



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
[www. CityofSacramento.org](http://www.CityofSacramento.org)

Public Hearing
December 4, 2007

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

Title: Natomas Crossing Parcel 71 (P07-060)

Location/Council District: Southeast corner of Tanzanite Way and East Commerce Way (3575 Airport Road), Sacramento, CA; Council District 1

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** adopting the Mitigated Negative Declaration Addendum and Mitigation Monitoring Plan; 2) adopt a **Resolution** approving the Planned Unit Development Schematic Plan amendment for the Natomas Crossing PUD; and 3) adopt an **Ordinance** rezoning from Employment Center 30 Planned Unit Development (EC-30-PUD) to Single-Family Alternative Planned Unit Development (R-1A-PUD)

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

Presenters: Not Applicable

Department: Development Services

Division: Current Planning

Organization No: 4885

Description/Analysis

Issue: The applicant is requesting to rezone an approximately 5.2 acre parcel from the Employment Center 30 Planned Unit Development (EC-30-PUD) zone to Single-Family Alternative Planned Unit Development (R-1A-PUD) zone and to re-designate a parcel from Employment Center to Medium Density Residential on the Natomas Crossing PUD Schematic Plan. The existing zoning of the site, EC-30-PUD and the existing PUD designation, Employment Center, are not consistent with the General Plan designation of Low Density Residential (4-15 dwelling units per net acre) and the Community Plan designation of Medium Density Residential 7-21 dwelling units per net acre. This project is essentially to reconcile the zoning and PUD designations with the existing General Plan and Community Plan designations.

Policy Considerations:

General Plan and Community Plan: The proposed project is consistent with the land use designation and applicable policies of the General Plan and North Natomas Community Plan.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The project, in proposing future alternative single-family homes, will help create a range of housing opportunities and choices that can foster a walkable close-knit neighborhood.

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

Committee/Commission Action: On September 27, 2007 the Planning Commission (vote of seven ayes and zero noes) forwarded to City Council a recommendation of approval for the Addendum to Previously Adopted Mitigated Negative Declaration and Mitigation Monitoring Plan, the Rezone and the PUD Schematic Plan Amendment pertaining to the proposal.

Environmental Considerations: The Development Services Department, Environmental Planning Services has reviewed this project for compliance with the requirements of the California Environmental Quality Act (CEQA). The Natomas Crossing Parcel 71 Rezone Project (P07-060) is determined to fall within the scope of the Mitigated Negative Declaration for the Natomas Crossing Area #3 project (P01-028) adopted on June 25, 2002. An Addendum to the adopted Natomas Crossing Area #3 Mitigated Negative Declaration has been prepared in accordance with CEQA Guidelines Sections 15162 and 15164. The Addendum describes the proposed development of the Natomas Crossing Parcel 71 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 Adopted Mitigated Negative Declaration are applicable as amended in the Addendum. With implementation of the mitigation measures identified in the Addendum, the proposed project will result in less-than-significant impacts to the physical environment; therefore, it is recommended that the City Council approve the Addendum to the adopted Natomas Crossing Area #3 Mitigated Negative Declaration.

Rationale for Recommendation: The project is consistent with the objectives of the General Plan and the North Natomas Community Plan in providing housing opportunities to meet the needs of the community and has been determined to be compatible with surrounding uses.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being

purchased under this report.

Respectfully Submitted by: 
David Kwong
Planning Manager

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:


Ray Kerridge
City Manager

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Attachment 1: Background

Background Information: On May 22, 1997, the Planning Commission approved the Tentative Master Parcel Map and Tentative Subdivision Map for the Natomas Crossing project (P96-082, P96-083 and P96-084) and subsequently on June 24, 1997, the City Council adopted Resolution #97-370 to establish the Natomas Crossing Planned Unit Development (PUD) with PUD Guidelines and Schematic Plan; additionally, City Council also approved the Development Agreement, General Plan Amendment, North Natomas Community Plan Amendment and Rezone. On June 6, 2002, the Planning Commission approved the Tentative Subdivision Map, among other entitlements, for Natomas Crossing Area 3 (P01-028) and subsequently on June 25, 2002, the City Council approved the Community Plan Amendment, Rezone, PUD Guidelines Amendment, and PUD Schematic Plan Amendment for the project. Due to an oversight, the approved zoning of the site, EC-30-PUD and the approved PUD designation, Employment Center, were not consistent with the General Plan designation of Low Density Residential (4-15 dwelling units per net acre) and the Community Plan designation of Medium Density Residential 7-21 dwelling units per net acre. The project is proposing to reconcile the zoning and PUD designation with the General Plan and Community Plan by rezoning the parcel to R-1A-PUD and re-designating the PUD Schematic Plan to Medium Density Residential.

Public/Neighborhood Outreach and Comments: Staff has routed the project to various neighborhood groups, including the North Natomas Alliance and the Natomas Chapter of the Partnership for Active Communities, and has not received any comments.

Mixed Income Inclusionary Housing Ordinance: The City of Sacramento adopted a Mixed Income Housing Ordinance on October 3, 2000 which addresses the need for projects to provide a percentage of single-family and multi-family residential units for the benefit of low and very low-income levels. Under the adopted ordinance, several exemptions exist whereby projects are not required to meet the percentage of low and very low dwelling unit requirements. Specifically, any project in North Natomas having a Development Agreement in place on or before June 20, 2000, and which does not request additional major legislative entitlements is exempt.

The proposed project is exempt from the Mixed Income Housing Ordinance because it is subject to an existing Development Agreement and the requested entitlements are considered "minor legislative entitlements" as defined in the Sacramento City Code, Section 17.190 et. seq. "Minor legislative entitlements" refer to legislative entitlements or amendments to legislative entitlements, which satisfy one or more of the following:

