement agreement to such effect.		
4.9 Air Quality (Originally Adopted Measures)					
4.9-1(b)	Developer	Department of	Incorporate	Building Permit	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)		
<p>The Planning Area shall be developed under a stringent vehicle-trip reduction requirement applicable to all proposed land uses. The availability of transit, proximity to downtown Sacramento, potential for mixed land uses and other aspects of the sites provide a high potential for non-auto travel modes.</p>		<p>Transportation, Alternate Modes Coordinator; Development Services Department, Building Division,</p>	<p>vehicle reduction program into Transportation Management Plans.</p>				
<p>4.9-4(b) All development within the Planning Area shall be required to participate in a Transportation Management Association, whose purpose would be the reduction in vehicle trips.</p>	<p>Developer</p>	<p>Department of Transportation, Alternate Modes Coordinator; Development Services Department, Building Division</p>	<p>Document participation in Transportation Management Association.</p>	<p>Building Permit</p>			
<p>4.9-4(c) All employment-generating uses shall be required to develop a Commute Management Plan, adopting programs using parking management/fees, transit incentives and amenities, alternative work schedules, telecommuting or other strategies to reduce employee commuting. The transportation performance standards of the California Clean Air Act would be adopted as minimum targets for trip reduction.</p>	<p>Developer</p>	<p>Department of Transportation, Alternate Modes Coordinator; Development Services Department, Building Division</p>	<p>Incorporated the Commute Management Plan items in Mitigation Measure 4.9-4(c) into the Transportation Management Plan.</p>	<p>Building Permit</p>			
<p>4.9-4(d) All development proposals within the Planning Area shall be required to use land use mix and densities, provision of transit/bicycle/pedestrian amenities and provision of onsite amenities (day care, restaurants) to reduce the need for vehicle</p>	<p>City</p>	<p>Department of Transportation, Alternate Modes Coordinator; Development</p>	<p>Develop standards for amenities that reduce vehicle trips and include</p>	<p>RSP, RBAP</p>			

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
trips.	Developer	Services Department, Building Division	in RSP, RBAP, and Facility Element.	Special Permit	
4.9-4(e) To the extent feasible, all development proposals in the Planning Area shall be required to include measures that facilitate alternative powered vehicles, including, but not limited to, electric vehicle recharge stations in new parking facilities.	City, SHRA, Developer	Department of Transportation, Alternate Modes Coordinator; Development Services, Building Division	Document compliance with standards.	Special Permit	
4.9-5 To ensure that construction mitigation is used, final approval shall not be given to any development within the Planning Area	Developer	NPDS	Establish requirements for provisions of alternative powered vehicles. Provide amenities to encourage alternative powered vehicles.	Special Permit	Grading Permit

Continental Plaza IV Development Agreement

	Verification of Compliance (Initials/Date)	Timing	Compliance Standards	Monitoring Responsibility	Implementing Responsibility
			Measure 4.9-5.		
<p>until the developer submits a construction dust mitigation plan satisfactory to the City. This plan should specify the methods of control that will be used to control dust and particulate matter, demonstrate the availability of needed equipment and personnel, and identify a responsible individual who, if needed, can authorize the implementation of additional measures.</p> <p>The construction dust mitigation plan shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> • Suspend earthmoving or other dust-producing activities during periods of high winds when dust control measures are unable to prevent visible dust plumes of a significant size. • Provide equipment and staffing for watering of all exposed or disturbed soil surfaces at least twice daily, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application, should be used. • Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind. • Sweep the active construction area and adjacent streets of all mud and debris on a regular basis, since this material can be pulverized and later re-suspended by vehicle traffic. • Limit the speed of all construction vehicles to 15 miles per hour while on-site. • All materials transported by truck will be covered or wetted down. • All inactive portions of the site will be watered with an 					

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<ul style="list-style-type: none"> appropriate dust suppressant, covered or seeded. Trucks shall maintain freeboard (i.e., the distance between the top of the load and the top of the truck bed sides). Truck wheel washers shall be installed before the roadway entrance at construction sites. Tarps shall be used on trucks carrying dirt. Dust hoods shall be used on drilling and blasting equipment. 	Developer	Development Services Department, Building Division	Submit and comply with construction-related air quality mitigation plan, per Mitigation Measure 4.9-6, to the satisfaction of the City.	Grading and Building Permit	
<p>4.9-6</p> <p>To the extent feasible, the following measures are required during construction:</p> <ul style="list-style-type: none"> Use low emission fuels for pile drivers, such as methanol or low-sulfur fuels. Use construction equipment that has catalytic converters (for gasoline powered equipment). Prevent trucks from idling for more than two minutes. Discontinue operations during second stage smog alerts. 	Developer	Development Services Department, Building Division	Submit and comply with construction-related air quality mitigation plan, per Mitigation Measure 4.9-6, to the satisfaction of the City.	Grading and Building Permit	
4.9 Air Quality (Additional Measures outlined in Addendum)					
<p>4.9-4 (f)</p> <ul style="list-style-type: none"> Prior to issuance of a grading permit or 12/31/07, whichever comes first, the project proponent will develop and implement an operational Air Quality Mitigation Plan (AQMP) that has been endorsed in writing by the SMAQMD and commits to mitigating 15% of the project's NO_x emissions. This AQMP will include measures from the SMAQMD's most recent list of 	Applicant / Developer / Owner	City of Sacramento Site Conditions Unit	Applicant / Developer / Owner shall provide the City Development Services Department,	Prior to issuance of a grading or improvement permit.	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>mitigation measures, "Recommended Guidance for Land Use Emission Reductions," and will specifically include, but will not be limited to, the following:</p> <ol style="list-style-type: none"> 1. User paid parking; 2. Mandatory membership in the applicable TMA as a condition of any tenant lease agreements, purchase agreements, or other means acceptable to the SMAQMD; and, 3. Alternative transportation incentive program requirement included in all tenant lease agreements, purchase agreements, or other means acceptable to the SMAQMD. <p>Under no circumstances will any grading or improvement permit be issued until all of the above conditions have been met.</p> <ul style="list-style-type: none"> • The developer will assure the on-going implementation of the approved AQMP to all four phases of Continental Plaza through lease or purchase agreements. 			<p>Environmental Planning, and the Site Conditions Unit with written verification from the SMAQMD that all conditions have been met to the satisfaction of the SMAQMD.</p>		
<p>4.9-6 (b)</p> <p>Prior to issuance of a grading permit, the project proponent must provide written proof to the Site Conditions Unit and Development Services Department, Environmental Planning, that the SMAQMD's standard construction mitigation has been implemented and offsite construction mitigation fees have been paid.</p>	<p>Applicant / Developer / Owner</p>	<p>Development Services Department, Site Conditions Unit</p>	<p>Implementation of approved AQMP to all four phases.</p>	<p>On-going for the life of Continental Plaza</p>	<p>Prior to issuance of a grading permit.</p>
	<p>Applicant/ Developer/ Owner</p>	<p>Development Services Department, Site Conditions Unit</p>	<p>Applicant/ Developer/ Owner must submit written proof that the SMAQMD's</p>		

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
4.10 Noise					
4.10-5(a) The contractor shall limit outdoor construction activity from 7:00 a.m. to 6:00 p.m. on Monday through Saturday and from 9:00 a.m. to 6:00 p.m. on Sunday, unless the City grants a special permit, in order to minimize disruption to residences adjacent to and near the project.	Contractor	Development Services, Building Division; Department of Transportation, Inspections	Comply with the time restrictions in the City Code.	Grading and Building Permit	
4.10-5(b) The contractor shall use mufflers, enclosure panels, or other noise suppression attachments on all equipment as appropriate and turn off equipment when not in use.	Contractor	Development Services, Building Division; Department of Transportation, Inspections	Include statement identifying noise suppression attachments used on construction-related equipment, consistent with the City Code.	Grading and Building Permit	
4.11 Geology, Soils, and Seismicity					
4.11-1 New structures, the restoration of existing structures, and the	Contractor	Development Services, Building	Demonstrate that all	Grading or Building Permit	

