



REPORT TO COUNCIL

City of Sacramento

16

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

PUBLIC HEARING
September 13, 2005

Honorable Mayor and
Members of the City Council

Subject: PUD Schematic Plan Amendment: Ashton Parc Apartments (P04-240)

Location/Council District: Northwest corner of Arena Boulevard and Innovator Drive.
APN: 225-0070-121, -122, -123. Council District 1

Recommendation:

Planning Commission and staff recommend that the City Council take the following actions: 1) Adopt a Resolution amending the Arena Corporate Center PUD Schematic Plan to designate a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) parcel.

Contact: David Hung, Associate Planner, 808-5530; Gregory Bitter, Senior Planner, 808-7816

Presenters: David Hung, Associate Planner

Department: Development Services

Division: Planning

Organization No: 4875

Summary:

The applicant is proposing to amend the PUD Schematic Plan from office to residential uses in order to construct a 168-unit apartment complex on 8.23± net acres in the EC-40-PUD zone. Since the PUD Schematic Plan Amendment reflects a change in the type of use, from offices to residential, the entitlement requires the approval of the City Council.

Committee/Commission Action:

On July 28, 2005, the Planning Commission approved the necessary entitlements to develop a gated 168-unit apartment complex on 8.23± net acres in the EC-40-PUD zone, and recommended approval of a PUD Schematic Plan Amendment to designate a 168-unit apartment complex on the 8.23± net acre EC-40-PUD parcel. The Planning Commission voted five ayes and zero noes to approve the proposed project on the consent calendar.

Background Information:

- In 1995, the Planning Commission and City Council approved multiple entitlements for the Arena Corporate Center Planned Unit Development, including approval of the PUD Schematic Plan. The subject site has an existing PUD designation of office uses and the applicant is proposing to amend the designation to residential.
- The amendments to the North Natomas Community Plan and Zoning Code now provide an entitlement process to allow a non-primary residential use to exceed the maximum allowable area of 25% within a PUD if it exists within the specific area delineated as being bounded by the East Drain, Interstate-5, Del Paso Road and Arena Boulevard. This geographic area contains 340± net acres. The Zoning Code and North Natomas Community Plan allow 25% of the defined area to be residential and the proposed PUD Schematic Plan amendment does not result in a residential percentage greater than 25 percent. The percentage of residential uses in the defined area is 15.5%, including this project.

Financial Considerations:

This project has no fiscal considerations.

Environmental Considerations:

The Environmental Services Manager has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address Air Quality, Biological Resources, Noise and Cultural Resources impacts.

Policy Considerations:

The project meets the General Plan policies related to quality of life, vitality and diversification of the local economy, quality design in new growth areas, and additional economic opportunities in the new growth area. The project meets the North Natomas Community Plan factors used to gauge the appropriateness of residential uses in an EC PUD in that the proposed project is not in close proximity to the Interstate 5 corridor, it will be shielded from noise by future office structures to the west, the residential use is compatible with the adjacent/proposed future uses within the PUD, and the site can be adequately served by public facilities, transit, open space, and retail services in the surrounding area.

Smart Growth Principles- City Council adopted a set of Smart Growth Principles in December 2001 in order to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The subject proposal enhances housing opportunities

and choices in the North Natomas area, takes advantage of existing community assets and infrastructure, and creates land use that supports public transit.

Strategic Plan Implementation- The recommended action conforms with the City of Sacramento Strategic Plan, specifically by adhering to the principles that development in new growth areas should be consistent with Smart Growth principles and with the tenets of the North Natomas Community Plan, and that the fullest range of housing choices should be promoted in every community in the City.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully Submitted by: 
Carol Shearly
Interim Planning Director

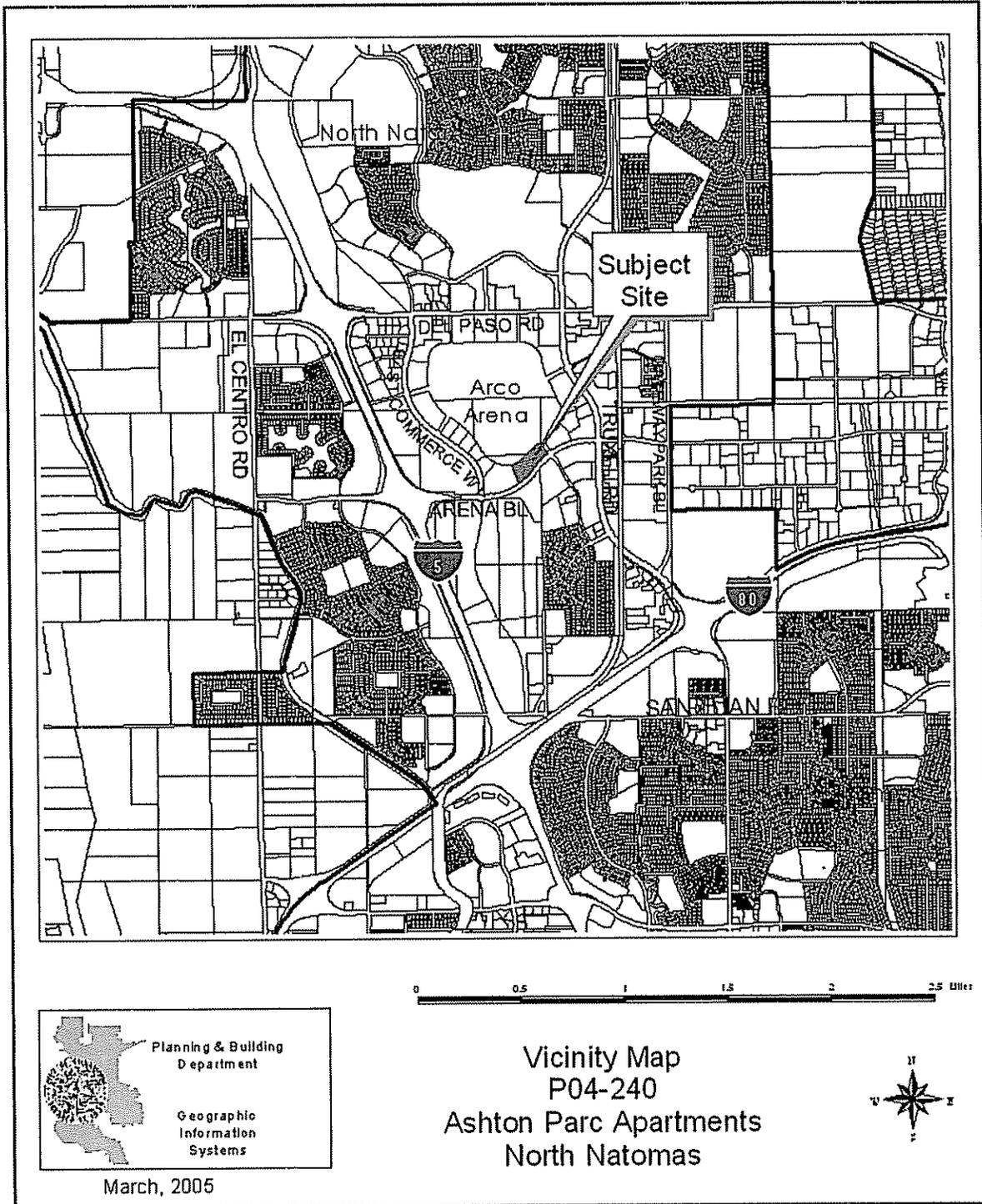
Recommendation Approved:

for 
ROBERT P. THOMAS
City Manager

Table of Contents:

Pg	1-3	Report
Pg	4	Attachment 1 – Vicinity Map
Pg	5	Attachment 2 – City Planning Commission Voting Record
Pg	6-68	Attachment 3 – City Planning Commission Staff Report
Pg	69	Resolution – PUD Schematic Plan Amendment
Pg	70	Exhibit 1 – PUD Schematic Plan

Attachment 1 – Vicinity Map



Attachment 2 – City Planning Commission Voting Record

CITY PLANNING COMMISSION
CONSENT ITEMS

CPC AGENDA DATE:

Item No.	Project No.	Title/Location	Action: Approved/ Denied/Cont'd
4	P04-153	River Life Covenant Church located at 1901 Broadway	Ap'd
5	P04-160	BLT Raley Warehouse – SW corner of Raley Blvd & Vinci Ave	Ap'd
7	P04-200	7701 Jacinto Road Subdivision	Ap'd
8	P04-232	Sutterville Telecommunications Colocation – 1250 Sutterville Rd	Ap'd as amended
9	P04-240	Aston Parc Apartments – NW corner of Arena Blvd & Innovator Dr	Ap'd as amended
11	P05-053	Main Avenue Warehouse – 1748 Main Ave	Ap'd

VOTE OF THE PLANNING COMMISSION:

COMMISSIONER	Motion (M)/ Second (S)	YES	NO	ABSTAIN
Bacchini				
Banes		Y		
Boyd				
Notestine		Y		
Taylor-Carroll				
Vallencia	M	Y		
Wasserman	S	Y		
Woo				
Yee		Y		