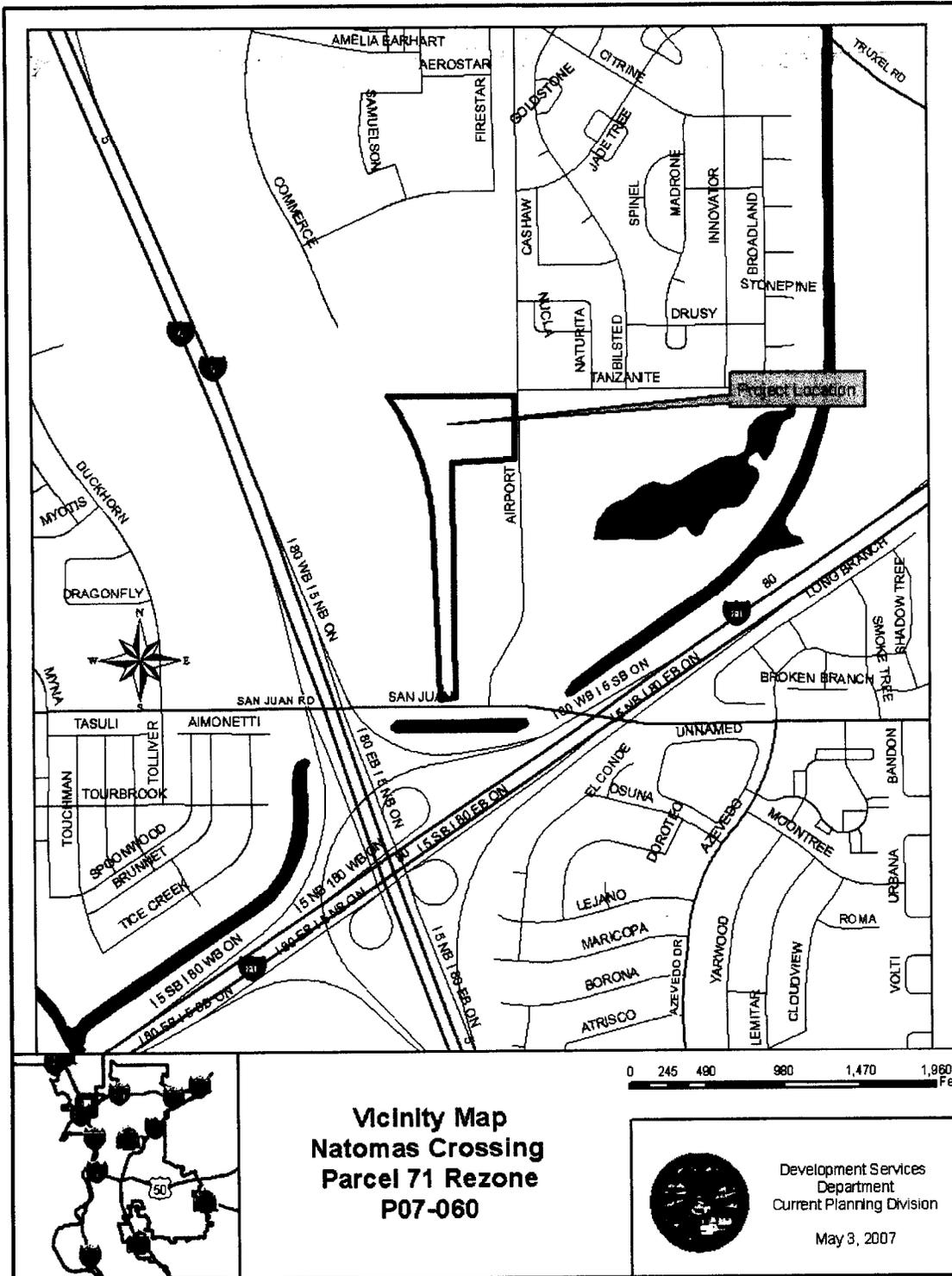
1. Entitlements that do not result in any of the following criteria as defined by the North Natomas Community Plan target average densities: a net loss of residential acreage; a net loss of acreage of land designated for high density residential (HDR) or medium density residential (MDR) development, unless the

HDR total residential units replace the loss of MDR residential units; or a net loss of total residential units;

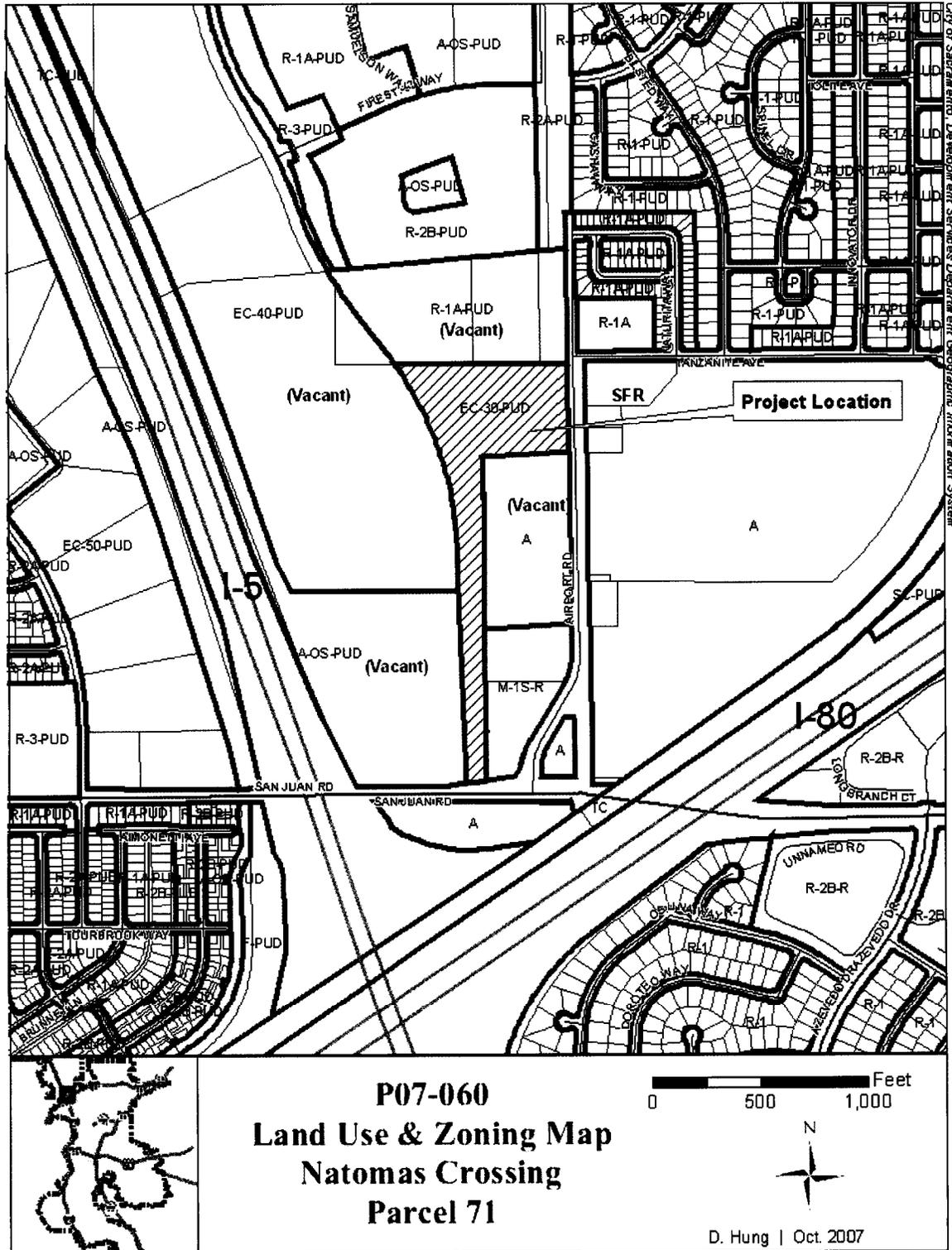
2. Entitlements that are the result of, and required by, amendments to public facilities or roadways designated in the North Natomas Community Plan; provided further that the entitlements are limited to addressing the amendments required by the City or other public agency; or
3. Entitlements that are limited to amendments to a previously approved PUD schematic plan, tentative map, or PUD development guidelines, provided that the amendments do not result in a loss of more than five (5) percent between the density of the proposed project and the density of the previously approved project.

This site is considered an exempt residential project for inclusionary housing purposes in that it has a development agreement executed on or before June 20, 2000. Particularly, the proposed project is considered exempt because the entitlements are considered "Minor Legislative Entitlements" pursuant to SMC 17.190.020, particularly criteria 1 in that there is no net loss of residential acreage.

Attachment 2: Vicinity Map



Attachment 3: Land Use and Zoning Map



Attachment 4: Mitigated Negative Declaration Addendum – Findings – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION ADDENDUM AND THE
MITIGATION MONITORING PLAN FOR THE NATOMAS CROSSING PARCEL 71
PROJECT (P07-060)**

BACKGROUND

A. On September 27, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Natomas Crossing Parcel 71 project.

B. On December 4, 2007, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 17.208.020(C), 17.180.050(D), and 17.200.010(C)(2)(a) and (c) (publication and mail 500'), and received and considered evidence concerning the Natomas Crossing Parcel 71 project.

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

Section 1. The City Council finds as follows:

A. On June 25, 2002, 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 adopted a mitigated negative declaration (MND) and a mitigation monitoring plan and approved the Natomas Crossing – Area # 3 (P01-028) Project (Project).