Continental Plaza IV Development Agreement

	Verification of Compliance (Initials/Date)	Timing	Compliance Standards	Monitoring Responsibility	Implementing Responsibility	
development of project infrastructure shall be designed and built in conformance with the Uniform Building Code (with California amendments) standards for Seismic Zone 3.			construction plans are in compliance with UBC.	Division		
<p>4.11-2(a) Prior to construction, site-specific geotechnical evaluations shall be performed by an appropriately licensed professional engineer qualified to assess seismic conditions including probability associated with liquefaction, settlement, and lateral spreading using a maximum probable and credible earthquake. The evaluation shall identify specific geotechnical recommendations for development foundation design to mitigate for seismically induced hazards, as well as recommendations for adequate building design including excavation and fill requirements for any identified soil constraints. The evaluation for project sites adjoining the levee will also include an analysis of levee stability under static and seismic conditions in coordination with the US Army Corps of Engineers for project sites adjoining the levee.</p>		Grading or Building Permit	Submit geotechnical study per Mitigation Measure 4.11-2(a).	Development Services, Building Division	Developer	
		Construction	Demonstrate compliance with geotechnical study, per Mitigation Measure 4.11-2(a).	Development Services, Building Division	Developer	
<p>4.11-2(b) Design of foundations and drainage facilities shall conform with Title 24 of the California Code of Regulations, the Uniform Building Code and recommendations contained in the site-specific geotechnical evaluations prepared by an appropriately licensed and qualified Engineer/Geologist as specified in Mitigation Measure 4.11-2(a). [see page 9]</p>		Building Permit	Demonstrate compliance with CCR Title 24, UBC and geotechnical recommendation s.	Development Services, Building Division	Developer	
<p>4.11-5(a) If below-grade construction is proposed, site-specific geotechnical investigation will be undertaken prior to the start of excavation to determine the depth to the groundwater for the affected site, and the</p>		Grading or Building Permit	Prepare geotechnical study per Mitigation	Development Services, Building Division	Developer	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>need for subsurface drainage and the potential for caving of excavation walls. This investigation and subsequent analysis shall be made by an appropriately licensed and qualified engineer or geologist.</p>	<p>Developer</p>	<p>Development Services, Building Division</p>	<p>Measure 4.11-5(a). Demonstrate compliance with geotechnical recommendations, per Mitigation Measure 4.11-5(a), and City's Groundwater Discharge Policy.</p>	<p>Construction</p>	
<p>4.11-5(b) If dewatering of a construction site is required, subdrains, reinforced concrete retaining walls and/or waterproofing methods shall be used as necessary to eliminate the effects of subsurface groundwater conditions. The subdrain plan shall form part of the final plans for the project, and would be prepared with the recommendations of an appropriately licensed and qualified engineer or geologist.</p>	<p>Developer</p>	<p>Development Services, Building Division; Utilities Department</p>	<p>Submit dewatering plans to be undertaken per Mitigation Measure 4.11-5(b). Demonstrate compliance with dewatering provisions.</p>	<p>Grading or Building Permit Grading or Building Permit</p>	
<p>4.11-5(c) Dewatering shall comply with applicable requirements established by the Central Valley Regional Water Quality Control Board and any</p>	<p>Developer</p>	<p>Development Services, Building Division,</p>	<p>Demonstrate compliance with applicable</p>	<p>Construction</p>	

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>applicable local permit requirements, and shall be coordinated with the City's Flood Control and Sewers Division.</p>		<p>Utilities Department</p>	<p>requirements regarding dewatering from the CVRWQCB and City's Groundwater Discharge Policy.</p>		
<p>4.11-5(d) Moisture barriers around foundations shall be used where applicable to prevent moisture changes from adversely affecting soils beneath a structure.</p>	<p>Developer</p>	<p>Development Services, Building Division; Utilities Department</p>	<p>Demonstrate compliance with building code provisions regarding moisture barriers.</p>	<p>Building Permit</p>	
<p>4.11-5(e) Where required due to high groundwater, excavations shall be shored as required by the Office of Safety and Health Administration (OSHA) to preclude slope failures during the construction period. Shoring shall use standard stabilizing methods, such as tiebacks, as necessary to retain excavation areas.</p>	<p>Developer</p>	<p>Development Services, Building Division</p>	<p>Demonstrate compliance with OSHA requirements regarding excavations.</p>	<p>Grading or Building Permit</p>	
<p>4.12 Hydrology and Water Quality</p>					
<p>4.12-2(a) Development in the Planning Area shall comply with City ordinances and zoning codes regulating residential and non-residential development in the AR zone (City of Sacramento Ordinance 90-005) 100-year flood plain.</p>	<p>Developer</p>	<p>Development Services, Building Division; Utilities Department</p>	<p>Demonstrate compliance with construction requirements for the AR zone and compliance with City regulations.</p>	<p>Building Permit</p>	

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>4.12-2(b) If project development is not completed prior to removal of AR designation and 100-year protection has not been achieved, development of the proposed Planning Area shall comply with all applicable FEMA regulations.</p>	<p>Developer</p>	<p>Development Services, Building Division; Utilities Department</p>	<p>Demonstrate compliance with requirements for the AR zone and compliance with City regulations.</p>	<p>Building Permit</p>	
<p>4.12-3 A comprehensive erosion control plan shall be prepared by a registered civil engineer or a registered professional hydrologist prior to submittal of the final map to protect water resources from impacts due to siltation and sedimentation generated by project construction in the Planning Area. The plan shall be prepared in coordination with the Central Valley Regional Water Quality Control Board, and the City of Sacramento to assure compliance with applicable NPDES permit requirements for construction activities. The plan shall include a combination of the following Best Management Practices (BMPs), or equally effective measures or any other measures required by local codes and ordinances: (a) If feasible, project construction periods should be limited to the dry months of the year (May through October). (b) If project construction does occur during the rainy season (November through April), sediment traps, barriers, covers or other methods shall be used to reduce erosion. (c) Slopes, both cut and fill, shall not be steeper than those recommended by the detailed geotechnical report for the</p>	<p>Developer</p>	<p>Utilities Department</p>	<p>Prepare and submit an Erosion Control and Sediment plan in accordance with Mitigation Measure 4.12-3 and the City's Technical Procedures Manual for Grading and Erosion and Sediment Control.</p>	<p>Building Permit</p>	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Planning Area (see Mitigation Measure 4.11-1(a)).</p> <p>(d) Sediment basins, sediment traps, or similar sediment control Best Management Practices (BMP's) shall be installed before extensive ground alteration operations begin.</p> <p>(e) Temporary mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities.</p> <p>(f) Excavated materials shall not be deposited or stored where the material could be washed away by storm water runoff.</p>	Developer	Utilities Department	Prepare site-specific runoff control plan. This plan shall be prepared in accordance with the Technical Procedures Manual for Grading and Erosion and Sediment Control and the City/County Drainage Manual Volume 5, Manual of standards for Design of New	Grading Permit	
<p>4.12-4(a)</p> <p>Prior to development of any part of the Planning Area, a comprehensive runoff control plan shall be prepared by a registered civil engineer or registered professional hydrologist to protect water resources from impacts due to urban and landscape runoff generated by the project. This mitigation measure would be required for all Alternatives. The plan shall be prepared in coordination with the Central Valley Regional Water Quality Control Board, and the City of Sacramento to assure compliance with applicable NPDES permit requirements for new developments. The plan shall include a combination of the following Best Management Practice (BMP's), or equally effective measures:</p> <p>(i) Oil and grease separators shall be used to control roadway and parking lot contaminants.</p> <p>(ii) Streets and parking lots shall be cleaned and swept on a regular basis.</p> <p>(iii) Peak flow reduction and infiltration practices, such as</p>	Developer	Utilities Department	Prepare site-specific runoff control plan. This plan shall be prepared in accordance with the Technical Procedures Manual for Grading and Erosion and Sediment Control and the City/County Drainage Manual Volume 5, Manual of standards for Design of New	Grading Permit	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
	grass swales, infiltration trenches and grass filter strips, and detention and retention basins, shall be incorporated.		Development On-Site Stormwater Quality Control Measures. Note that "oil and grease separators" are not listed in this document due to their questionable effectiveness and dependence on proper maintenance. They are not the City's preferred method.		
(iv)	Landscape areas including borders and medians shall use low water-using plants wherever feasible.				
(vi)	Plants of similar water use shall be grouped to reduce overirrigation of low-water-using plants.				
(vii)	Mulch shall be used in all non-lawn landscaped areas to a minimum depth of two (2) inches. Mulch applied on top of the soil will improve the water-holding capacity and reduce runoff.				
(viii)	Existing trees and shrubs shall be preserved and protected where feasible, because established plants are often adapted to low-water-using conditions.				
(ix)	Efficient irrigation systems shall be installed to minimize runoff and evaporation and maximize the water that will reach the plant roots such as drip irrigation, soil moisture sensors, and automatic irrigation systems.				
(x)	Seasonal, climatical, and dosage fertilizer application restrictions shall be followed, as recommended by manufacturer.	Utilities Department	Demonstrate compliance with runoff control measures.	Construction	
(xi)	Slow release fertilizers shall be used.				
(xii)	Where feasible, landscape areas shall be limited to 4:1 slopes to reduce runoff, unless such slopes form	Developer			