Attachment 3 – City Planning Commission Staff Report

**CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:**

**ITEM # 9
JULY 28, 2005
PAGE 1**

P04-240 – Ashton Parc Apartments

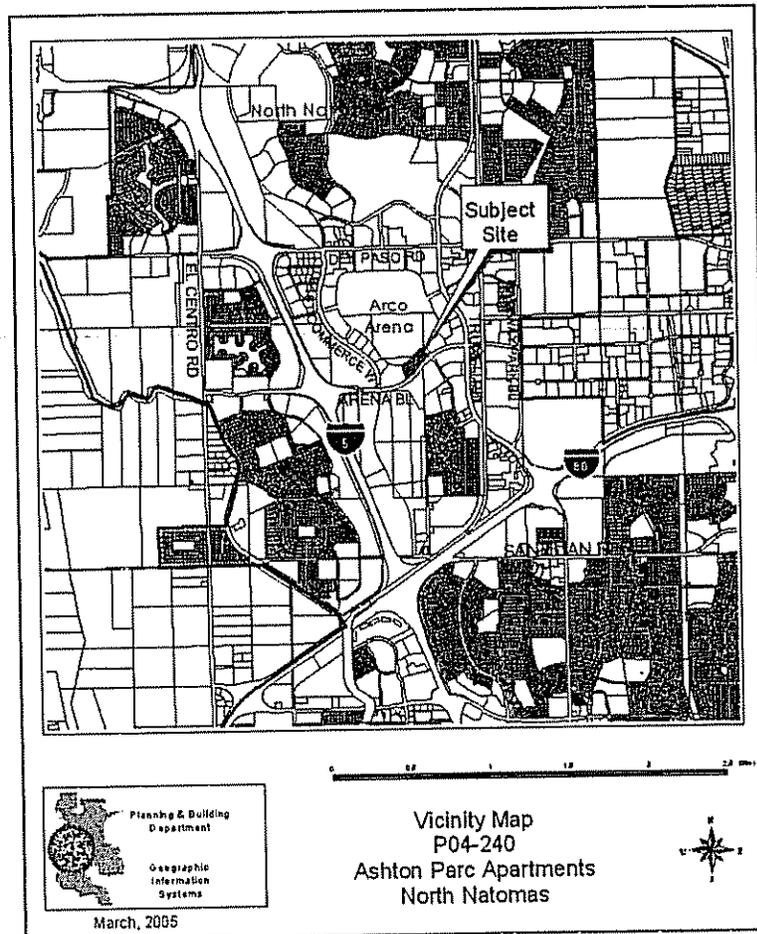
- REQUEST:
- A. **Environmental Determination:** Mitigated Negative Declaration;
 - B. **Mitigation Monitoring Plan;**
 - C. **PUD Schematic Plan Amendment** to designate a 168-unit apartment complex on Employment Center 40 (EC-40) parcels in the Arena Corporate Center PUD;
 - D. **Parcel Merger** to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone;
 - E. **Special Permit** to construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone in the Arena Corporate Center PUD;
 - F. **Special Permit** to exceed the allowable 25% residential use within the Arena Corporate Center Planned Unit Development lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard;
 - G. **Special Permit** to establish gates at private vehicular entrance to a multi-family residential development.

LOCATION: Northwest corner of Arena Boulevard and Innovator Drive
 APN: 225-0070-121, 122, 123
 North Natomas Community Plan
 Natomas Unified School District
 Council District 1

APPLICANT:	A. G. Spanos Corporation Tom Allen, (209) 478-0140 10100 Trinity Parkway, 5 th Floor, Stockton, CA 95219
OWNER:	A. G. Spanos Corporation 10100 Trinity Parkway, 5 th Floor, Stockton, CA 95219
APPLICATION FILED:	November 19, 2004
STAFF CONTACT:	David Hung, Associate Planner (916) 808-5530

SUMMARY:

The applicant is requesting entitlements to merge three lots and then construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone. The proposal, in providing upscale rental units within the area, is consistent with the goals of the General Plan to enhance the quality of life and meet regional housing needs. Residential uses are considered conditionally permitted uses which provide housing opportunities within the Employment Center. Concerns from neighborhood groups include pedestrian safety and friendliness and connectivity with adjacent developments which were addressed on the project and there are no outstanding issues.



P04-240

JULY 28, 2005

ITEM # 9
PAGE 3

RECOMMENDATION:

Staff recommends approval of the request, including PUD Schematic Plan Amendment, the Parcel Merger and Special Permits for the 168-unit apartment complex, subject to conditions. This recommendation is based on 1) consistency with the land use policies and designations of the General Plan, the North Natomas Community Plan and the Arena Corporate Center PUD; 2) consistency with Zoning Ordinance and the Multi-Family Residential Design Guidelines; and 3) contributing factors to the adjacent EC-zoned properties.

PROJECT INFORMATION:

General Plan Designation: Mixed Use
 Community Plan Designation: Employment Center: 40/acre
 Existing Land Use of Site: Vacant
 Existing Zoning of Site: EC-40-PUD

Surrounding Land Use and Zoning:

North: Arco Arena; SPX-PUD
 South: Vacant and apartments; MRD-20 & R-2B-R-PUD
 West: Vacant and Arco Arena; EC-40-PUD & SPX-PUD
 East: Office; EC-40-PUD

<u>Setbacks:</u>	<u>Required</u>	<u>Provided</u>
North:	20.0'	min. 20.0'
West:	5.0'	min. 20.0'
South:	12.5'	min. 12.5'
East:	12.5'	min. 12.83'

Property Dimensions:	Irregular
Property Area:	8.23± net acres
Density of Development:	20.41 dwelling units per net acre
Number of Units Proposed:	Unit A1 – 48 units Unit A2 – 36 units Unit B – 36 units Unit C – 48 units Total in complex – 168 units
Total Living Area Per Unit:	790 – 1,240 square feet
Height of Condominium Buildings:	Three stories
Exterior Building Materials:	Stucco, stucco trim, metal railing
Roof Material:	Concrete tile
Building Colors:	Two-tone exterior walls
Parking Required:	264 spaces minimum
Parking Provided:	Garage – 83 spaces Uncovered – 233 spaces Total – 316 spaces
Topography:	Flat
Street Improvements:	Existing & to be built
Utilities:	Existing & to be built

P04-240

JULY 28, 2005

ITEM # 9
PAGE 4

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Certificate of Compliance	Development Engineering & Finance Division
Building Permit	Building Division
Sign Permit	Building Division
Off-Site Improvement Plan Check	Development Engineering & Finance Division
Encroachment Permits	Development Engineering & Finance Division

BACKGROUND INFORMATION:

On August 10, 1995, the Planning Commission approved multiple entitlements consisting of a Tentative Master Parcel Map subdividing six lots into 24 lots for employment center uses and recommended approval of a rezone and PUD designation for the Arena Corporate Center PUD. On August 29, 1995, the City Council approved the rezone and PUD designation and asked staff to return with the Development Agreement and completed exhibits. On September 28, 1995, the Planning Commission approved the Development Agreement and forwarded it to the Council for their action. On October 10, 1995, the City Council approved the Development Agreement.

The amendments to the NNCP and Zoning Code now provide an entitlement process to allow a non-primary residential use to exceed the maximum allowable area of 25% within a PUD if it exists within the specific area delineated as being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard. This geographic area contains 340± net acres. The Zoning Code and North Natomas Community Plan allow 25% of the defined area to be residential which equates to 85± net acres residential use. The applicant is requesting entitlements to merge three lots and then construct a 168-unit apartment complex on the resulting lot. The proposed project in combination with existing multi-family residential development will total 52.88± net acres of residential development leaving a remainder of 32.12± acres available for residential use, providing the appropriate findings can be made.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project's consistency with the City's General Plan, North Natomas Community Plan, Arena Corporate Center (PUD) Guidelines and applicable Zoning policies are discussed below. Discussion concerning the Natomas Basin Habitat Conservation Plan (NBHCP), Smart Growth, and Mixed Income Housing Ordinance are also included.

General Plan Goals and Policies:

The General Plan designation of the subject site is Mixed Use. The General Plan outlines development standards for sites with a Mixed Use designation. Mixed uses may be allowed if the project meets one or more of the following:

P04-240

JULY 28, 2005

ITEM # 9
PAGE 5

- is a Planned Unit Development that meets the requirements of the Zoning Code;
- is located adjacent to a high activity node along a light rail transit or freeway corridor;
- is consistent with the community plan;
- is developed in accordance with mixed use guidelines.