B. The Natomas Crossing Parcel 71 Rezone Project (P07-060) (Project Modification) proposes to modify the previously approved Project as follows: Rezone one parcel totaling approximately 5.2 acres from Employment Center 30 Planned Unit Development (EC-30-PUD) zone to Single-Family Alternative Planned Unit Development (R-1A-PUD) zone; PUD Schematic Plan Amendment to re-designate an approximately 5.2 acres parcel from Employment Center to Medium Density Residential within the Natomas Crossing Planned Unit Development.

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 Environmental Impact Report or Negative Declaration. An addendum to the previously

adopted MND 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 adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification. The City Council had determined that the previously adopted MND 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:

1. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. 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 adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. No new information of substantial importance has been found that shows any of the following:
 - a. The Project Modification will have one or more significant effects not discussed in the previously adopted MND;
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND.

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

Section 4. 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 5. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk

at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Section 6. The City Council adopts the Mitigated Negative Declaration Addendum and the Mitigation Monitoring Plan for the Natomas Crossing Parcel 71 project, including the following mitigation measure identified in the Mitigated Negative Declaration:

1. Prior to issuance of a grading permit the developer shall (I) comply with all of the requirements of the 2003 NBHCP, including payment of fees and pre-construction surveys, together with any additional requirements specified in the North Natomas Community Plan EIR; (II) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and (III) comply with all conditions in the ITP's issued by the USGFWS and CDFG (as referenced in Mitigation Measures BR-1 & BR-2).
2. A detailed noise study shall be prepared at the time a special permit is filed for the multifamily residential parcel (as referenced in Mitigation Measure N-1).
3. During grading, excavation and construction activities, the following condition shall be included on all grading and construction plans. If subsurface archaeological, prehistorical or historical remains (including unusual amounts of bones, stones or shells) are discovered during excavation or construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. If human burials are discovered, work shall stop immediately, and the Sacramento County Coroner's Office shall be notified immediately. If the remains are determined to Native American in origin, the Native American Heritage Commission and any identified agencies must be notified and recommendations for treatment solicited (as referenced in Mitigation Measure CR-1 & CR-2).

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Exhibit A: Mitigation Monitoring Plan

Exhibit A: Mitigation Monitoring Plan

**NATOMAS CROSSING PARCEL 71 (P07-060)
MITIGATION MONITORING PLAN**

**TYPE OF ENVIRONMENTAL DOCUMENT:
ADDENDUM TO MITIGATED NEGATIVE DECLARATION**

**PREPARED FOR:
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT**

**DATE:
AUGUST 1, 2007**

**ADOPTED BY:
CITY OF SACRAMENTO
CITY COUNCIL**

DATE:

ATTEST:

**NATOMAS CROSSING PARCEL 17 REZONE
(P07-060)
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., Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Natomas Crossing Parcel 17 Rezone (P07-060)
Owner/Developer- Name: Alleghany Properties c/o Greg Guardino
Address: 2150 River Plaza Drive, Suite 155
Sacramento, CA 95833
Phone: (916) 648-7111

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

The subject project is located at the southeast corner of East Commerce Way & Tanzanite Road in the North Natomas Community Plan area of the City of Sacramento, Sacramento County (APN: 225-0180-039).

Project Description:

The proposed project consists of the entitlements to allow residential development on approximately 5.2 acres in the Natomas Crossing – Area #3 PUD:

Rezone one parcel totaling 5.2 acres from Employment Center Planned Unit Development (EC-30-PUD) to Single-Family Alternative (R-1A-PUD);
PUD Schematic Plan Amendment: to the Natomas Crossing PUD Area #3 to allow Medium Density Residential Development.

SECTION 2: GENERAL INFORMATION

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

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

NATOMAS CROSSING PARCEL 17 REZONE (P07-060)
 MITIGATION MONITORING PROGRAM CHECKLIST

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Biological:</p> <p>BR-1. The project applicant/developer shall: (i) comply with all requirements of the NBHCP including pre-construction surveys; (ii) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and together with any additional requirements specified in the Natomas Community Plan EIR (iii) comply with all conditions in the ITP's issued by the USFWS and CDFG. 2003 NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR;</p> <p>BR-2. The project applicant/developer shall further: (i) comply with all the requirements of the 2003 NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and (iii) comply with all conditions in the ITP's issued by the USFWS and CDFG.</p>	Applicant / Developer	City of Sacramento – Development Services Department; California Department of Fish and Game (CDFG), and the U.S. Fish and Wildlife Service (USFWS)	Measures shall be included within the improvement plans and construction specifications indicating the need for pre-construction surveys and report to CDFG and USFWS. Measures shall be implemented in the field prior to, during, and after construction activities, as appropriate.	Prior to the issuance of a Notice to Proceed by Development Services and prior to the issuance of any building permit by the Building Division Implementation of measures: in field prior to, during, and after construction activities.	

NATOMAS CROSSING PARCEL 17 REZONE (P07-060)
MITIGATION MONITORING PROGRAM CHECKLIST

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Noise:</p> <p>N-1. A detailed noise study shall be prepared at the time a special permit is filed for the multi-family residential parcel.</p>	Applicant/ Developer	City of Sacramento – Development Services Department; California	Measures shall be implemented in the field prior to, during, and after construction activities, as appropriate.	Prior to the issuance of a Notice to Proceed by Development Services and prior to the issuance of any building permit by the Building Division	
<p>Cultural Resources:</p> <p>CR-1. If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.</p> <p>CR-2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Applicant / Developer	City Development Services Department	Note shall be included on the Map and within the Standard Construction Specifications Site inspections by the Development Services Department shall inspect for any potential archaeological resources during site visits.	Measures shall be implemented in field during grading and construction activities.	

Attachment 5: PUD Schematic Plan Amendment – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVING A PUD SCHEMATIC PLAN AMENDMENT FOR THE NATOMAS CROSSING PUD TO RE-DESIGNATE EMPLOYMENT CENTER TO MEDIUM DENSITY RESIDENTIAL (P07-060)(APN: 225-0180-039)

BACKGROUND

- A. On September 27, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the PUD Schematic Plan Amendment for the Natomas Crossing Parcel 71 project.
- B. On December 4, 2007, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 17.208.020, 17.180.050(D), and 17.200.010(C)(2)(a) and (c) (publication and mail 500'), and received and considered evidence concerning the Natomas Crossing Parcel 71 project.
- C. The proposed PUD Schematic Plan Amendment conforms to policies of the General Plan and North Natomas Community Plan to provide adequate housing sites and opportunities for all households and to promote efficient development within a new growth area.
- D. The PUD Schematic Plan Amendment will not be injurious to the public welfare, nor to other properties in the vicinity of the development in that the project is compatible with adjacent developments and the site will be developed according to the requirements of the PUD Guidelines.