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
		Environmental Planning Services	construction workers and others from harmful exposure, as required by the City in cooperation with the DTSC, CVRWQCB, and SMAQMD.		
<p>4.13-3(b) The City shall require extracted groundwater that is to be discharged to the sanitary sewer be authorized by the City to be in compliance with its obligations to meet standards established by the CVRWQCB in order to reduce the risk of leakage of unacceptable levels of contaminants along the sewer lines, and to assure that the regional treatment plant can meet standards established under its NPDES permit, prior to discharge.</p>	Developer	Utilities Department, Development Services Department, Building Division	Obtain required disposal permits from the regional sanitation district.	Building Permit	
	Developer	Utilities Department, Development Services Department, Building Division	Comply with DTSC dewatering requirements and the City's Groundwater Discharge Policy.	Construction	
<p>4.13-3(c) If the City or regional treatment plant determines that groundwater</p>	Developer and Contractor	Utilities Department,	Comply with City, DTSC and	During construction	

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>extracted during dewatering activities does not meet applicable standards for discharge into the city sewer system, contractors shall implement groundwater treatment systems, that treat groundwater to standards established by the CVRWQCB, City, and regional treatment plant.</p>		<p>Development Services Department, Building Division</p>	<p>County dewatering requirements.</p>		
<p>4.13-4(b) In the Richards Area, prior to obtaining a grading or building permit that requires dewatering, the contractor shall coordinate with the City and the CVRWQCB to ensure that dewatering does not interfere with any adjacent or on-site groundwater remediation.</p>	<p>Developer</p>	<p>Development Services Department, Building Division and Environmental Planning Services</p>	<p>Submit evidence that dewatering will not interfere with groundwater remediation.</p>	<p>Grading Permit</p>	
<p>4.13-4(c) All dewatering in the Planning Area shall be coordinated with any on-site or adjacent groundwater remediation activities in accordance with measures agreed upon by DTSC, the City, the RWQCB, and the Southern Pacific Transportation Company or other developers, if appropriate. In the absence of such agreement, DTSC shall require contractors to obtain approval of dewatering activities prior to initiation of construction.</p>	<p>Developer</p>	<p>Development Services Department, Building Division and Environmental Planning Services; Utilities Department</p>	<p>Coordinate dewatering activities with appropriate agencies per Mitigation Measure 4.13-4(c).</p>	<p>Grading Permit</p>	
<p>4.13-5(b) If asbestos fibers are suspected or identified in soils or existing building materials, then additional sampling shall be performed prior to any construction activities to identify asbestos-containing materials that may be contained in building materials or obscured behind walls, above ceilings, and beneath floors.</p>	<p>Developer</p>	<p>SMAQMD, Development Services Department, Building Division and Environmental Planning Services; Sacramento</p>	<p>Provide written confirmation from Air Quality Management District and the Developer that test for asbestos has been conducted if</p>	<p>Demolition Permit</p>	

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
		County, Department of Environmental Health	demolition is required, or if asbestos fiber in soil are possible due to prior site uses.		
<p>4.13-5(c) Demolition activities affecting asbestos-containing material shall be performed by a licensed asbestos abatement contractor with properly trained personnel in accordance with all applicable federal, state and local regulations.</p>	Developer	Development Services Department, Building Division,	Submit evidence that asbestos abatement contractor is licensed to perform such work.	Demolition Permit	
<p>4.13-8(a) All contractors in the Richards Area shall coordinate with the City, DTSC, and other involved agencies, as appropriate, to assure that construction activities shall not interfere with any adjacent and/or on-site remediation activities or unduly delay either project development or site remediation.</p>	Developer, Contractors	Development Services Department, Building Division and Environmental Planning Services	Provide written confirmation from DTSC and/or County Environmental that project construction will not interfere with remediation.	Grading Permit	
<p>4.13-8(b) All contractors in the Richards Area shall coordinate with the City, DTSC, and other involved agencies, as appropriate, to assure that accessible portions of the Richards Area containing hazardous materials contamination shall be covered, encapsulated, or otherwise rendered inaccessible to prevent unacceptable human exposure to hazardous materials.</p>	Contractor	Development Services Department, Building Division and Environmental Planning Services	If contaminants are present on the project site or adjacent properties, provide written confirmation from DTSC	Grading Permit	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
4.13-8(c) Active remediation sites in the Richards Area shall employ measures to protect the surrounding population and environment. Such measures could include, as appropriate, buffer zones, fencing, posting, site security, dust control, and perimeter air monitoring.	Property Owner	Development Services Department, Building Division and Environmental Planning Services	Health to ensure that areas in proximity to a contaminated site are inaccessible. Work with DTSC and/or County Health to identify measures deemed necessary to protect affected populations against exposure.	Grading Permit	
4.13-9(b) Prior to issuance of building permits in areas of known groundwater contamination, the City shall assess the need for building features designed to protect against the risk of exposure to soil vapors in enclosed underground spaces. Such features could include vapor barriers and adequate ventilation.	Developer	Development Services Department, Building Division and Environmental Planning Services	Design or construct new buildings to protect against risk of exposure to soil vapors.	Building Permit	
4.13-12 In the event of a major flood event in the Planning Area that redistributes significant amounts of soils, responsible regulatory agencies shall require soils testing to determine if hazardous materials have been redistributed to areas where human exposure to soil is	City	Development Services Department, Building Division and Environmental	In event of major flood, require soils testing.	After major flood, in accordance with City/DTSC MOU.	