The City of Sacramento has identified goals and policies for the overall urban growth of the City. These goals and policies hope to meet the needs of the City's economic growth and employment opportunities. Some of these policies are:

- Enhance and maintain the quality of life by adhering to high standards for project and plan evaluation. (General Plan, Policy 1, Sec. 1-30)
- Approve development in new growth areas that promotes efficient growth patterns and public service extensions, and is compatible with adjacent developments. (General Plan, Policy 4, Sec. 1-32)
- Meet the fair share regional housing needs for all economic segments within the City. (Residential Land Use Element, Goal C, Sec. 2-1)
- Housing Supply: Provide adequate housing sites and opportunities for all households. (Housing Element, Goal 1, Sec 3.10-2)

The project meets the General Plan policies related to quality of life, vitality and diversification of the local economy, quality design in new growth areas, and to provide additional economic opportunities in the new growth area. The proposed development supports increased employment in close proximity to proposed residential subdivisions and multi-family residential complexes in the North area which directly enhances the viability of the future transit system as it is built.

North Natomas Community Plan:

The North Natomas Community Plan (NNCP) designates the site as Employment Center: 40 employees. The development of a multi-family residential in the employment center zone is considered a non-primary use ancillary to the primary use intended for the greater area of the employment center zoned parcels within a Planned Unit Development. The NNCP has been amended to allow an entitlement process to exceed the maximum allowable area of 25% residential use within a PUD if it exists within the specific area delineated as being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard. This geographic area contains 340± net acres. The Zoning Code and North Natomas Community Plan allow 25% of the defined area to be residential which equates to 85± net acres residential use. The proposed project in combination with existing multi-family residential development will total 52.88± net acres of residential development leaving a remainder of 32.12± acres available for residential use, providing the appropriate findings can be made. The amendment to the NNCP provides for residential uses permitted as follows:

Except as provided below, a maximum of twenty-five percent (25%) of the PUD net acreage may be designated for and devoted to residential uses.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 6

Exception: Within the geographic area bounded by the East Drain, I-5, Del Paso Road, and Arena Boulevard, acreage devoted to residential use(s) may exceed 25% of the individual EC PUD subject to a Special Permit. The project must comply with the following criteria:

1. *The proposed increase in residential use is compatible with adjacent uses in the PUD as well as with adjacent uses within contiguous PUDs;*
2. *The residential use has a component of mixed use or conjunctive use within the residential project to serve the residents and nearby workers or provides a component of affordable housing;*
3. *The proposed increase in residential use will improve the balance of jobs and housing as provided in the Community Plan;*
4. *The proposed increase in residential use will not result in an over-concentration of multi-family projects in the area;*
5. *The project meets the Community Plan factors used to gauge the appropriateness of residential uses in an EC PUD: 1) proximity to the freeway and other noise generators, 2) compatibility of adjacent uses both inside and outside the PUD, and 3) availability of transit, commercial uses, open space, and public facilities to serve the potential residents;*
6. *The total amount of acreage devoted to residential uses within this geographic area does not exceed twenty-five (25) percent*

The increase of a residential use in the Arena Corporate Center PUD is compatible with existing and future uses in that, the residential use becomes a mixed use component within the existing and proposed adjacent office and commercial uses and will improve the balance of jobs and housing in the Community Plan area by providing the opportunity for residents to live in close proximity to potential jobs. The proposed apartment complex provides on-site open space, amenities, and a recreation facility for the residents. The proposed project is one of three multi-family complexes in the Arena Corporate Center PUD; it is located approximately a quarter mile southeast of the Bella Rose Condominiums and approximately a quarter mile west of the Tuscaro Apartments. Within the defined geographic area which allows up to 25% residential use, the other existing multi-family complex is the Fairfield Apartments, located about a half mile northwest of the subject site. Additionally, the Villagio Apartments is located southwest of the subject site across Arena Boulevard. With the approval of the subject project, the total amount of acreage devoted to residential uses within the defined geographic area will be 15.5% and thus will not exceed the maximum 25% allowed (see table below):

Table 1 - Residential in defined geographic area:

Total Residential (In defined geographic area)	52.88 na	Bella Rose Condos, Tuscaro Apartments, Fairfield Apartments, Ashton Parc Apartments
Total Net Acreage in defined area	340 net acres	Allowable acres for residential if criteria met = 85 na
% Residential In Defined Area(7+8)	15.5%	

P04-240

JULY 28, 2005

ITEM # 9
PAGE 7

The following table shows a list of multi-family housing projects in the North Natomas Community Plan area, including apartments and condominiums:

Table 2 - Multi-Family Housing In North Natomas Community Plan Area:

Location	Project Name	Type	Units
West of Interstate 5	Buchman Circle Apartment	Apartment	302 (app'd)
	Lofts	Apartment	188 (app'd)
	Atrium Court	Apartment	224 (app'd)
	Irongate	Apartment	280 (app'd)
	Terracina Meadows	Apartment	148 (app'd)
	Cambay West Apartment	Apartment	216 (app'd)
	Westlake Villas	Condominium	285 (app'd)
East of Interstate 5	Homecoming	Apartment	450 (app'd)
	Ashton Parc Apartments	Apartment	168 (pending)
	Bella Rose	Condominium	201 (app'd)
	Villagio	Apartment	272 (app'd)
	Tuscaro	Apartment	296 (app'd)
	Fairfield	Apartment	384 (app'd)
	Terracina Gold	Apartment	280 (app'd)
	McKenzie	Apartment	152 (app'd)
	Miramonte/Trovass	Apartment	440 (app'd)
	Carriage Lane I	Condominium	156 (app'd)
	Carriage Lane II	Condominium*	39 (app'd)
	Carriage Lane III	Condominium	188 (pending)
	Syrah	Condominium	245 (app'd)
	Amara Attached Homes	Condominium	200 (app'd)
	Natomas Park	Apartment	212 (app'd)
	Broadstone	Condominium*	142 (app'd)
	Regency Park	Condominium*	135 (app'd)
	Carefree	Apartment	500 (app'd)
	Northpointe Apartment	Apartment	180 (app'd)
	Terraces at Commerce Station	Condominium*	338 (app'd)
Hampton Village @ Creekside	Condominium*	264 (app'd)	
Total Multi-Family Units in North Natomas:			6,885

There are a total of 6,885 multi-family dwelling units, both approved and pending, in the North Natomas Community Plan area as of mid-July 2005. Out of the combined total, 4,524 are approved apartment units, 2,005 are approved condominium units, 168 are pending apartments, and 188 are pending condominium units. Within the last 12-month period, the Planning Commission approved 918 condominium units (marked with [*] above) in North Natomas compared with no approved apartments; this project is the first new apartment complex for Planning Commission approval this year. The proposed project will provide new higher-end apartments for the segment of the population who may be interested in this dwelling type. The project will contribute into a variety of multi-family housing types within the community and staff does not believe that an over-concentration of projects exists. Staff believes that the North Natomas area will continue to provide a variety of individual choice of tenure, type, price and location of housing.

The project meets the NNCP 'factors' in that the proposed project is not in close proximity to the Interstate 5 corridor and will be shielded from noise by future office structures to the west, the residential use is compatible with the adjacent/proposed future uses within the PUD, and the site can be adequately served by public facilities, transit and open space. The site can be adequately served by public facilities and on-site open space features as well as future recreational features to the north of Del Paso Road, the future regional park site.

This project is a high density development and has 20.4 dwelling units per net acre. The proposed project does not lie within a designated 'neighborhood' as defined within the Community Plan, Figure 4, Proposed Neighborhoods (p. 17), which has been at issue with staff. However, the project will provide alternate housing opportunities and will potentially serve a population which may or may not need all of the amenities found within a neighborhood structure in close proximity. The proposed project is close to other residential neighborhoods and public/charter school facilities, if needed.

Staff supports the project and finds the proposed project is in compliance with the goals and policies as well as amended design criteria of the North Natomas Community Plan.

Arena Corporate Center Planned Unit Development:

The project site is within the Arena Corporate Center Planned Unit Development (PUD) and is required to comply with the PUD Guidelines and Schematic Plan. The PUD Schematic Plan for the Arena Corporate Center PUD designates the subject parcels for office development and a PUD Schematic Plan Amendment is required to designate for residential use. Residential uses are considered conditionally permitted uses which provide housing opportunities within the Employment Center (EC). The factors used to gauge the appropriateness of residential uses in the PUD are: 1) proximity to the freeway and other noise generators; 2) compatibility of adjacent uses both inside and outside the PUD; and 3) availability of transit, commercial uses, open space, and public facilities to serve the potential residents. Consistency with the PUD Guidelines will be discussed in further details within the Special Permit section.

Natomas Basin Habitat Conservation Plan (NBHCP):

The 1994 North Natomas Community Plan required the development and implementation of a Habitat Conservation Plan as mitigation for development in North Natomas. In 1997, the NBHCP was approved by the City of Sacramento, USFWS, and CDFG.

The NBHCP is a conservation plan supporting application for incidental take permits (ITP's) under Section 10(a)(1)(B) of the Endangered Species Act and under Section 2081 of the California Fish and Game Code. The purpose of the NBHCP is to promote biological conservation while allowing urban development and continuation of agriculture within the Natomas Basin. 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.