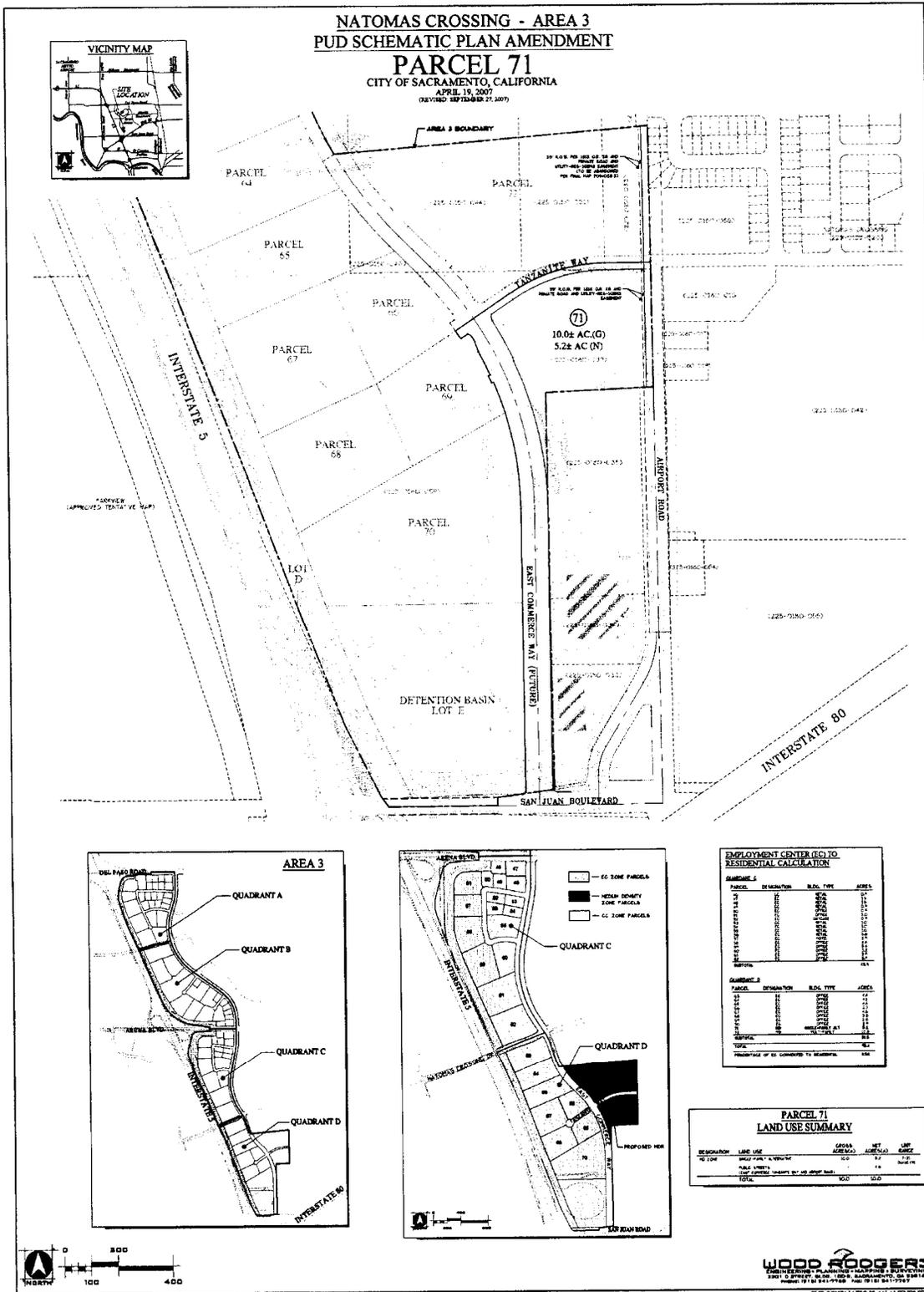
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The PUD Schematic Plan Amendment for the Natomas Crossing Parcel 71 Project (as shown on the attached Exhibit A) is approved.

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Exhibit A: PUD Schematic Plan Amendment – 1 page

Exhibit A: PUD Schematic Plan Amendment



Attachment 6: Rezone Ordinance

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM EMPLOYMENT CENTER 30 PUD (EC-30-PUD) ZONE TO SINGLE-FAMILY ALTERNATIVE PUD (R-1A-PUD) ZONE (SOUTHEAST CORNER OF TANZANITE WAY AND EAST COMMERCE WAY) (P07-060)(APN: 225-0180-039)

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 Natomas Crossing Parcel 71 located at the southeast corner of Tanzanite Way and East Commerce Way (APN: 225-0180-039) and consisting of approximately 5.2 acres, from Employment Center 30 Planned Unit Development (EC-30-PUD) zone to Single-Family Alternative Planned Unit Development (R-1A-PUD) zone.

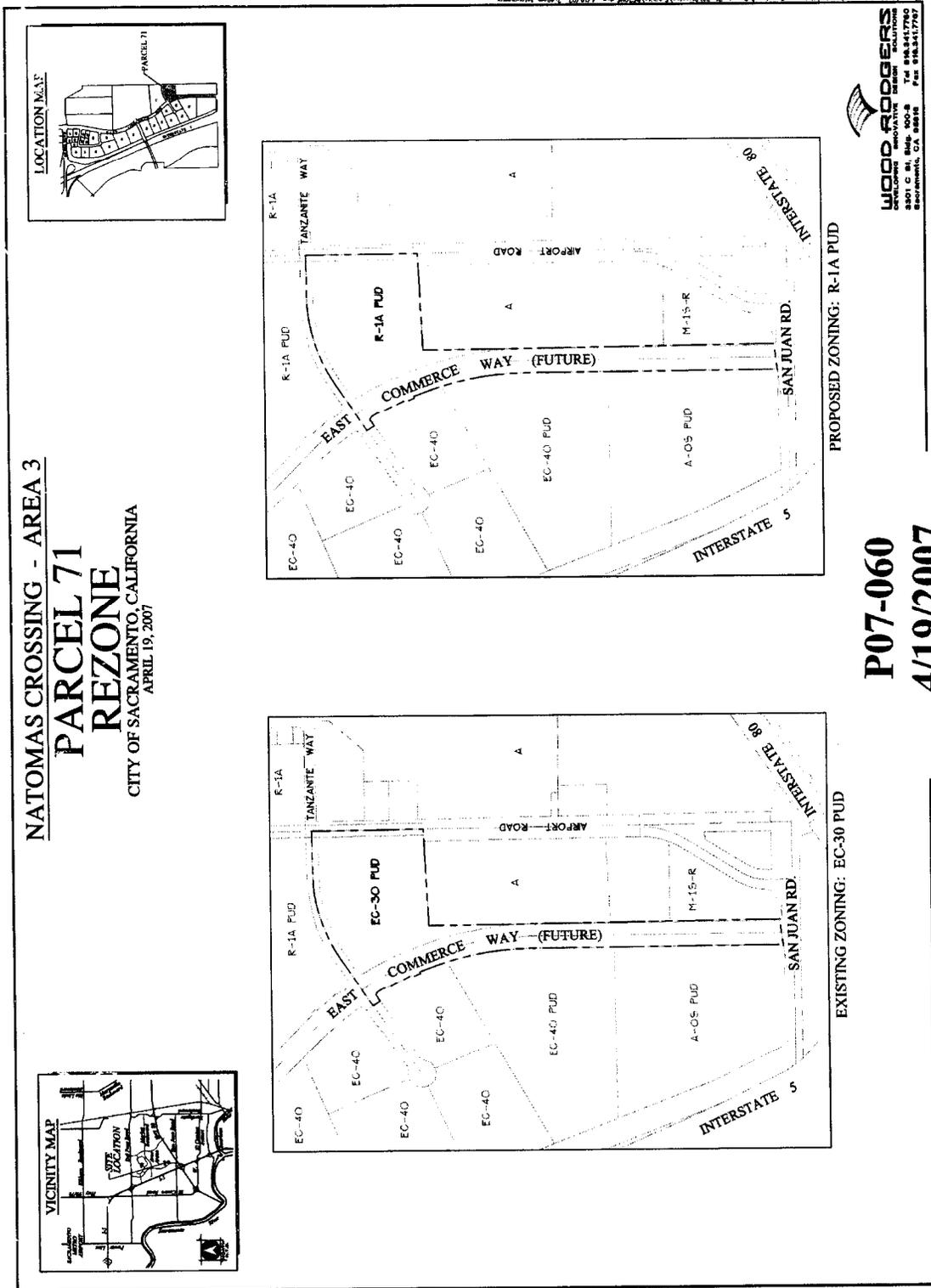
Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