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
possible.		Planning Services			
4.15 Water Supply					
<p>4.15-2 New local water distribution system piping will be installed concurrent with construction of the roadways that are proposed to serve the Planning Area. New water mains are considered to be a developer responsibility and will be installed at the developer's cost at the time the roadways are constructed.</p> <p>Proposed water mains will be sized and located to meet domestic and fire flow requirements. Water main size and location shall be verified at both the preliminary design and final design stage of project development.</p>	Developer	Utilities Department	Design the water distribution system to meet the specifications of the Utilities Department.	Grading or Building Permit	
4.16 Wastewater Conveyance and Treatment					
<p>4.16-2(a) Detain existing storm drainage flows to the combined sewer system to offset the estimated sanitary sewage flow increase.</p>	Developer	Utilities Department	Pay fees or detain CSS storm drain flows as required by the Department of Utilities.	Building Permit	
4.17 Stormwater and Drainage					
<p>4.17-1(a) Construct a storm drainage system to accommodate increased storm water runoff resulting from development in the Planning Area.</p>	Developer	Utilities Department	Pay fees or detain CSS storm drain flows as	Building Permit	

Continental Plaza IV Development Agreement

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards required by the Department of Utilities.	Timing	Verification of Compliance (Initials/Date)
<p>4.17-1(c) Separate combined sewers in Railyards Area and Eastern Richards Area, or construct a substitute facility adequate to prevent outflows in the combined system.</p>	<p>Developer</p>	<p>Utilities Department</p>	<p>Prepare a program to separate the combined system or a substitute facility to prevent outflows in the combined system and/or pay fair share costs of the system or construct a substitute facility.</p>	<p>Building Permit</p>	
<p>4.18 Solid Waste</p>					
<p>4.18-1(a) The City of Sacramento shall require all new development within the Planning Area to participate fully in a comprehensive solid waste management program designed so that, on average, at least 50 percent of the solid waste generated within the area is diverted from landfilling to either recycling, re-use, or other disposal means such as cogeneration. All recycling and source reduction programs shall comply fully with the City of Sacramento Recycling and Solid Waste Reduction Ordinance.</p>	<p>Developer</p>	<p>Development Services Department, Building Division</p>	<p>Comply with Zoning Ordinance solid waste management requirements.</p>	<p>Building Permit</p>	

Continental Plaza IV Development Agreement

September 4, 2007

	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)

ORDINANCE NO. 2007-

Adopted by the Sacramento City Council
Date

APPROVAL OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND GROVE INVESTMENT COMPANY, A CALIFORNIA GENERAL PARTNERSHIP AND CONTINENTAL PLAZA PHASE IV, LLC, A CALIFORNIA LIMITED LIABILITY CORPORATION FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE RICHARDS BOULEVARD AND NORTH 7TH STREET INTERSECTION. (APN 001-0020-017, 001-0020-018, 001-0020-0049, 001-0020-050, 001-0020-051) (P07-015)

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

SECTION 1

This Ordinance incorporates, and by this reference makes part hereof, that certain Development Agreement, by and between the City of Sacramento and Grove Investment Company, a California general partnership and Continental Plaza Phase IV, LLC, a California limited liability corporation (collectively, "the landowners"), a copy of which is attached hereto.

SECTION 2

The City Council finds:

1. The agreement is consistent with the City's General Plan, Central City Community Plan and the Richards Boulevard Area Plan goals, policies, standards and objectives in that the Continental Plaza PUD supports and promotes the Central City's role as the region's office and employment center, reuses and revitalizes an existing developed area, and encourages the intensification of uses around light rail stations.
2. The Development Agreement should be encouraged since the first three phases of the Continental Plaza PUD contributed to the widening and street improvements of Richards Boulevard from 7th to 16th Street; the construction of the 7th Street extension through the UP Railyards connecting Richards Boulevard to the Central Business District; and, the preliminary work for the reconfiguration of the intersection at Richards Boulevard and North 16th Street.

3. The project would be unlikely to proceed in the manner proposed in the absence of a development agreement since the property owner may not be able to secure a State office use without having a fully entitled project.
4. The landowner will incur substantial costs in order to provide public improvements, facilities or services from which the general public will benefit.
5. The landowner will participate in all programs established and/or required under the General Plan or any applicable specific or community plan and all of its approving resolutions (including any Mitigation Monitoring Plan), and has agreed to financial participation required under any applicable financing plan and its implementation measures, all of which will accrue to the benefit of the public.
6. The landowner has made commitments to a high standard of quality and has agreed to all applicable land use and development regulations.

SECTION 3

The Development Agreement attached hereto is hereby approved, and the City Mayor is authorized to execute after the effective date of this Ordinance said Development Agreement on behalf of the City of Sacramento. This approval and authorization is based upon the Addendum to the previous Environmental Impact Report and Mitigation Monitoring Plan which is the subject of a separate resolution adopted by City Council prior to or concurrent with the adoption of this Ordinance.

Table of Contents:
Exhibit A: Development Agreement – 1 Page

A copy of the Development Agreement
is available for Review at:

City of Sacramento
Development Services Department
New City Hall
915 I Street, 3rd Floor
Sacramento, CA 95814
(916) 808-5381

8 a.m. - 5 p.m.
Monday through Friday

ORDINANCE NO. 2007-

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM HEAVY INDUSTRIAL NORTH SPECIAL PLANNING DISTRICT (M-2(N)(SPD) AND HEAVY INDUSTRIAL CENTRAL SPECIAL PLANNING DISTRICT (M-2 (C)(SPD)) TO HEAVY INDUSTRIAL NORTH PLANNED UNIT DEVELOPMENT SPECIAL PLANNING DISTRICT (M-2 PUD/SPD) AND OFFICE BUILDING PLANNED UNIT DEVELOPMENT SPECIAL PLANNING DISTRICT (OB PUD/SPD). (P07-015) (APN: 001-0020-051)

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

SECTION 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as APN: 001-0020-051 and consisting of 1.00+/- acres, from Heavy Industrial (North) Special Planning District (M-2(N)-SPD) to Heavy Industrial (North) Planned Unit Development Special Planning District (M-2(N)-PUD-SPD).

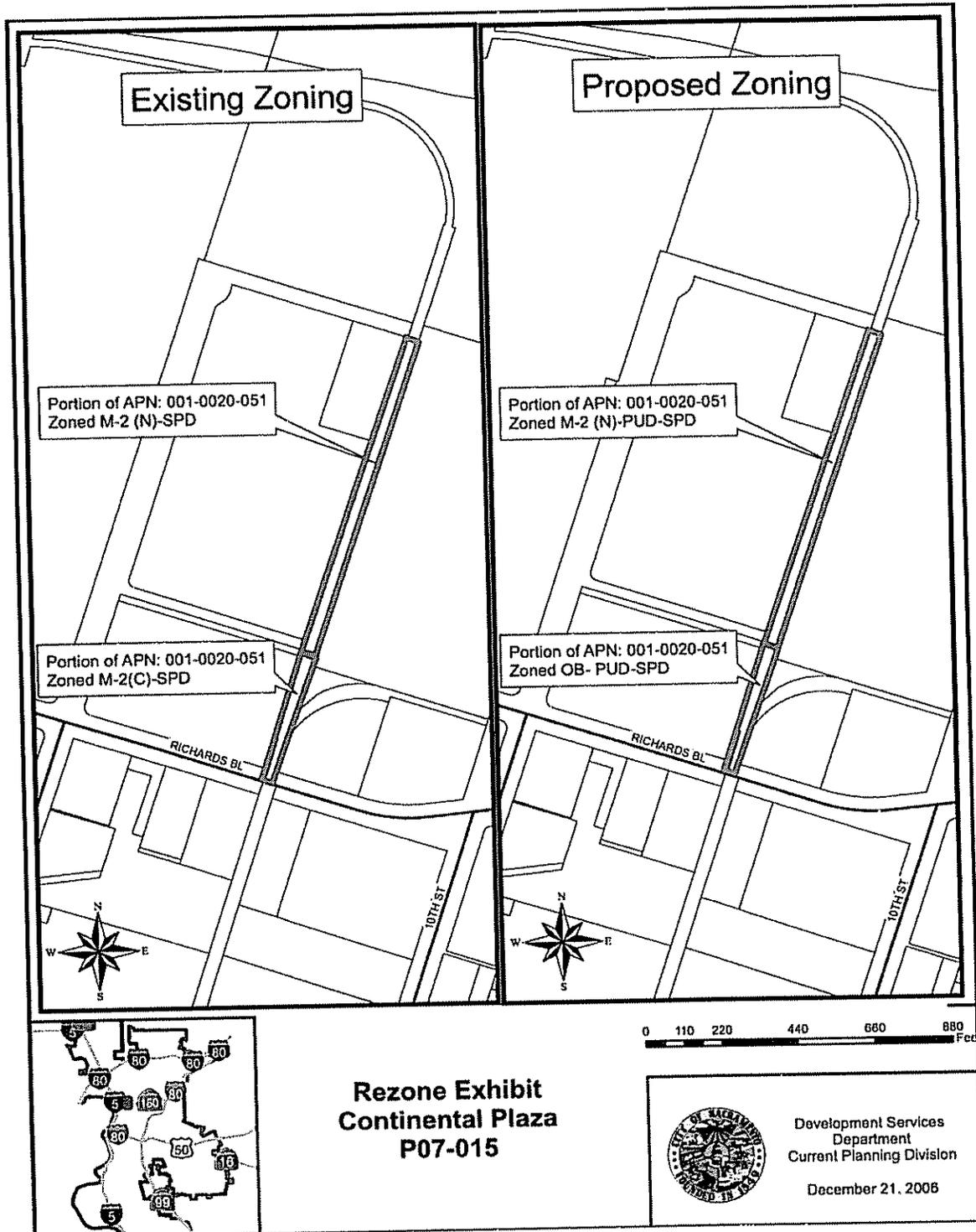
SECTION 2. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as APN: 001-0020-051 and consisting of 0.19+/- acres, from Heavy Industrial (Central) Special Planning District (M-2(C)-SPD) to Office Building Planned Unit Development Special Planning District (OB-PUD-SPD).