To support the issuance of an ITP, an Environmental Assessment was prepared by the USFWS for the National Environmental Policy Act requirement and a Negative Declaration was prepared by the City of Sacramento for the California Environmental Quality Act (CEQA) requirement. The USFWS and CDFG issued ITP's to the City of Sacramento. The NBHCP and ITP were subsequently challenged, and on August 15, 2000, the United States District Court, Eastern District, ruled that the ITP was invalid and an EIS was required for the project. Based on this ruling, the City of Sacramento and Sutter County jointly prepared a revised NBHCP and an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for use by the USFWS and CDFG. The USFWS is the lead federal agency for the preparation of the EIS and the City of Sacramento and Sutter County are co-lead agencies for the preparation of the EIR. The Sacramento City Council adopted the revised NBHCP and EIR/EIS on May 13, 2003. On June 27, 2003 the USFWS issued a new Incidental Take Permit for the NBHCP for development within the Natomas Basin. This project is subject to the requirements of the revised HCP/ITP. HCP fees have not been paid for this site.

Smart Growth Planning Principles:

"Smart Growth" is a term coined by the United States Environmental Protection Agency (USEPA) as an umbrella term for the many initiatives intended to address some of the negative consequences of urban sprawl. Smart Growth generally occurs when development patterns are sustainable and balanced in terms of economic objective, social goals, and use of environmental/natural resources. The following Smart Growth principles apply to the proposed project:

- Higher-density, cluster development.
- Multi-modal transportation and land use patterns that support walking, cycling and public transit.
- Streets designed to accommodate a variety of activities.
- Planned and coordinated projects between jurisdictions and stakeholders.

The proposed project has been designed to incorporate many of the Smart Growth Principles listed above.

Mixed Income Inclusionary Housing Ordinance:

The project is allowed in the EC zone due to amendments to the Community Plan (Resolution 2002-047) and the EC Zone (Ordinance 2002-001) adopted in 2002. These amendments allow for the residential component of EC development within the geographic area bounded by the East Drain, Interstate 5, Del Paso Road and Arena Boulevard to exceed 25% within the individual PUD with the approval of a special permit; the subject site is within the above referenced geographic area.

Per section 17.190.070(E) of the Zoning Ordinance, any residential project in the North Natomas community plan area which is the subject of a development agreement executed on or before June 20, 2000 shall be exempted from the inclusionary housing

P04-240

JULY 28, 2005

ITEM # 9
PAGE 10

component, unless subsequent to June 20, 2000 the residential project requires the approval of one or more legislative entitlements or amendments to legislative entitlements which are major rather than minor, in which case the residential project shall not be exempt from inclusion of the inclusionary housing component. Per section 17.190.020 of the Zoning Ordinance, "minor legislative entitlements" means 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.

The project site was under a Development Agreement approved prior to June 20, 2000 and staff has found that the 2002 amendments to the Community Plan and the EC Zone as well as the required PUD Schematic Plan Amendment for the project fall within the definition of a minor legislative entitlement per the criteria discussed above in that the project does not result in a net loss of residential acreage and the entitlements are limited to amendments to a previously approved PUD schematic plan, tentative map, or PUD development guidelines. As a result, the project is exempt from the Mixed Income Housing Ordinance under section 17.190.170.

Multi-Family Residential Design Guidelines

The Multi-Family Residential Design Guidelines were approved by the City Council on August 5, 2000 (Resolution CC2000-487). This document articulates design principles for multi-family residences to assist the Planning Commission, City Council, City staff and project planners and designers by identifying the City's design criteria for multi-family development. The intent is to achieve well-designed projects to enhance the community's overall value and appearance. The project is generally consistent with the Multi-Family Residential Design Guidelines.

B. Mitigation Monitoring Plan

The Environmental Services Manager has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the

project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address Air Quality, Biological Resources, Noise and Cultural Resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit 1A).

C. PUD Schematic Plan Amendment

The project proposes a PUD Schematic Plan Amendment to designate a 168-unit apartment complex on Employment Center 40 (EC-40) parcels in the Arena Corporate Center PUD. Proposed projects wishing to obtain entitlements to proceed to the construction phase of development are required to submit a Schematic Plan along with other drawings delineating the anticipated developments proposed in the near future for a site. The existing Schematic Plan delineates the site as three separate parcels with proposed office buildings in Development Site 3. The proposed Schematic Plan Amendment delineates the use, layout, building footprint and reflects the site design of the project under consideration. Since the PUD Schematic Plan Amendment reflects a change in the type of use, from offices to residential, the entitlement requires the approval of the City Council.

Existing schematic plan summary for Development Area III, parcels 3, 4 and 5:

Lot Designation	Proposed Land Use Designation	Gross Acres	Net Acres	Employees	Building Gross Square Footage	Summary of Total Footage per Net Acre
III-3	EC-40	4.5	3.8	152	53,200	14,000
III-4	EC-40	2.9	2.5	100	35,000	14,000
III-5	EC-40	2.4	1.9	76	26,600	14,000

Proposed schematic plan summary for Development Area III, as a result of merging parcels 3, 4 and 5:

Lot Designation	Proposed Land Use Designation	Gross Acres	Net Acres	Employees	Building Gross Square Footage	Summary of Total Footage per Net Acre
III-3, 4 & 5	EC-40	9.8	8.2	-	-	-

The development of a multi-family residential in the employment center zone is considered a non-primary use ancillary to the primary use intended for the greater area of the employment center zoned parcels within a Planned Unit Development. The NNCP has been recently amended to allow an entitlement process to exceed the maximum allowable area of 25% residential use within a PUD if it exists within the specific area delineated as being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard and if a special permit is approved. The factors used to gauge the appropriateness of residential uses in the PUD are: 1) proximity to the freeway and other noise generators; 2) compatibility of adjacent uses both inside and outside the PUD; and 3) availability of transit, commercial uses, open space, and public facilities to serve the

potential residents. Consistency with the PUD Guidelines will be discussed in further details within the Special Permit sections.

D. Parcel Merger

The project proposes a Parcel Merger to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone (see Exhibits 1B and 1C). Staff recommends approval of the parcel merger with conditions since it conforms to the requirements of the City of Sacramento Subdivision Ordinance and other standards required by the City's Development Engineering and Finance Division and it allows the proposed multi-family project to be developed on a suitable-sized parcel.

E. Special Permit to construct 168 residential units located in the Arena Corporate Center Planned Unit Development

The parcel is zoned Employment Center: 40 Employees. This proposed project is consistent with the amendments to both the NNCP and Title 17. The Zoning Code and North Natomas Community Plan allow 25% of the defined 340± net acre geographic area to be residential which equates to 85± net acres residential use if both the design criteria and findings can be made. The proposed project in combination with existing multi-family residential development within the Arena Corporate Center Planned Unit Development will total 35.98± net acres of residential development, along with 16.9 net acres of multi-family in Natomas Crossing PUD, a remainder of 32.12± acres available for residential use, providing the appropriate findings can be made. The following table depicts the amount of residential approved and proposed in the Arena Corporate Center PUD and other residential project approved in the stated geographic area:

Table 3: Net Acreage for residential in the defined geographic area

Item	Area/Project		Net Acres	Description
1	Total Net Acreage - Arena Corporate Center PUD		96.7 net acres	(Development Site 1=10.85, Development Site 2=11.4, Development Site 3=27.7, Development Site 4 & 5 = 29.8, Development Site 6 = 16.9 Total ACCPUD=96.7 na)
2	Arena Corporate Center PUD	EC-40	<10.85 na>	California Traditions (P00-118)
3	Arena Corporate Center PUD	EC-40 AOS	<16.9 na>	Tuscaro Apartments (P98-042)
4	Arena Corporate Center PUD	EC-40	<8.23 na>	Ashton Parc Apartments (P04-240)
5	Total (Arena Corporate Center)		35.98 na	37% residential in the EC zone(35.98 + 96.7)
6	Natomas Crossing PUD	(EC-50, R-2B)-PUD	<16.9 na>	Fairfield Apartments (P01-014)
7	Total Residential (in defined geographic area)		52.88 na	
8	Total Net Acreage in defined area		340 net acres	Allowable acres for residential if criteria met = 85 na
9	% Residential in Defined Area(7+8)		15.5%	

Density in the Employment Center 40 zone is required to be within the Medium or High Density Residential land use categories of the NNCP. The proposed density of approximately 20.4 dwelling units per net acre (du/na) falls within the High Density category of 11-29 du/na, and is therefore appropriate.