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Exhibit A: Rezone – 1 page

Exhibit A: Rezone





DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

NORTH PERMIT CENTER
2101 ARENA BLVD., SECOND
FLOOR
SACRAMENTO, CA 95834

ENVIRONMENTAL PLANNING
SERVICES

916-808-5381
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ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, make declare, and publish this Addendum to an Adopted Mitigated Negative Declaration for the following described project:

Natomas Crossing Parcel 71 Rezone (P07-060) consists of the entitlements to allow residential development on approximately 5.2 acres in the Natomas Crossing – Area #3 PUD;

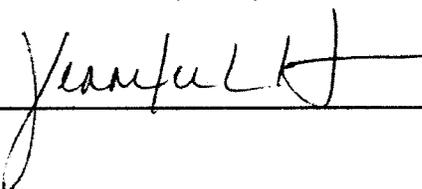
- A. Rezone** one parcel totaling 5.2 acres from Employment Center Planned Unit Development (EC-30-PUD) to Single-Family Alternative (R-1A-PUD);
- B. PUD Schematic Plan Amendment:** to the Natomas Crossing - Area #3 PUD to allow Medium Density Residential Development.

The City of Sacramento, Development Services Department, has reviewed the proposed project and on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in the attached Initial Study, will have a significant effect on the environment. This Addendum to an Adopted Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Addendum to an Adopted Mitigated Negative Declaration has been prepared pursuant to Title 14, Section 15164 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento, and the Sacramento City Code, Title 63.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Development Services Department, Environmental Services, 2101 Arena Blvd. Suite 200, Sacramento, California 95834 or review at the City of Sacramento Development Services Department, 915 I Street, Room 300, Sacramento, California 95814.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: 

**CONCLUSION TO PREPARE AN ADDENDUM TO AN
ADOPTED MITIGATED NEGATIVE DECLARATION**

An Addendum to an Adopted Mitigated Negative Declaration 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 Negative Declaration 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 Mitigated Negative Declaration.

On June 25, 2002, the City Council approved the Mitigated Negative Declaration, the Mitigation Monitoring Plan, and approved the necessary entitlements to configure the land use designations and zoning for approximately 298.5 acre project site establishing the Natomas Crossing Planned Unit Development, Area #3 (P01-028).

The Natomas Crossing PUD Area #3 Mitigated Negative Declaration (P01-028) identified potentially significant impacts to the Habitat Conservation Plan, Air Quality, Noise, Biological and Cultural resources. Mitigation measures were implemented which reduced these impacts to less-than-significant levels.

The proposed project consists of the Rezone of a parcel totaling 5.2 acres from Employment Center Planned Unit Development (EC-30-PUD) to Single-Family Alternative (R-1A-PUD) and a PUD Schematic Plan Amendment to the Natomas Crossing PUD to allow medium density residential development. The current zoning of the site is EC-30-PUD, which was the zoning for the previous project for this site, the Catholic Healthcare West Headquarters project, which conflicted with the General and Community Plan designations for the site.

The current PUD Schematic Plan depicts the site for approximately 45,500 to 109,200 square feet of employment center uses. However, the current PUD Schematic Plan and the zoning (EC-30-PUD) of the project site conflicts with the existing General Plan designation of Low Density Residential which allows between 4-15 dwelling units per net acre and Community Plan designation of Medium Density Residential which allows between 16-29 dwelling units per net acre. The proposed project consists of a request to correct the error of the original entitlements and make the subject site consistent with the original Community Plan and General Plan zoning designations. The proposed rezone of the site is consistent with the General Plan and Community Plan designations.

For these reasons, the current entitlements requests do not significantly alter the analysis in the previously adopted environmental document; therefore, an addendum is being prepared for the proposed project. Although the addendum provides additional information and evaluation, the new information and evaluation will not trigger the need for a subsequent Mitigated Negative Declaration. The modifications of the previous entitlements for the proposed project site are within the scope of analysis of the prior approved project and will not result in any new potential environmental impacts than those previously identified, evaluated and mitigated in the Natomas Crossing PUD – Area #3 Mitigated Negative Declaration.

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

Some changes have occurred since the time the original Mitigated Negative Declaration was approved. These changes include the approval of the Natomas Basin Habitat Conservation Plan (NBHCP) in May 2003, a change in Flood Zone designation, and a lowering of air quality thresholds of significance.

At the time of the approval of the Natomas Crossing Area 3 Mitigated Negative Declaration (P01-028), the proposed project area was required to enter into an agreement with the City of Sacramento which stated that a grading permit, building permit, or Notice to Proceed would not be issued until the City adopts a revised NBHCP and is issued a new incidental take permit (ITP) by both the USFWS, and CDFG. The NBHCP establishes a multi-species conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the NBHCP is to preserve, restore, and enhance habitat values found in the Natomas Basin. Therefore, because the NBHCP was adopted, the applicant shall be required to pay the NBHCP, per mitigation measure 1 of the Natomas Crossing PUD Mitigated Negative Declaration and Monitoring Plan.

The release of the July 2004 Guide to Air Quality Assessment by the Sacramento Metropolitan Air Quality Management District (SMAQMD) establishing thresholds for Reactive Organic Gases (ROG), for operation of a project, and threshold of Nitrogen Oxides (NOx), for construction and operation of a project. Other changes include the implementation of SMAQMD's modeling tool, URBEMIS 2002, Version 8. The Natomas Crossing PUD Area# 3 Mitigated Negative Declaration did not identify impacts to air quality more severe than identified in the North Natomas Community Plan nor the Sacramento General Plan Update. However, because changes in air quality thresholds have changed and a tool for estimating ozone precursors was implemented, the URBEMIS model was utilized for the proposed project. Estimated emissions from construction and operation of the proposed project are low than SMAQMD's thresholds for ROG and NOx; the results are shown in the following table:

Project Type: Maximum Allowed - 29 units of Medium Density Residential on 5.2 acres	Estimated Emissions (Pounds per day)	
	ROG	NOx
Construction 2008	1.50	8.87
Construction 2009	1.87	10.83
Operational	7.86	8.06

Additionally, the flood zone designation has changed from A99 to Shaded X since the Natomas Crossing – Area #3 PUD Mitigated Negative Declaration was adopted. The Federal Emergency Management Agency (FEMA) revised the Flood Insurance Rate Map (FIRM) for the area in which the proposed project is located. The Natomas Crossing - Area #3 PUD was located in the A99 Flood Zone indicating areas having less than 100-year flood protection. The proposed project is located in the Shaded X Flood Zone indicating areas of 500-year flood, areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected with levees from 100-year flood. The A99 Flood Zone requires an Agreement Regarding Risk of Flooding on Property for new construction, while the Shaded X Flood Zone has no restrictions or requirements. While the area is designated as protected by levees from 100 year flood events, it is anticipated that this designation will be revoked and re-designated with a more restrictive flood zone designation. However, development of the site would be required to comply with the building restrictions/regulations of the re-designated flood zone.

However, new information and evaluations are considered technical changes and do not include new impacts that have not already been discussed in the Natomas Crossing PUD Area #3 Mitigated Negative Declaration (P01-028).

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 Negative Declaration and EIRs;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration and EIRs;
 - 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 Negative Declaration and EIRs would substantially reduce one or more significant effects on the environment.

The proposed project description would not result in effects any more severe than what was evaluated in the previous Negative Declaration. Mitigation measures originally adopted are still effective and applicable to the proposed project, except as revised in this addendum.