SECTION 3. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance will be considered to be in compliance with the requirements for the rezoning of property described in the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, as those procedures have been affected by recent court decisions.

SECTION 4. 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: Continental Plaza Rezone Map



RESOLUTION NO. 2007-

Adopted by the Sacramento City Council

DATE

AMENDING THE CONTINENTAL PLAZA PUD GUIDELINES AND SCHEMATIC PLAN LOCATED AT 425, 601 AND 611 NORTH 7TH STREET. (P07-015) (APN'S: 0010020-017, 018, 049, 050& 051)

BACKGROUND

A. On July 12, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Continental Plaza PUD Guidelines and Schematic Plan Amendment (P07-015) (the "Project").

B. On August 28, 2007 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.180.050(D) and 17.200.010(C)(2)(a) and (c) (publication and mail), and received and considered evidence concerning the 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 Project, the City Council approves the amendments to the Continental Plaza PUD Guidelines and Schematic Plan as shown in the attached Exhibits A and B based on the findings of fact as set forth below.

Section 2.

The City Council approves the Project based on the following findings of fact:

A. Environmental Determination: The EIR Addendum and Mitigation Monitoring Program for the Project have been adopted by Resolution No. _____.

B. The Amendments to the PUD conform to the General Plan, the Central City Community Plan, the Richards Boulevard Area Plan, and the Sacramento Blueprint; and

C. The PUD meets the purposes and criteria stated in the City Code (Title 17), in that the PUD facilitates the design of a well-planned facility that will provide a long lasting benefit to the community and the City.

Table of Contents:

Exhibit A	Continental Plaza PUD Amended Guidelines
Exhibit B	Schematic Plan

DEVELOPMENT
GUIDELINES

CONTINENTAL PLAZA PUD

Amended by CPC, October 24, 2002
Amended by CC, September 4, 2007

Amended Continental Plaza PUD Development Guidelines Section 1. Purpose and Intent to read as follows:

I. PURPOSE AND INTENT

Continental Plaza is a Planned Unit Development (PUD) consisting of an approximately 1,097,350 square foot office campus to be located at the northeast corner of Richards Boulevard and North 7th Street in the Richards Boulevard Planning Area of the Central City. The Continental Plaza Planned Unit Development is a four phase project, three phases of which have already been completed.

Phase I, completed in 1986, consists of a conversion of the 160,000 square foot Continental Can Manufacturing Facility (originally constructed in 1946) from industrial to office use. In 1991, a new 67,500 square foot, two story, Phase II office building was added to the complex. A two story, 59,850 square foot, Phase III office building was constructed in 1999, resulting in a total of 287,350 developed square footage in the first three phases of the Continental Plaza PUD.

In addition to the existing Phase I, II and III buildings, the Continental Plaza PUD makes provision for the construction of one additional new office building of 810,000 square feet (Continental Plaza Phase IV) and an eight story parking structure. While the Continental Plaza office campus is principally intended to accommodate State agencies, the Continental Plaza PUD is well suited to any office user seeking the efficiency, flexibility and cost-effectiveness of large floor plate designs in an attractive back-office setting.

These PUD Guidelines, as approved by the City of Sacramento City Council, shall govern the development of the Continental Plaza site and are intended to promote the following project objectives:

1. To allow for the expansion of the existing office space to accommodate additional requirements of State agencies;
2. To accommodate the State's plans for consolidation of State-occupied office space at a location that has been targeted by the City for such use;
3. To house office users seeking the efficiency, flexibility and cost-effectiveness of large floor plate designs in an attractive back-office setting;
4. To contribute to and enhance the operational efficiency and functional qualities of the existing Continental Plaza Phase I, II and III facilities (which already includes a 9,100 square foot cafeteria, a centralized mail facility, a 200 seat auditorium, two large classroom/training facilities, and an existing shuttle system linking Continental Plaza with the Central Business District and Capitol Area);
5. To provide a signature building to anchor the 7th Street corridor to the north and establish a design standard for the "lower cost, support office space" targeted by the Richards Boulevard Area Plan (RBAP) for this location.

6. To contribute to financing of the critical first phase of infrastructure for the Railyards Specific Plan (RSP) and Richards Boulevard Area Plan (including the widening of the I-5/Richards Boulevard undercrossing, the 7th Street extension and the Intermodal transportation facilities);
7. To provide a logical extension of downtown employment activity, commerce and trade;
8. To reinforce the use of major transit improvements planned for the area (including the Intermodal transportation facilities to be located in the Railyards Specific Plan area and the Light Rail Transit Station to be located west of the Continental Plaza site on Richards Boulevard); and
9. To provide the catalyst for the redevelopment of the Richards Boulevard area (now known as the River District), the landowners of which have formed a Property Owners Business Development District for their mutual benefit.

Amended Continental Plaza PUD Development Guidelines Section II. Force and Effect to read as follows:

II. FORCE AND EFFECT

These Guidelines are intended to act as a supplement to existing City codes and ordinances and shall control when more restrictive than such codes and ordinances or when inconsistencies arise between the provisions contained herein and the provisions of such codes and ordinances. Any amendments hereto shall be subject to the procedures established in Section 17.180 of the Sacramento City Code.

Amended Continental Plaza PUD Development Guidelines Section III. Schematic Development Plan to read as follows:

III. SCHEMATIC DEVELOPMENT PLAN

These development guidelines incorporate the Schematic Plan of the Continental Plaza PUD originally approved by the Sacramento City Council by Resolution No. 96-594 and amended by the Sacramento City Planning Commission on October 24, 2002. This Schematic Plan, showing building locations, parking layout and site circulation, is attached as Exhibit B. Amendments to the Schematic Plan are subject to review and approval as set forth in Section 17.180 of the Sacramento City Code.

Amended Continental Plaza PUD Development Guidelines Section IV. PROCEDURES FOR APPROVAL to read as follows:

Section IV. PROCEDURES FOR APPROVAL

All development in the Continental Plaza PUD is subject to review and approval as set forth

in Sacramento City Code Section 17.180 to insure conformance with the PUD Schematic Plan and these Guidelines. However, if the proposed project otherwise requires a special permit, then review for conformity with the PUD Schematic Plan and these Guidelines would be part of the special permit process. A preliminary review of a development project may be required when the Planning Director determines that such review is essential to a thorough review.