1. Site Design:

The project is a 168-unit apartment development on 8.23 net acres (see Exhibits 1D to 1M) in the Arena Corporate Center PUD. The site is bordered by Arena Boulevard to the south, vacant EC-40-PUD parcel to the west, Sports Parkway and Arco Arena to the north, and the south entrance private drive to Arco Arena to the east. Proposed signalized intersections will be installed on Arena Boulevard directly to the west and east sides of the project site. The main vehicular entry to the project is off a shared private driveway with the adjacent parcel on the west, coming off Arena Boulevard. The second proposed driveway is off the south entrance private drive to Arco Arena to the east and will be used for secondary egress and emergency purposes only; internal drive aisles provides access to all building within the site. There are a total of seven apartment buildings and an eighth building which houses the recreation center and the management office; fourteen covered garage structures and uncovered parking are shown throughout the site. The site plan delineates internal sidewalks adjacent to all buildings and marked crossings across drive aisles. The recreation area provides a pool, spa, BBQ area, tot-lot and putting green as amenities for the residents. There are a total of four trash enclosures located on the site such that no enclosure is more than 250 feet away from any unit. There is a 12.5-foot public utility easement on the south side of the site and a 20-foot storm drain easement on the northern side of the site; no buildings of any kind shall be allowed within all easements.

2. Setbacks/Lot Coverage:

Per the Arena Corporate Center PUD Guidelines, multi-family buildings shall be generally limited to three (3) stories in height. Occasional design elements, such as chimneys, roof peaks, and cupolas may project up to five (5') feet above the top story. The proposed apartment buildings will be three stories in height.

The PUD Guidelines has the following criteria regarding setbacks:

- (1) Medium- and high-density buildings are encouraged to be oriented to the adjacent public street by providing windows, front doors, and other entry features along the street. For security, landscaping or other suitable barriers shall be provided between sidewalk and entrances or windows.
- (2) Units fronting a public street shall have a minimum setback of 12'-6" from the street (from back-of-walk where there are no split sidewalks). In the case of split sidewalk, the minimum setback shall be 7'-6" from back-of-walk to the extent consistent with the public utility easement.
- (3) The minimum distance between buildings shall be determined by the Building Codes.
- (4) Side yard setbacks shall be 5'-0" for up to three (3) stories in height. Rear yard setbacks shall be 15'-0".

The setbacks for the proposed project are as shown below in Table 4. The proposed project meets the setback requirements.

Table 4: Setbacks

Setback Type	Proposed Minimum Setback Distance
Arena Boulevard (south)	12.5'
Sports Parkway (east)	12.83'
Sports Parkway (north)	20.0'
Western Parcel	20.0'

Lot coverage is limited to 50% in multifamily zones, and this percentage is used as a guideline for multifamily development in the Employment Center zone. According to the information supplied, the project has approximately 27% building coverage and does not exceed the lot coverage guidelines for the site.

3. Parking/Circulation:

Vehicular access to the site is proposed at two locations. The main entry to the project is off a shared private driveway with the adjacent parcel on the west, coming off Arena Boulevard. The second proposed driveway is off the south entrance private drive to Arco Arena to the east and will be used for secondary egress and emergency purposes only; an access agreement must be granted by the owner of Arco Arena. Internal drive aisles provide access to all building within the site. Two pedestrian accesses are shown; one is next to the main vehicular entry on the west side of the site and the other is on the southeast side of the site facing Arena Boulevard. The project is consistent with the Multi-Family Residential Design Guidelines in regards to pedestrian circulation, in that: the pedestrian walkways provide several connections into the public walkways; and pedestrian access is not limited to vehicular access locations.

The project would require a total of 263 parking spaces, based on 1.5 spaces per unit and 1 guest space per 15 units. The project is proposing 316 parking spaces, including 83 garage spaces (1 of which is handicap), 227 uncovered standard spaces, 1 uncovered compact space and 5 uncovered handicap spaces. The project is consistent with Multi-Family Residential Design Guidelines regarding parking in that: the surface parking lots are located away from the adjacent public roadways, beneath buildings and that parking areas are not located adjacent to public roadways; parking and vehicle access is located away from street corners; and, parking areas adjacent to other residential properties are screened from view with landscaping.

According to the Sacramento City Code (Section 17.64.050), one bicycle parking facility is required for every twenty (20) off-street parking spaces required. Since 263 parking stalls are required, a minimum of 13 bicycle facilities would be required. Fifty (50) percent of the required bicycle parking facilities shall be Class I; the remaining facilities may be Class I, Class II, or Class III. According to the Multi-Family Residential Design Guidelines, bicycle parking should be located close to, and with direct access to, residential buildings.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 15

4. Landscaping & Walls and Fencing:

A Preliminary Landscaping Plan for the project is provided (see Exhibit 1E). The project is required to provide landscaping both on and off site. Street trees are shown at the split sidewalk at Arena Boulevard; trees shall be spaced according to an approved street plan at approximately 25 feet to 35 feet on center. Turf and/or groundcovers and shrubs shall be installed under trees along split sidewalk. All planting shall conform to City standards for sight line requirements at intersections and driveways. The proposed landscaping shall be consistent with the North Natomas Development Guidelines - Plant Species and is required to meet the Arena Corporate Center PUD Landscape Guidelines. The parking areas shall comply with the City's Tree Shading Ordinance, requiring 50 percent tree shading within 15 years.

A six-foot high tubular steel fence is provided on all sides of the subject site with the exception of the area immediate adjacent to the recreation area which shows a masonry wall. Two pedestrian gates are shown; one is next to the main vehicular entry on the west side of the site and the other is on the southeast side of the site facing Arena Boulevard. A total of two vehicular gates are proposed for the project, one off the main driveway on the west and one at the east side of the site for egress only and emergency access. A Knox device is required on the gate for access by the Fire Department. A site lighting plan was not submitted as part of the application; all proposed lighting need to meet requirements as conditioned.

The project is consistent with the Multi-Family Residential Design Guidelines regarding landscaping, in that: the exterior site design and landscaping provide functional recreational spaces and community site amenities; street-facing elevations have landscaping adjacent to their foundations; and, dense landscaping and/or architectural treatments should be provided to screen unattractive view and features such as storage areas stand alone unfinished or untreated trash enclosures, freeway structures, mechanical equipment and other similar elements.

5. Signage:

A sign program has not been submitted to staff for review. A monument sign is shown at the southwest corner of the site at the intersection of Arena Boulevard and the shared private driveway. All proposed signage shall be consistent with the Arena Corporate Center PUD Guidelines and City's Sign Ordinance. A sign permit shall be required for any new signage.

6. Building Design:

The proposed 168-unit apartment complex has four building types (see Table 5) and offers four different sized units, ranging from 790 square feet to 1,240 square feet (see Table 6). Each of the three-story apartment buildings will have stucco walls and trims, hip and gable roofing with concrete tile roof; each unit has useable outdoor balcony. The entry to each unit is off an internal breezeway within the building. The recreation building is one story high with hip and gable roofing; the building contains a social room, an exercise room, a billiards room, a business center and mail room on the east side and leasing office, manager's office and golf cart storage on the west side; a breezeway

P04-240

JULY 28, 2005

ITEM # 9

PAGE 16

separates the two wings of the building. There are 14 garage buildings with stucco finished walls and concrete tile roofing that are located throughout the site.

Table 5: Building Types

Building Type	Total Buildings on Site	Unit A1 within Building Type	Unit A2 within Building Type	Unit B within Building Type	Unit C within Building Type	Total Units for Building Type
Type 8	1	12	0	12	0	48
Type 8G	2	12	0	12	0	24
Type 10	1	12	0	0	12	24
Type 11	3	0	12	0	12	72

Table 6: Unit Types

Unit Number	Size	Bedroom/Bath	Number of Units
Unit A1	790 sq ft	1/1	48
Unit A2	932 sq ft	2/1	36
Unit B	1,136 sq ft	2/2	36
Unit C	1,240 sq ft	2/2	48

Per the Arena Corporate Center PUD Guidelines, multi-family buildings shall be generally limited to three (3) stories in height. Occasional design elements, such as chimneys, roof peaks, and cupolas may project up to five (5') feet above the top story. The proposed apartment buildings will be three stories in height and complies with applicable design elements. The project is consistent with the Multi-Family Residential Design Guidelines in regards to scale/massing/articulation, in that: articulation such as roof domers, hips, gables, balconies, wall projections and porches should be used to break up the visual massing of building facades.

Four trash enclosures are shown on the site. The enclosures shown are approximately 8'-6" by 19'-3" in size, with a 15 foot by 20 foot concrete apron. The locations provide easy access for the residents to use the trash and recycling facilities. The enclosures will be required to comply with the Chapter 17.72 (Recycling and Solid Waste Disposal Regulations) of the Sacramento City Code. Each enclosure is required to be constructed out of decorative masonry block, six feet high walls, with a heavy gauge decorative gate with cane bolt to secure when in open and closed positions.

Staff finds that the proposed plans primarily comply with all applicable General Plan, Community Plan, Zoning Ordinance requirements, Arena Corporate Center PUD Guidelines, and that they meet the intent of the Multi-Family Residential Design Principles. Staff also finds that the proposed plans will not be detrimental to the public health safety or welfare, or creation of a nuisance; instead the plans will bring vitality and variety to the housing in the vicinity of the project.

- F. Special Permit to exceed the allowable 25% residential use within the Arena Corporate Center Planned Unit Development lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard.