Additionally, the flood zone designation has changed from A99 to Shaded X since the Natomas Crossing – Area #3 PUD Mitigated Negative Declaration was adopted. The Federal Emergency Management Agency (FEMA) revised the Flood Insurance Rate Map (FIRM) for the area in which the proposed project is located. The Natomas Crossing - Area #3 PUD was located in the A99 Flood Zone indicating areas having less than 100-year flood protection. The proposed project is located in the Shaded X Flood Zone indicating areas of 500-year flood, areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected with levees from 100-year flood. The A99 Flood Zone requires an Agreement Regarding Risk of Flooding on Property for new construction, while the Shaded X Flood Zone has no restrictions or requirements. While the area is designated as protected by levees from 100 year flood events, it is anticipated that this designation will be revoked and re-designated with a more restrictive flood zone designation. However, development of the site would be required to comply with the building restrictions/regulations of the re-designated flood zone.

However, new information and evaluations are considered technical changes and do not include new impacts that have not already been discussed in the Natomas Crossing PUD Area #3 Mitigated Negative Declaration (P01-028).

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 Negative Declaration and EIRs;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration and EIRs;
 - 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 Negative Declaration and EIRs would substantially reduce one or more significant effects on the environment.

The proposed project description would not result in effects any more severe than what was evaluated in the previous Negative Declaration. Mitigation measures originally adopted are still effective and applicable to the proposed project, except as revised in this addendum.

**Natomas Crossing Parcel 71 Rezone (P07-060)
Addendum to an Adopted Mitigated Negative Declaration**

The following information is provided as a minor revision in the language of the original Initial Study/Mitigated Negative Declaration for the Natomas Crossing PUD (Alleghany Area #3) (P01-028). All responses to the California Environmental Quality Act (CEQA) Guidelines checklist questions, project impact analysis, and mitigation measures contained in the original Initial Study/Negative Declaration remain the same unless modified or replaced by the addendum information provided below.

PROJECT INFORMATION

File Number/Project Name:

P07-060/ Natomas Crossing Parcel 71 Rezone

Project Location:

The subject property consists of 5.2± vacant net acres located on the southeast corner of East Commerce Way and Tanzanite Road, southeast of I-5 in the North Natomas Community Plan area of the City of Sacramento. (APN: 225-0180-039)

Existing Plan Designations and Zoning:

The proposed project is located within the North Natomas Community Plan (NNCP) area. The 1986-2006 Sacramento General Plan Update designation for the site is Mixed Use, and the NNCP designation is Employment Center (EC-30). The project site is zoned Employment Center 30 PUD (EC-30-PUD).

Other Project Studies/Reports/References:

All documents are available at the City of Sacramento, Development Services Department, Environmental Services, 2101 Arena Blvd. Suite 200, Sacramento, CA 95834.

- City of Sacramento General Plan Update EIR, 1988
- 1986 North Natomas Community Plan SEIR, 1993
- City of Sacramento Zoning Ordinance
- Natomas Crossing - Area #3 Initial Study / Mitigated Negative Declaration (P01-028) (Attached)

Project Background:

Natomas Crossing PUD is divided into three areas: Area 1 is located at the southeast corner of Truxel Road and Del Paso Road., Area 2 is generally located south of Arena Boulevard., east of Airport Road west of Natomas East Main Drainage Canal (Steelhead Creek) and north of Fong Ranch area; and Area 3 is located east of I-5, between Del Paso Road and San Juan Road. Total acreage for the Natomas Crossing PUD is 563 gross acres. In April 2, 1997, the City Council adopted General Plan Amendments, Community Plan Amendments, Rezones, Development Agreement, Master Tentative Map and PUD/Schematic Plan establishing Development Area 3 of Natomas Crossing PUD (P96-084).

On June 25, 2002, the City Council adopted the Natomas Crossing – Area #3 PUD Mitigated Negative Declaration (P01-028), adopted the Mitigation Monitoring Plan (MMP), and approved the necessary entitlements to reconfigure the land use designations and zoning for the 298.5± acre Natomas Crossing - Area 3 . The Mitigated Negative Declaration (P01-028) evaluated the land use allocation of 298.5± acres in the Natomas Crossing Area 3 Community that would allow for Commercial, Employment Center, Residential, Open Space and Buffer land use. The specific entitlements evaluated included a Community Plan Amendment, Rezone, PUD Guidelines Amendment, PUD Schematic Plan Amendment, Tentative Master Parcel Map, Tentative Map, Lot line adjustment/merger, and Special Permit to construct a 152,000± square foot office building for the Catholic Healthcare West (CHW). Due to the change of the corporate strategy, the office building for CHW was never built, but the land use changes have been accomplished. The proposed project is to rezone one parcel totaling 5.2 acres from Employment Center Planned Unit development (EC-30-PUD) to Single-Family Alternative (R-1A-PUD) zone in the Natomas Crossing Area #3 PUD.

Project Purpose:

The purpose of the proposed project is to obtain the necessary entitlements to allow residential development on approximately 5.2 acres in the Natomas Crossing Area #3 PUD consistent with General and Community Plan designations.

Project Components:

The proposed project consists of the entitlements to rezone one parcel totaling 5.2 net acres from Employment Center Planned Unit Development (EC-30-PUD) to Single-Family Alternative Planned Unit Development (R-1A) in the Natomas Crossing PUD, Area #3. The specific entitlements include:

- A. **Rezone** one parcel totaling 5.2 acres from Employment Center Planned Unit Development (EC-30) to Single-Family Alternative;
- B. **PUD Schematic Plan Amendment:** to the Natomas Crossing PUD to allow medium density residential development.

Environmental Effects:

The purpose of this Addendum is to provide a factual basis for determining whether the proposed project would have a significant effect on the environment beyond what has already been evaluated under CEQA. This Addendum identifies which mitigation measures from the Natomas Crossing PUD – Area #3 Mitigated Negative Declaration and Mitigation Monitoring Plan are applicable to the proposed project. Applicable mitigation measures are as follows: 1, 3 and 4. The Natomas Crossing PUD – Area # 3 Mitigated Negative Declaration evaluated the entitlements for the development plan of the Natomas Crossing PUD – Area #3, within which the proposed project site is located. Although the addendum provides new information and evaluation, the modifications of the previous entitlements for the proposed project are within the scope and analysis of the prior project and would not create significant impacts over and above those previously evaluated, identified, and mitigated in the Natomas Crossing Area # 3 PUD Mitigated Negative Declaration (P01-028). The analyses of the prior Negative Declaration are hereby reaffirmed. The Negative Declaration is available at the Development Services Division, Environmental Planning Services, 2101 Arena Blvd. Suite 200, Sacramento, CA 95834.