All applications shall include information noted on the standard City checklist.

Since Continental Plaza Project is a PUD, development is not subject to City design review under Chapter 17.132 of the Zoning Code that otherwise is required for all development in the Richards Boulevard SPD. Section 17.120.020 exempts properties within a planned unit development from design review because the PUD project approval process incorporates design review. The Planning Director's Plan Review process will insure that projects within the Continental Plaza PUD comply with these Guidelines. Appeal of a Planning Director's decision regarding Plan Review for a project is set out in Chapter 17.220.

The following information shall be submitted with all applications:

1. Names and addresses of contractor, developer and architect.
2. Project site plan with dimensions taken from signed recorded plat.
3. All submissions must include topography showing existing grades and proposed grades at one foot intervals with spot elevations as required to clarify drawings; also show building corner elevations and floor landscaping.
4. Landscape plans, including shading calculations.
5. Retaining walls.
6. Locations and details of temporary and permanent signs, including dimensions.

If the specific signage program is not known, the applicant shall designate a zone or alternative zones on the building façade(s) on which attached signage may be located and the location or alternative locations of detached signage. The Planning Commission shall approve the acceptable location(s) or zone(s) as part of the Special Permit.

7. Temporary and permanent fences and fence material.
8. Front, side and rear setbacks from building to property lines.
9. Easements and rights-of-way, existing and proposed.
10. Pipes, berms, ditches, swales.
11. Driveways, parking areas, pedestrian circulation, and lighting, existing and

proposed.

12. Locations and details of open space, including patios, seating areas, water features, pathways, etc.
13. Exterior storage and screening devices for trash, mechanical and communications equipment, and meters.
14. Location of light poles and transformers, with height and type indicated.
15. Utility plan, including services stubbed to site.
16. Mailboxes, if known.
17. Roof projections and/or roof plan and screening treatment.
18. Land use distribution, percent and square footage of site used for the following:
 - Building pads;
 - Surface parking and any other paved area;
 - Landscaping (includes on-site open space, private sidewalks, and patios)
19. Building elevations for all sides and height to top plate and top of roof.
20. Location of existing and proposed buildings.
21. Street names and right-of-way widths and driveways adjacent to the site.
22. Cross sections of structures indicating relationship to adjacent buildings and roadways.
23. Dimensions for typical parking stalls and maneuvering areas, including setbacks of building and building separation.
24. Bar scales of all plans.
25. Phasing scheme and proposed timing schedule for buildout.
26. Location and details regarding any on-site storage of hazardous or toxic material regulated by City Ordinance No. 82-097.
27. Transportation Management Plan providing a 35% trips reduction or, if applicable, a Transportation Management Plan incorporating additional measures into the plan to support parking reduction above the 1:600 parking ratio.
28. Statement of Recycling Information regulated by Title 17.72 of the Sacramento City Code.

Amended Continental Plaza PUD Development Guidelines Section V. Land Use Summary to read as follows:

V. LAND USE SUMMARY

The Continental Plaza site consists of three parcels. The existing Phase I and II buildings are located on an 11.92± gross acre parcel fronting 7th Street north of Richards Boulevard (Parcel A). The existing Phase III building is located on a 1.39± gross acre parcel fronting Vine Street (Parcel B). The Phase IV office building will be developed on an adjacent 4.75± gross acre parcel located at the northeast corner of the intersection of 7th Street and Richards Boulevard (Parcel C). Parking for the office complex (Phases I, II, III, & IV) will be provided with surface and structured parking on Parcels A & B.

The zoning for Parcels A and B of the Continental Plaza site is Heavy Industrial Planned Unit Development/Special Planning District (M-2 PUD/SPD). The zoning for Parcel C of the Continental Plaza site is Office Building Planned Unit Development/Special Planning District (OB PUD/SPD).

In 2007, a former rail spur line along the eastern boundary of the Continental Plaza PUD property was incorporated into the PUD. Of the approximately 1.19± acres, about one acre is zoned Heavy Industrial Planned Unit Development Special Planning District (M-2 PUD/SPD) and about 0.19 acres is zoned Office Building Planned Unit Development Special Planning District (OB PUD/SPD). Prior to construction of the parking garage the property will need to be merged with the larger Continental Plaza property.

TABLE 1
Land Use Summary

Phase I (existing)	160,000± SF
Phase II (existing)	67,500± SF
Phase III (existing)	59,850± SF
Phase IV (to be constructed)	810,000± SF
Office (including 14,000± SF of ground floor retail)	
Parking Structure (between 1,238 and 3,000 spaces ¹)	
Child Care Facility (conversion of 4,300± SF of Phase I office space)	
Total square footage (net of parking structure)	1,097,350± SF

¹ See Building Standards Section E1 below.

Amended Continental Plaza PUD Development Guidelines Section VI. BUILDING STANDARDS to read as follows:

Section VI.A 1 and 2 shall read as follows:

A. Allowable Development:

1. The overall building square footage (net of structured parking) in the Continental Plaza PUD shall not exceed 1,097,350 square feet.
 - a. For the purpose of calculating the Floor Area Ratio (FAR) for the Continental Plaza PUD, the area of the site shall include the 11.92± gross acre (10.62 net of ROW//IOD) Parcel A, the 1.39± gross acre (1.22 net of ROW//IOD) Parcel B, and the 4.75± gross acre (3.45 acres net of ROW//IOD) Parcel C. This methodology reflects the functional integration of these three parcels into a single office campus.
2. The overall building square footage on Parcels A and B (the northern lots) of Continental Plaza PUD shall not exceed 291,650 gross square feet of occupied building area and a parking structure not to exceed eight stories, 95 feet in height with sufficient capacity to accommodate approximately 3,000 spaces (See Building Standards Section E1 below). The building square footage includes 287,350 gross square feet of office development and a 4,300 gross square feet childcare facility.

Section VI. C 1 and 2 is amended to read as follows:

C. Height:

The following is the maximum height:

1. M-2 zone (Parcels A and B)
 - a. Office/Residential buildings -- 75 feet (measured from top of plate line)
 - b. Parking Garage
 - i. Constructed with building permits issued and construction commenced on or before October 4, 2010 – eight (8) stories or 95 feet (measured from top parking deck whichever is less; last elevator stop and elevator equipment shall be permitted up to an additional 15 feet). A Zoning Administrator special permit minor modification may be requested and processed in order to extend this time limit for a period of one (1) year, thereby extending this provision to October 4, 2011.
 - ii. Constructed with building permits issued and construction commenced after October 4, 2010 – six (6) stories or 75 feet, whichever is less (measured from top parking deck whichever is less; last elevator

stop and elevator equipment shall be permitted up to an additional 15 feet). If a Zoning Administrator special permit minor modification, as allowed above, is approved, the deadline specified in this section shall be extended to October 4, 2011.

Section VI.D shall read as follows:

D. Setbacks: The Continental Plaza Planned Unit Development will ultimately be bounded on all four sides by existing and planned rights-of-ways as illustrated in the Facility Element for the Railyards Specific Plan & Richards Boulevard Area Plan. The Continental Plaza project site is bounded by Richards Boulevard to the south, North 7th Street to the west, the proposed Vine Street extension to the north and the proposed 8th/9th Street extension to the east. In addition, the Facility Element for the RBAP calls for a future new street to be located parallel to Richards Boulevard, between the northern portion of the Continental Plaza site (Parcels A and B) and the southern portion of the Continental Plaza site (Parcel C). Setbacks shall be measured from property lines of future rights-of-way, unless otherwise noted.

Setback areas shall be landscaped.