The proposed project in combination with existing multi-family residential development within the Arena Corporate Center Planned Unit Development will total 35.98± net acres of residential development, which is approximately 37% of the total acreage of 96.7± net acres in the PUD. The following table depicts the amount of residential approved and proposed in the Arena Corporate Center PUD:

Table 7: Net Acreage for residential in the Arena Corporate Center

Item	Area/Project		Net Acres	Description
1	Total Net Acreage - Arena Corporate Center PUD		96.7 net acres	(Development Site 1=10.85, Development Site 2=11.4, Development Site 3=27.7, Development Site 4 & 5 = 29.8, Development Site 6 = 16.9 Total ACCPUD=96.7 na)
2	Arena Corporate Center PUD	EC-40	<10.85 na>	California Traditions (P00-118)
3	Arena Corporate Center PUD	EC-40 AOS	<16.9 na>	Tuscaro Apartments (P98-042)
4	Arena Corporate Center PUD	EC-40	<8.23 na>	Ashton Parc Apartments (P04-240)
5	Total (Arena Corporate Center)		35.98 na	37% residential in the EC zone(35.98 + 96.7)

The Zoning Code and North Natomas Community Plan allow 25% of the defined 340± net acre geographic area (lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard) to be residential, which equates to 85± net acres residential use. The proposed project, in combination with existing multi-family residential development within the Arena Corporate Center Planned Unit and 16.9 net acres of multi-family in Natomas Crossing PUD, will total 52.88 net acres; therefore a remainder of 32.12± acres will be available for future residential use, providing the appropriate findings can be made. See the discussion on the section for 'North Natomas Community Plan' beginning on page 5 of this report for staff findings pertaining to the proposal.

G. Special Permit to establish gates at private vehicular entrance to a multi-family residential development.

1. Gate Design:

Vehicular gates are being proposed at main entry to the site, located at the western edge of the parcel (see Exhibit 1D). A set of double-gates is shown next to the shared driveway with the adjacent parcel. Additionally, a secondary egress only/emergency access gate is located at the northeast corner of the site.

2. Justification of Request:

The applicant offers the following justifications for limited-access gate proposal (see Exhibits 1N and 1O):

P04-240

JULY 28, 2005

ITEM # 9
PAGE 18

- The use of limited-access gates will help to reduce unauthorized pedestrian and vehicular traffic on the property, citing the site's proximity to Arco Arena and the situation at major events.
- The use of limited-access gates provide the tenants with the perception of security, safety, and privacy.
- The use of limited-access gates is an important marketing feature for the Ashton Parc apartment project.
- The gates proposed for the project are limited-access electronic gates which will be open during business hours.

3. Staff Response:

Staff looks at each individual request for gating a complex on a case by case basis. In the past, staff has approved gates at such developments as the Bella Rose Condominiums and the Villagio Apartments, two of the closest multi-family complexes to the subject site. Staff has also denied such requests based on the particular location of the site and a lack of justification for the gates.

A special permit to establish gates shall not be approved unless the planning commission finds that:

1. **The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.**

The placement of the vehicular gates on the site will not significantly impede access to a public resource or interfere with existing traffic circulation patterns.

2. **The project is consistent with city regulations and guidelines relating to the establishment of gated developments.**

Even though the proposal for vehicular gates is inconsistent with the City's Multi-Family Residential Design Principles and Gated Development Guidelines that discourage the establishment of developments that are isolated or barricaded from the surrounding community, the site warrants the installation of gates because of its immediate proximity to Arco Arena and the possibility of trespassers into the site during major event.

3. **The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.**

The proposed project does not lie within a designated 'neighborhood' as defined within the North Natomas Community Plan. Connectivity and non-isolation is normally encouraged for a site within a designated 'neighborhood'. The particular location of the site, with Sports Drive to the north and six-laned Arena Boulevard to the south, the only interactions will be to the east and west, which are existing and proposed office

P04-240

JULY 28, 2005

ITEM # 9
PAGE 19

developments; with the proximity of the proposed residential use next to commercial uses, staff believes it is appropriate to provide security and privacy to the subject site. To provide access to the adjacent sites, pedestrian gates are proposed at two locations within the fence which surrounds the site.

4. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers during major events at Arco Arena and during the business hours of the adjacent commercial developments.

In conclusion, staff recommends that the special permit for private vehicular gates be approved based on the location of the site in respect to the surrounding uses.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The Environmental Services Manager has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address Air Quality, Biological Resources, Noise and Cultural Resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit 1A).

Staff received comments from Mike Thompson of the Westlake Group (see Attachment 4) and has the following response:

The City of Sacramento's Development Services Department Environmental Planning Services Staff has received one public comment during the public review period from Friday, May 13, 2005 through Wednesday, June 1, 2005. The comment concerns population/housing and air quality/transportation. The project Mitigated Negative Declaration has evaluated the environmental impacts with respect to population/housing and air quality/transportation and has found that these impacts are less-than-significant. With regards to air quality, mitigation measures were included to ensure less-than-significant impacts. As for the land use issues, see the discussion on the section for 'North Natomas Community Plan' beginning on page 5 of this report. Residential uses are considered conditionally permitted uses which provide housing opportunities within the Employment Center (EC)

B. Public/Neighborhood/Business Association Comments

P04-240

JULY 28, 2005

ITEM # 9
PAGE 20

Staff has routed the proposal to various neighborhood groups and associations and following is a summary of the response.

The following comment was received from the Natomas Community Association (NCA) on June 21, 2005 (with staff comments in italics):
Gates for pedestrian access should be added if not already included in the project.
Project is providing two pedestrian gates.

The following comment was received from the Natomas Chapter Partnership for Active Communities (NCPAC) on July 18, 2005 (with staff comments in italics):

1. Pedestrian gate in southeast corner of fence.

Pedestrian connectivity to surrounding land uses is important. One-half block to the east of the project site is Truxel Station, an employment center with two restaurants and three retail buildings now under construction. Across the intersection at the southeast corner of the project site is land identified in the North Natomas Community Plan as Neighborhood Commercial. South of the project site are apartments, single family homes, and proposed-school and proposed-park sites in the Natomas Crossing neighborhood.

We'd like residents of North Natomas to have straightforward and obvious routes for walking and biking to destinations. The fence around Ashton Parc Apartments provides only one point for ingress and egress. This is acceptable for vehicles but makes for unduly long walking routes for many of the tenants.

The one point at which tenants may get to public sidewalks is on the west side of the property. Most tenants who might choose to walk to destinations such as Truxel Station or the future light rail stations on Truxel would have to walk west through the apartment complex, then east on Arena Boulevard alongside the complex, and then continue east to their destination. We believe that for tenants residing on the eastern portion of the complex the choice between driving or walking will be weighted towards driving merely because walking requires a route that backtracks.

A pedestrian controlled-access gate placed at the southeast corner of the property along with walkways within the complex leading to the gate would provide tenants with convenient access to nearby destinations. Walking to jobs, dining, or transit is much more likely to occur if a direct route is available. The pedestrian gate would make a very important contribution toward making Ashton Parc Apartments walkable.

An additional pedestrian gate has been provided at the southeast portion of the site for use by the residents.

2. Bike lockers.

Bike lockers should be included so that tenants have a secure and protected place other than their apartments to store their bikes. *Project has been conditioned to provide bicycle parking.*

3. Signalized intersection at entrance drive.

The traffic signals to be constructed at the future intersection of the entrance drive and Arena Boulevard are important. There is no pedestrian crossing of Arena Boulevard from Innovator Drive to East Commerce - approximately 2000 feet. This controlled intersection would provide a connection to the residential neighborhoods immediately to the south. *New signals are being required at the intersections of Arena Boulevard and the private driveway on the east side as well as west side of the project site.*

P04-240

JULY 28, 2005

ITEM # 9

PAGE 21

The following comment was received from the North Natomas Alliance (NNA) on December 26, 2004 (with staff comments in italics):

1. We previously noted concerns about site access, but the revisions made (moving the primary access to a signalized driveway on the west side of the project) have adequately addressed this issue. This driveway will provide residents access from both directions that is separated from Arena traffic. While we remain concerned about children having to cross Arena Blvd., a six-lane arterial, to walk to school, the existence of the signal will help. *New signalized intersections are being required at Arena Boulevard and the private driveway on the east side as well as west side of the project site. The Truxel Station project (P03-133), approved by the Planning Commission in 2004, was conditioned to contribute towards the installation of the signal to the east of the Ashton Parc Apartments (Arena Boulevard & South Entrance of Arco) prior to occupancy. The Truxel Station project is currently under construction.*
2. We remain generally opposed to the use of EC-zoned land for high-density residential uses, due to the increased burdens on public facilities such as schools and parks.

Staff received comments from WALKSacramento regarding the need for pedestrian connections; the project is providing two separate pedestrian gates for the project.