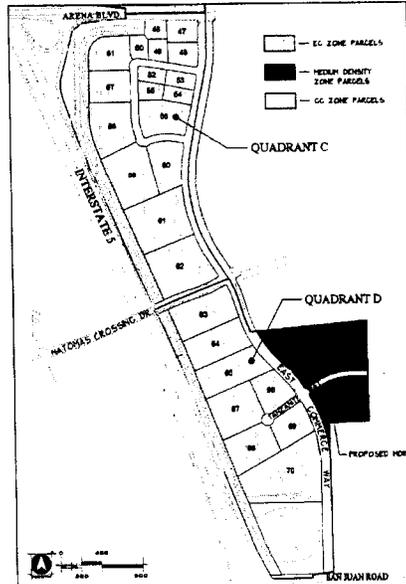
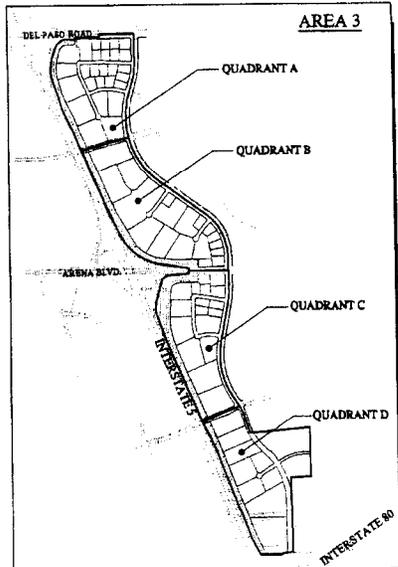
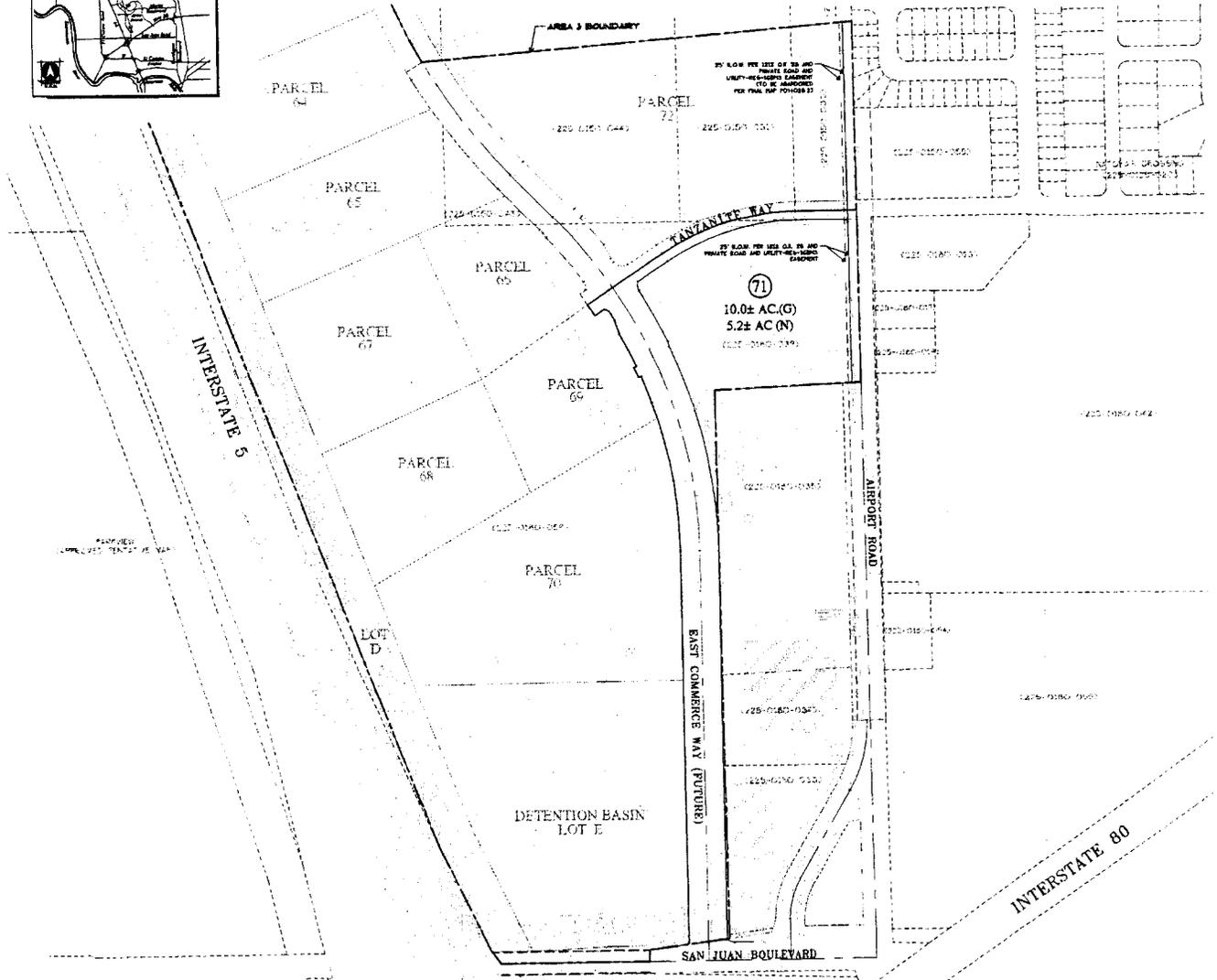
- Attachment A:** Project Site Plan / Land Use and Zoning Map
- Attachment B:** Natomas Crossing Parcel 71 Rezone Mitigation Monitoring Plan
- Attachment C:** Natomas Crossing – Area #3 PUD Mitigated Negative Declaration (P01-028)
- Attachment D:** Natomas Crossing – Area #3 PUD Mitigation Monitoring Plan (P01-028)

Site Plan

NATOMAS CROSSING - AREA 3
PUD SCHEMATIC PLAN AMENDMENT

PARCEL 71

CITY OF SACRAMENTO, CALIFORNIA
APRIL 19, 2007
(REVISED SEPTEMBER 27, 2007)



EMPLOYMENT CENTER (EC) TO RESIDENTIAL CALCULATION

QUADRANT	PARCEL	DESIGNATION	BLDG. TYPE	ACRES
QUADRANT C	62	OFFICE	OFFICE	1.0
	63	OFFICE	OFFICE	1.0
	64	OFFICE	OFFICE	1.0
	65	OFFICE	OFFICE	1.0
	66	OFFICE	OFFICE	1.0
	67	OFFICE	OFFICE	1.0
	68	OFFICE	OFFICE	1.0
	69	OFFICE	OFFICE	1.0
	70	OFFICE	OFFICE	1.0
	71	OFFICE	OFFICE	1.0
QUADRANT D	72	OFFICE	OFFICE	1.0
	73	OFFICE	OFFICE	1.0
	74	OFFICE	OFFICE	1.0
	75	OFFICE	OFFICE	1.0
	76	OFFICE	OFFICE	1.0
	77	OFFICE	OFFICE	1.0
	78	OFFICE	OFFICE	1.0
	79	OFFICE	OFFICE	1.0
	80	OFFICE	OFFICE	1.0
	81	OFFICE	OFFICE	1.0
TOTAL				20.0
PERCENTAGE OF EC CONVERTED TO RESIDENTIAL				5.8%