1. M-2 zone (Parcels A and B)

- a. 7th Street (west) - 25 feet
- b. Proposed Vine Street IOD/ROW (north) - 10 feet
- c. Existing interior property line (east)
 - i. Parking garage - 5 feet
 - ii. Office/Residential buildings - 10 feet
- d. Proposed new street (south) - 10 feet

2. OB zone (Parcel C)

- a. 7th Street (west) - 45 feet
 - i. This 45 foot setback shall be reduced ultimately to 23 feet once 7th Street taper is constructed.
- b. Proposed new street (north) - 10 feet
- c. Existing interior property line (east) - 10 feet
- d. Richards Boulevard (south) - 35 feet from existing property line
 - i. This 35 feet setback includes the future 30 foot wide right-of-way for the extension of the LRT line to the Dos Rio station. Upon dedication of the LRT ROW the setback shall be reduced to 5 feet. The development of the 30 foot LRT ROW provides a 24 foot track area and 6 foot sidewalk (north of the tracks). To provide the best configuration for the light rail line, it is recommended

that the City and Regional Transit relocate the 9 foot sidewalk to the north side of the tracks and utilize the remaining six feet for landscaping in conjunction with the 5 feet provided by the building, thus providing 11' of landscaping between the sidewalk and the building.

Section VI. E 1 a, b and c is amended to read as follows:

E. Vehicle Parking:

Parking for Phase IV office building is provided on the northern parcels (Parcels A and B) of the PUD. In order to assure parking will remain available for the Phase IV office building an easement, deed restriction or other instrument satisfactory to the City Attorney shall be recorded that provides access to the parking for the perpetuity of the office building.

1. Office

- a. For office projects for which building permits are issued and construction commenced on or before October 4, 2010, the maximum amount of off-street vehicle parking permitted shall be one space per 325 gross square feet of floor area. A Zoning Administrator special permit minor modification may be requested and processed in order to extend this time limit for a period of one (1) year, thereby extending this provision to October 4, 2011. The minimum amount of off-street vehicle parking permitted shall be one space per 600 gross square feet of floor area, unless additional TSM measures are implemented in accordance with Section VI.E.1.c below.
 - i. Prior to issuance of an occupancy permit for the parking garage, the developer/owner/applicant shall enter into an irrevocable parking agreement with the Sacramento Regional Transit District that will set aside up to 200 interim park and ride spaces for the end-of-the-line RT Station at North 7th Street and Richards Boulevard.

The developer/owner/applicant shall provide an executed copy of the irrevocable parking agreement or an adopted resolution letter from the Sacramento Regional Transit District that assures the City of Sacramento that this agreement has been approved and adopted or is no longer required.
- b. For office projects for which building permits are issued and construction commenced after October 4, 2010, the maximum amount of off-street vehicle parking permitted shall be one space per 500 gross square feet of floor area. If a

Zoning Administrator special permit minor modification, as allowed above, is approved, the deadline specified in this section shall be extended to October 4, 2011. The minimum amount of off-street vehicle parking permitted shall be one space per 600 gross square feet of office area, unless additional TSM measures are implemented in accordance with Section VI.E.1.c below.

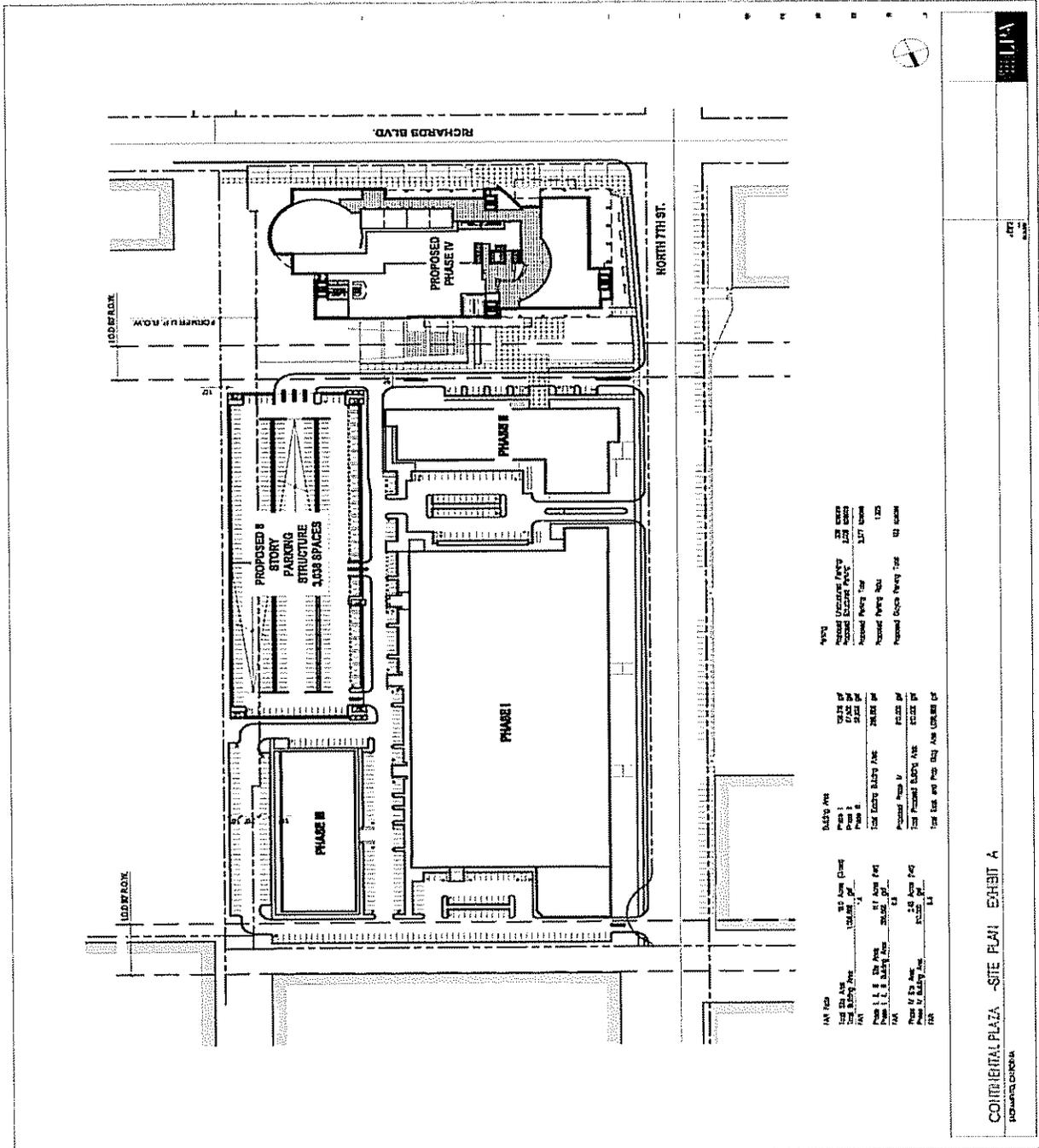
- c. Office parking may be reduced to above the 1:600 ratio up to a minimum amount of off-street vehicle parking of one space for every 1,000 gross square feet of floor area, provided that additional TSM measures, beyond those mandated by the Developer TSM Ordinance (35%), shall be implemented in order to support the reduction in parking. A developer Transportation Management Plan (TMP) shall be submitted concurrently with the application for development to justify the requested parking reduction.

Section VI. E 7 & 8 is hereby added to read as follows:

- 7. The Continental Plaza parking structure shall be operated and managed so as to provide opportunities for use of the facility by residents of and visitors to the Richards Boulevard Plan Area during those hours of the day when the structure is not in use to serve the parking requirements of the Continental Plaza Project.
- 8. The developer of Continental Plaza Phase IV shall make a good faith cooperative effort in collaboration with the developer of the Township 9 Project located at the northwest corner of Richards Boulevard and N. 7th Street to incorporate access to the Continental Plaza parking structure from Richards Boulevard and to reduce reliance on access to the facility from N. 7th Street.