Mike Thompson of the Westlake Group provided the following comment on the proposed vehicular gates:

If this project is approved, I would support the requested special permit for gates. Given the lack of police officers in North Natomas, and in light of the proximity of this project to Arco Arena, there is a demonstrated need for security gates. In addition, gates are an amenity that tenants both expect and demand. Including the gates will make the project more marketable. In order for developments in the City of Sacramento to compete with similar projects in adjoining areas (West Sac, the County, Elk Grove, etc.), gates are a necessity (at least for some projects). The applicant's proposal to keep the gates open during business hours is sufficient to maintain "connectivity" with the rest of the community.

C. Summary of Agency Comments

1. Development Services Department – Development Engineering & Finance Division: Conditions are incorporated into Notice of Decision.
2. Transportation Department – Engineering Services – Electrical Section: Advisory notes are incorporated into Notice of Decision.
3. General Services Department – Solid Waste Division: Advisory notes are incorporated into Notice of Decision.
4. Utilities Department: Conditions and advisory notes are incorporated into Notice of Decision.
5. Fire Department: Conditions are incorporated into Notice of Decision.

- 6. Parks & Recreation Department – Parks Planning: Conditions are incorporated into Notice of Decision.
- 7. County Sanitation District – 1: Conditions and advisory notes are incorporated into Notice of Decision.
- 8. SMUD: Condition is incorporated into Notice of Decision.
- 9. Caltrans provided the following comments:

The Ashton Parc Apartments project is an excellent example of how higher density residential sties built near public transit facilities help ensure that ridership is sufficient for the successful operation of transit and help mitigate expected increases in automobile traffic. The design and circulation network for the project should be planned to encourage and facilitate the use of alternative transportation modes, including bicycles, transit, and pedestrian travel. It is suggested that the City consider requiring sidewalks on both sides of any internal roadways.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, B, D to G. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action. The City Council has final authority on item C, the PUD Schematic Plan Amendment

RECOMMENDATION:

Staff recommends approval of the proposed development for the following reasons:

- o Consistency with policies per General Plan, North Natomas Community Plan, Zoning Ordinance and PUD Guidelines

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact adopting the Mitigated Negative Declaration;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Mitigation Monitoring Plan;
- C. Recommend approval and forward to the City Council the PUD Schematic Plan Amendment to designate a 168-unit apartment complex on Employment Center 40 (EC-40) parcels in the Arena Corporate Center PUD;
- D. Adopt the attached Notice of Decision and Findings of Fact approving the Parcel Merger to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone;

P04-240

JULY 28, 2005

ITEM # 9
PAGE 23

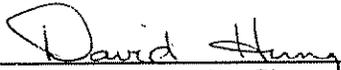
- E. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone in the Arena Corporate Center PUD;
- F. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to exceed the allowable 25% residential use within the Arena Corporate Center Planned Unit Development lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard; and
- G. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to establish gates at private vehicular entrance to a multi-family residential development.

P04-240

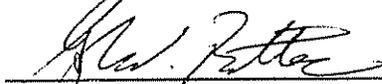
JULY 28, 2005

ITEM # 9
PAGE 24

Report Prepared By,


David Hung, Associate Planner

Report Reviewed By,


Gregory Blitter, Senior Planner

Attachments

- Attachment 1 Notice of Decision & Findings of Fact
- Exhibit 1A Mitigation Monitoring Plan
- Exhibit 1B Parcel Merger
- Exhibit 1C Legal Description
- Exhibit 1D Site Plan
- Exhibit 1E Landscape Plan
- Exhibit 1F Grading and Drainage Plan
- Exhibit 1G Units Floor Plan
- Exhibit 1H Building Type 8
- Exhibit 1I Building Type 8G
- Exhibit 1J Building Type 10
- Exhibit 1K Building Type 11
- Exhibit 1L Recreation Building
- Exhibit 1M Garage & Section
- Exhibit 1N Justification for Vehicular Gates Special Permit
- Exhibit 1O Photos of Gates and Fences
- Attachment 2 Land Use & Zoning Map
- Attachment 3 Draft PUD Schematic Plan Amendment Resolution
- Exhibit 1 PUD Schematic Plan Amendment Exhibit
- Attachment 4 Comments on Mitigated Negative Declaration

P04-240

JULY 28, 2005

ITEM # 9
PAGE 25

Attachment 1
(Amended by CPC on July 28, 2005)
NOTICE OF DECISION AND FINDINGS OF FACT FOR
ASHTON PARC APARTMENTS, LOCATED AT THE NORTHWEST CORNER OF ARENA
BOULEVARD AND INNOVATOR DRIVE, SACRAMENTO, CALIFORNIA (P04-240)

At the regular meeting of July 28, 2005, the City Planning Commission heard and considered evidence in the above-entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Approved the Environmental Determination: Mitigated Negative Declaration;**
- B. **Approved the Mitigation Monitoring Plan;**
- C. **Recommended Approval and Forwarded to the City Council the PUD Schematic Plan Amendment to designate a 168-unit apartment complex on Employment Center 40 (EC-40) parcels in the Arena Corporate Center PUD;**
- D. **Approved the Parcel Merger to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone;**
- E. **Approved the Special Permit to construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone in the Arena Corporate Center PUD;**
- F. **Approved the Special Permit to exceed the allowable 25% residential use within the Arena Corporate Center Planned Unit Development lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard; and**
- G. **Approved the Special Permit to establish gates at private vehicular entrance to a multi-family residential development.**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. Mitigated Negative Declaration: The City Planning Commission approves the Mitigated Negative Declaration, based upon the following findings:
 - 1. The Mitigated Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;

P04-240

JULY 28, 2005

ITEM # 9

PAGE 26

2. The proposed Mitigated Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and
 3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment.
- B. Mitigation Monitoring Plan: The Mitigation Monitoring Plan is **approved** based upon the following findings of fact:
1. One or more mitigation measures have been added to the above-identified project;
 2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1A;
 3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and
 4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.
- D. Parcel Merger: The Parcel Merger to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone is **approved** on the following findings of fact subject to the conditions of approval:
1. The parcel merger is consistent with the City's General Plan which designates the subject site as Mixed Use;
 2. The resulting parcels, together with the provisions for their design and improvement, are consistent with the North Natomas Community Plan and the Subdivision Ordinance, which is Chapter 16 of the City Code; and
 3. All existing streets and/or utility easements of record are reserved.
- E. Special Permit: The Special Permit to construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone in the Arena Corporate Center PUD is **approved** on the following findings of fact subject to the conditions of approval:
1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. The proposed multi-family use is located within close proximity to transit and future schools, commercial development, and parks; and
 - b. The proposed multi-family use is well serviced by auto, transit, bicycle, and pedestrian linkages.
 2. The project, as conditioned, will not be detrimental to the public health, safety, and welfare, and will not result in the creation of a public nuisance, in that the site

P04-240

JULY 28, 2005

ITEM # 9
PAGE 27

design and the building design are consistent with the Arena Corporate Center PUD Guidelines and the Multi-Family Residential Design Principles; and

3. The project, which has a density of 20.41 du/na, is generally consistent with the North Natomas Community Plan designation of Employment Center: 40/acre, which allows high-density (11-29 du/na) multi-family residential use.
- F. Special Permit: The Special Permit to exceed the allowable 25% residential use within the Arena Corporate Center Planned Unit Development lying within the specific area delineated being bounded by the East Drain, I-5, Del Paso Road and Arena Boulevard is **approved** on the following findings of fact subject to the conditions of approval:
1. The proposed increase in residential use is compatible with adjacent uses in the PUD as well as with adjacent uses within contiguous PUDs;
 2. The residential use has a component of mixed use or conjunctive use within the residential project to serve the residents and nearby workers by providing dwelling units in proximity to employment places;
 3. The proposed increase in residential use will improve the balance of jobs and housing as provided in the Community Plan;
 4. The proposed increase in residential use will not result in an over-concentration of multi-family projects in the area but contribute to a variety of housing type available in the community;
 5. The project meets the NNCP 'factors' in that the proposed project is not in close proximity to the Interstate 5 corridor and will be shielded from noise by future office structures to the west, the residential use is compatible with the adjacent/proposed future uses within the PUD, and the site can be adequately served by public facilities, transit and open space; and
 6. The total amount of acreage devoted to residential uses within this geographic area does not exceed twenty-five (25) percent.
- G. Special Permit: The Special Permit to establish gates at private vehicular entrance to a multi-family residential development is **approved** based upon the following findings of fact:
1. The proposal for vehicular gates will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns and gates will be opened during business hours;
 2. The proposal for vehicular gates will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance in that the gates will provide security and privacy to the residents from the adjacent commercial developments and from event-goers to Arco Arena; and
 3. The proposal for vehicular gates will be constructed to of high quality materials and compatible with City standards

P04-240

JULY 28, 2005

ITEM # 9
PAGE 28CONDITIONS OF APPROVAL

- D. **The Parcel Merger to merge 3 vacant parcels into one parcel totaling 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone.**

DEVELOPMENT ENGINEERING & FINANCE DIVISION

- D1. The applicant shall file an application for a Certificate of Compliance with the Development Engineering and Finance Division. The applicant must submit all documents required by the submittal requirements checklist and pay the necessary fees.
- D2. The applicant must file for a Waiver of Parcel Map.
- D3. The applicant shall pay off or segregate existing assessments.