PARCEL 71 LAND USE SUMMARY

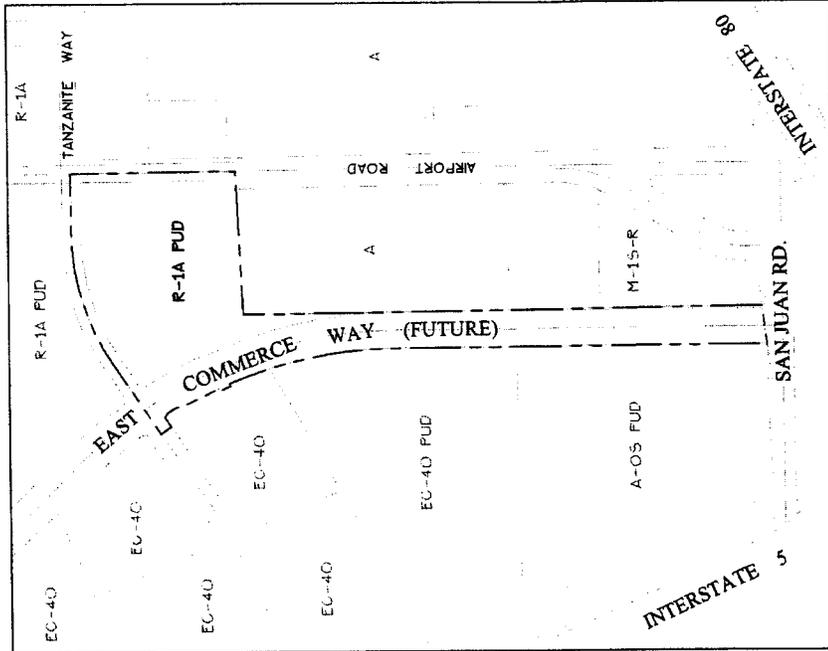
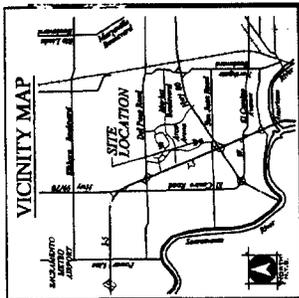
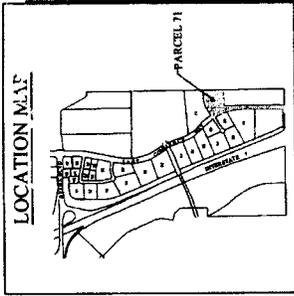
DESIGNATION	LAND USE	GROSS ACRES	NET ACRES	UNIT RANGE
10 ZONING	OFFICE	10.0	5.2	100-150
PUBLIC AREAS	OFFICE	0.0	0.0	0-0
NET TOTAL		10.0	5.2	

Land Use & Zoning Map

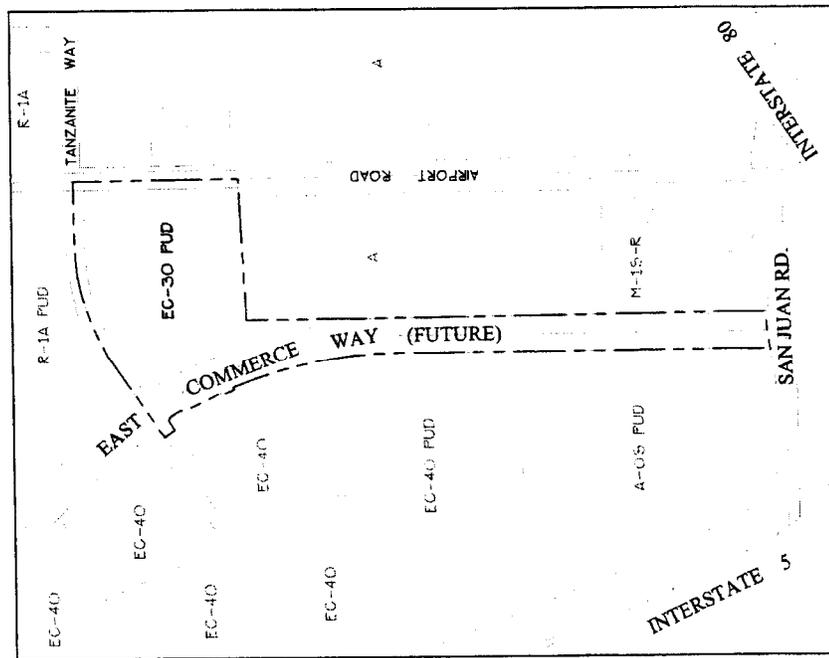
NATOMAS CROSSING - AREA 3

PARCEL 71
REZONE

CITY OF SACRAMENTO, CALIFORNIA
APRIL 19, 2007



PROPOSED ZONING: R-1A PUD



EXISTING ZONING: EC-30 PUD

WOOD ROGERS
DEVELOPING INNOVATIVE DESIGN SOLUTIONS
4301 C St., Suite 400-B
Sacramento, CA 95818
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Fax: 916.341.7791

P07-060
4/19/2007

**NATOMAS CROSSING PARCEL 71 REZONE (P07-060)
MITIGATION MONITORING PLAN**

**TYPE OF ENVIRONMENTAL DOCUMENT:
ADDENDUM TO MITIGATED NEGATIVE DECLARATION**

**PREPARED FOR:
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT**

DATE:

**ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION**

DATE:

ATTEST:

**NATOMAS CROSSING PARCEL 17 REZONE
(P07-060)
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., Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Natomas Crossing Parcel 17 Rezone (P07-060)
Owner/Developer- Name: Alleghany Properties c/o Greg Guardino
Address: 2150 River Plaza Drive, Suite 155
Sacramento, CA 95833
Phone: (916) 648-7111

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

The subject project is located at the southeast corner of East Commerce Way & Tanzanite Road in the North Natomas Community Plan area of the City of Sacramento, Sacramento County (APN: 225-0180-039).

Project Description:

The proposed project consists of the entitlements to allow residential development on approximately 5.2 acres in the Natomas Crossing – Area #3 PUD:

Rezone one parcel totaling 5.2 acres from Employment Center Planned Unit Development (EC-30-PUD) to Single-Family Alternative (R-1A-PUD);

PUD Schematic Plan Amendment: to the Natomas Crossing PUD Area #3 to allow Medium Density Residential Development.

SECTION 2: GENERAL INFORMATION

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

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

NATOMAS CROSSING PARCEL 17 REZONE (P07-060)
 MITIGATION MONITORING PROGRAM CHECKLIST

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Biological:</p> <p>BR-1. The project applicant/developer shall: (i) comply with all requirements of the NBHCP including pre-construction surveys; (ii) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and together with any additional requirements specified in the Natomas Community Plan EIR (iii) comply with all conditions in the ITP's issued by the USFWS and CDFG. 2003 NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR;</p> <p>BR-2. The project applicant/developer shall further: (i) comply with all the requirements of the 2003 NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and (iii) comply with all conditions in the ITP's issued by the USFWS and CDFG.</p>	Applicant / Developer	City of Sacramento – Development Services Department; California Department of Fish and Game (CDFG), and the U.S. Fish and Wildlife Service (USFWS)	Measures shall be included within the improvement plans and construction specifications indicating the need for pre-construction surveys and report to CDFG and USFWS. Measures shall be implemented in the field prior to, during, and after construction activities, as appropriate.	Prior to the issuance of a Notice to Proceed by Development Services and prior to the issuance of any building permit by the Building Division Implementation of measures: in field prior to, during, and after construction activities.	

NATOMAS CROSSING PARCEL 17 REZONE (P07-060)
 MITIGATION MONITORING PROGRAM CHECKLIST

		VERIFICATION OF COMPLIANCE			
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Noise:</p> <p>N-1. A detailed noise study shall be prepared at the time a special permit is filed for the multi-family residential parcel.</p>	Applicant/ Developer	City of Sacramento – Development Services Department; California	Measures shall be implemented in the field prior to, during, and after construction activities, as appropriate.	Prior to the issuance of a Notice to Proceed by Development Services and prior to the issuance of any building permit by the Building Division	
<p>Cultural Resources:</p> <p>CR-1. If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.</p> <p>CR-2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Applicant / Developer	City Development Services Department	Note shall be included on the Map and within the Standard Construction Specifications Site inspections by the Development Services Department shall inspect for any potential archeological resources during site visits.	Measures shall be implemented in field during grading and construction activities.	

Natomas Crossing – Prior Negative Declaration (P01-028)

This information/document is available on the City of Sacramento Website at:
http://www.cityofsacramento.org/webtech/streaming_video/live_council_meetings.htm
under Future and Archived Meetings and is on file in Hard Copy in the Office of the City Clerk at 915 I Street, Historic Building, First Floor.