Except as specifically amended by the above amendments to the Continental Plaza PUD Development Guidelines all other provisions of the Continental Plaza PUD Development Guidelines remain unchanged and in full force and effect.

Exhibit B – Schematic Plan



Item	Area (sq ft)						
PHASE I	17,428	17,428	17,428	17,428	17,428	17,428	17,428
PHASE II	7,742	7,742	7,742	7,742	7,742	7,742	7,742
PHASE III	28,000	28,000	28,000	28,000	28,000	28,000	28,000
PHASE IV	31,125	31,125	31,125	31,125	31,125	31,125	31,125
Parking Structure	3,038	3,038	3,038	3,038	3,038	3,038	3,038
Total	87,333						

CONTINENTAL PLAZA - SITE PLAN - EXHIBIT A

**CONCLUSION TO PREPARE AN ADDENDUM TO
A CERTIFIED ENVIRONMENTAL DOCUMENT**

An addendum to a certified environmental document may be prepared if only minor technical changes or additions are necessary (CEQA Guidelines Section 15164). The City has decided to prepare an Addendum in that none of the following findings necessary to prepare a Subsequent Environmental Impact Report have been made pursuant to CEQA Guidelines Section 15162:

1. No substantial changes are proposed to the project which will require major revisions of the previous Environmental Impact Report.

In 1992, the applicant submitted plans for a 580,000± square foot building on the southern portion of the subject site (P92-309). In December 1994, an application was submitted for a 60,000± square foot building on the northern portion of the site (P94-126). In March, 1995, the applicant revised and resubmitted plans for an 810,000± square foot building on the southern portion of the site with a parking structure to be located on the northern portion of the site. In June, 1995, staff determined that one environmental document would be prepared for both projects (Draft Initial Study and Notification of the Use of the Railyards Specific Plan/Richards Boulevard Area Plan EIR and SEIR for the Continental Plaza Phase III and Phase IV). On August 22, 1996, the City Planning Commission recommended approval of the various entitlements for the project and forwarded to the City Council. On October 29, 1996, the City Council approved the various entitlements and created the Continental Plaza PUD. Approved entitlements included entitlements to develop two office buildings totaling 870,000 square feet (sf) and a six-story, 1,238 space parking garage on two lots of approximately 18 acres. The project consisted of the construction of a 60,000 sf, two-story office building (Continental Plaza III), child care facility, and a six-story parking structure on the northern portion of the site. On the southern portion of the project site, the applicant proposed to construct an 810,000 sf office building (Continental Plaza IV). Parking for all buildings (Continental Plaza I-IV) was to be provided on the northern lot through surface parking and the six story parking structure. An addendum prepared in 2001, Continental Plaza PUD Amendments (P01-125), included an updated transportation analysis and applicable mitigation measures.

The current entitlement requests for a development agreement and PUD amendments do not significantly alter the analysis in the previously certified environmental document and the alternatives identified in that document; therefore, an addendum is being prepared for this project. Although the addendum provides additional information and evaluation, none of the new information and evaluations will trigger a need for a subsequent Environmental Impact Report. The modifications of the previous entitlements for the proposed project are within the scope of analysis of the prior project and will not result in any new potential environmental impacts or any more severe impacts than those previously evaluated, identified, and proposed to be mitigated in the original Continental Plaza PUD environmental document.

2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the previous Environmental

Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The proposed project is for a development agreement and PUD amendments to increase the maximum parking ratio from 1:600 to 1:325. Traffic analyses are based on proposed building square footage. Previous analyses have considered the development of an 810,000 sf office building and 4,300 sf child care facility within the existing Phase 1 office building. Since the proposed project would not increase the size of previously analyzed buildings, no new traffic impacts would be created. Since no new traffic impacts would be created, there would not be any new operational air quality impacts to analyze. The original environmental document analyzed a six-story, 1,238 space parking garage. The proposed project would provide for an eight-story, 95 foot, 3,038 space parking garage. Air quality impacts associated with the construction of a six-story versus an eight-story parking garage would be similar and, thus, the impacts would not be substantially more severe than those considered in the original environmental document. New information submitted for the proposed project would be considered minor technical changes and would be within the scope of the original environmental analysis.

3. No new information of substantial importance has been found that shows any of the following:

- a) The project will have one or more significant effects not discussed in the previous EIR and Addendum;
- b) Significant effects previously examined will be substantially more severe than shown in the previous EIR and Addendum;
- c) Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or
- d) Mitigation measures which are considerably different from those analyzed in the previous EIR and Addendum would substantially reduce one or more significant effects on the environment.

The proposed project involves the construction of a parking garage previously identified in the PUD Schematic Plan; however, the proposed height of the parking garage will be increased to 95 ft (eight stories). Development of the proposed project would not result in any new significant effects not discussed in the Continental Plaza PUD environmental document. Mitigation measures adopted for the previous environmental document are consistent with what has been previously analyzed.

Continental Plaza PUD
Addendum to the Continental Plaza PUD Environmental Document
(SCH 1996032045)
PROJECT INFORMATION
File Number / Project Name
P07-015 / Continental Plaza PUD

Project Location

The approximate 18-acre project site is located on Richards Boulevard along North 7th Street in the Richards Boulevard Special Planning District, APNs 001-0020-017, 018, 049, & 051.

Existing Plan Designations and Zoning:

The project site is designated by the General Plan as Special Planning District. The community plan designation is Industrial/Residential and Office. Existing zoning is Heavy Industrial Planned Unit Development Special Planning District (M-2 PUD/SPD) and Office Building Planned Unit Development Special Planning District (OB PUD/SPD).

Project Background

In 1992, the applicant submitted plans for a 580,000 sf building on the southern portion of the subject site (P92-309). In December 1994, an application was submitted for a 60,000 sf building on the northern portion of the site (P94-126). In March 1995, the applicant revised and resubmitted plans for an 810,000 sf building on the southern portion of the site with a parking structure to be located on the northern portion of the site. In June 1995, City staff determined that one environmental document would be prepared for both projects. On August 22, 1996, the City Planning Commission recommended approval of the various entitlements for the project. On October 29, 1996, the City Council approved the various entitlements and created the Continental Plaza PUD. Phase III was constructed in 1999; however, Phase IV (a twelve-story, 810,000 sf building fronting Richards Boulevard) was never constructed. On February 24, 2000, the City Planning Commission approved special permits for time extensions for various entitlements and the Mitigation Monitoring Plan. The time extension extended the period of the special permit to October 29, 2001. On October 2002, the Planning Commission re-approved the special permits for Continental Plaza Phase IV, extending the special permit to October 2007. The environmental document approved by the Planning Commission on October 2002 included an updated transportation and circulation analysis and applicable mitigation measures.

Project Purpose

The purpose of the project is to obtain the necessary entitlements to vest development rights of Continental Plaza Phase IV consisting of a 810,000 sf office building, off-site parking, and a 4,300 sf child care facility in the existing Phase I office building for an additional 10 years (2017). In addition, the applicant is requesting to amend the Continental Plaza Development (PUD) Guidelines with respect to parking and to incorporate the former rail spur to the east.

Project Components

The applicant is requesting a Development Agreement to vest development rights of Continental Plaza Phase IV consisting of a 810,000 gsf office building, off-site parking and a 4,300 gsf child care facility in the existing Phase I office building for an additional 10 years (2017). In addition to the Development Agreement the applicant is requesting to amend the Continental Plaza Development (PUD) Guidelines with respect to parking. The request is to modify the maximum parking ratio from 1:600 to 1: 325 to be more competitive with suburban office development and to incorporate approximately 1.19 gross acres into the Continental Plaza PUD by amending the Schematic Plan to

incorporate the former rail spur to the east.