UTILITIES

- D4. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the Department of Utilities.

- E. **The Special Permit to construct a 168-unit apartment complex on 8.23± net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone in the Arena Corporate Center PUD.**

PLANNING DIVISION

- E1. This approval is for the construction of 168 apartment units shown on attached Exhibits 1D through 1O. Any change in the design, materials, or colors from this approval shall be submitted to the Planning Division for review and determination for further actions.
- E2. **Prior to issuance of a Building Permit the applicant will submit a Transportation Management Plan for review and approval by the City's Alternate Modes Coordinator and Planning Director or show compliance with an existing AQTMP. (Amended by CPC on July 28, 2005)**
- E3. The applicant shall comply with all requirements included in the Mitigation Monitoring Plan (Exhibit 1A) for P04-240, on file at the Planning Division.
- E4. Project must pay HCP fees and comply with the requirements of the Natomas Basin Habitat Conservation Plan approved in June 2003.
- E5. Landscaping & Walls and Fencing:

P04-240

JULY 28, 2005

ITEM # 9
PAGE 29

- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
- b. Install two 15-gallon trees per lot frontage, with the average spacing of 30' on center, as measured along the entire length of the street.
- c. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
- d. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- e. Continuous concrete curbing shall be provided around all planter areas within or adjacent to parking lots and driveways.
- f. **Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. (Amended by CPC on July 28, 2005)**
- g. Walls and fences shall be consistent with the PUD Guidelines and shall conform to City standards for sight line requirements at intersections and driveways.
- h. Landscaping shall be installed in front of all perimeter fencing abutting the west, south and east sides of the site.

E6. Trash Enclosures:

- a. Trash enclosures shall be constructed of solid masonry material with exterior stucco finish compatible to the main structures in color and texture.
- b. The trash enclosure structure shall have heavy gauge metal gates and designed with cane bolts on the doors to secure the gates when in the open position.
- c. All trash enclosure facilities shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines such that enclosures will not be noticeable when viewed from surrounding streets.
- d. A concrete apron shall be constructed in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size, and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at the point of dumpster pickup.
- e. The applicant shall comply with the City's Recycling Ordinance (Section 17.72) and shall ensure that trash and recycling enclosures are provided within 250 feet of each dwelling unit.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 30

E7. Signage:

- a. All detached signs shall be monument-type, constructed of masonry with finish materials and colors, which are consistent with building architecture.
- b. Attached signage shall consist of address numbers only. Building addresses should be clearly visible from the public street or from the abutting driveway. The numbers/letters should be at least 5" high, and of a contrasting color to the background to which they are attached. The addressing numbers/letters should be illuminated during hours of darkness.
- c. All signage must be reviewed and approved by North Area Planning Staff prior to issuance of building permits; all signage shall comply with the Sign Ordinance, City Code Section 15.148, and the Arena Corporate Center PUD Guidelines; a sign permit shall be obtained prior to construction of any sign.

E8. Lighting:

- a. The type and location of the outdoor lighting (building, parking lot, walkway, etc.) must be approved by the Planning Director prior to issuance of a building permit. Lighting shall be provided in garage areas and each building address number shall be illuminated.
- b. Project lighting shall be provided as follows: one footcandle of minimum maintained illumination per square foot of parking space and exterior walkways/sidewalks during hours of darkness and 0.25 footcandle of minimum maintained illumination per square foot of surface on any interior walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
- c. Per Section 17.68.030(B), exterior lighting, if provided, shall reflect away from residential areas and public streets. Fixtures shall be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

E9. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.

E10. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A total of 13 bicycle facilities will be required for this project.

E11. Roofing shall be concrete tile as specified on the plans.

E12. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

P04-240 JULY 28, 2005 ITEM # 9
PAGE 31

- E13. On-site management shall be provided. A contract with a reputable security firm shall provide on-site security, day and night, when the management office is closed.
- E14. The final color palette shall be submitted for review and approval by the Planning Director prior to the issuance of building permit. A minimum of two colors, plus a third color for accent or trim shall be used.
- E15. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).
- E16. The project shall participate in the North Natomas Financing Plan.
- E17. The project shall reasonably maintain the buildings and landscaping.
- ~~E18. The applicant shall provide electrical charging stations for use by the tenant, as provided in the project's Transportation Management plan. (Amended by CPC on July 28, 2005)~~
- E19. The recreation area shall be for tenant and guest use only.
- E20. Auto repairs are not permitted at any time, except in emergencies, such as flat tire or dead battery.
- E21. Parking spaces shall be steam cleaned a minimum of twice per year.
- E22. Visitor parking shall be strictly enforced.

DEVELOPMENT ENGINEERING & FINANCE DIVISION

Note: A revised site plan is requested

- E23. Construct standard public improvements as noted in these conditions pursuant to section 18.04.020 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards.
- E24. The applicant shall pay a fair share contribution (if not already paid) for the construction of the signals at:
- a. Arena Boulevard and Innovator Drive / South Entrance to Arco Arena

The above noted signal is partially reimbursable under the North Natomas Finance Plan. Fair share amount shall be 25% of the non-reimbursable cost portion of the signal, which shall be provided to the satisfaction of the Development Services Department. (Amended by CPC on July 28, 2005)

P04-240

JULY 28, 2005

ITEM # 9
PAGE 32

~~E25. Construct a traffic signal at the following intersection(s) (if not already in place or secured in a fashion acceptable to the Development Engineering and Finance Division):~~

- ~~a. Arena Boulevard and Main Entry to subject site / Street "19" of Natomas Field (P04-236) site~~

~~NOTE: Signals shall be constructed as part of the public improvements for the Special Permit. Signal design and construction shall be to the satisfaction of the Development Engineering and Finance Division. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of the department of Transportation. (Amended by CPC on July 28, 2005)~~

~~E26. The applicant shall pay a fair share contribution of 25% of the total cost for placement of a traffic signal at the intersection of Arena Boulevard and the main entrance to the project site (which aligns with the future Street "19" of the Natomas Field project, P04-236). In addition, the applicant shall provide all on-site easements and right-of-way needed for turn lanes, maintenance, signal facilities and related appurtenances. If, at the time the improvement plans are submitted for this project, the traffic signal already in design, the applicant shall coordinate with the Natomas Field project to provide any on-site improvements necessary for the traffic signal. The design and construction of said improvements shall be to the satisfaction of the Development Engineering & Finance Division. The signal at Arena Boulevard and the Main Entry to subject site / Street "19" of Natomas Field subdivision (P04-236) is not reimbursable under the North Natomas Financing Plan. However, the construction of the signal is currently required as a condition of approval for the Natomas Field project (P04-236). The applicant shall enter into an agreement with the City stating that if the applicant must construct the signal the City shall use its best efforts to obtain a fair share contribution from future development projects within the area around the signal equivalent to 75% of the actual cost of the signal. Said contributions, if obtained, shall be used to reimburse the applicant. Alternatively, if the signal is already in place the applicant shall pay a fair share contribution equivalent to 25% of the actual cost of the signal, which shall be used, for reimbursement. (Amended by CPC on July 28, 2005)~~

~~E27. The applicant shall submit a signal design concept report to the Development Services Department for review and approval prior to the submittal of any improvement plans involving traffic signal work. (Amended by CPC on July 28, 2005)~~

~~E28. As noted in the Arena Corporate Center PUD, access from the Arena Connector Road shall be governed by agreements with the owners of said private road. The applicant shall provide sufficient verification to demonstrate that such~~

P04-240

JULY 28, 2005

ITEM # 9
PAGE 33

agreements are in place, to the satisfaction of the Development Services Department. *(Amended by CPC on July 28, 2005)*

- E29. Sidewalk on Arena Boulevard shall be removed and relocated behind the existing sidewalk, to provide a landscaped planter between the existing curb & new sidewalk. The base material beneath the sidewalk (if any) must also be removed and replaced with appropriate material as determined by the Development Engineering & Finance Division. A new 6' wide separated sidewalk shall be constructed within the PUE / Pedestrian Easement. The applicant must coordinate with SMUD and the Development Engineering & Finance Division to design the sidewalk, which may shift as necessary through the PUE to avoid obstacles (existing utilities, etc). The new planter shall be landscaped to the satisfaction of the Development Engineering & Finance Division.
- E30. To facilitate the relocation of the sidewalk, a pedestrian easement adjacent to the existing right-of-way on Arena Boulevard may be required, if not already in place. Said easement, if required, shall be dedicated to the satisfaction of the Development Engineering & Finance Division.
- E31. **The minimum throat distance for all site driveways shall be 120' (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc). *(Amended by CPC on July 28, 2005)***
- E32. The applicant shall construct a right-turn deceleration lane at the main entry on Arena Boulevard. This condition shall include the dedication of any roadway easements and/or additional right-of-way required to construct these improvements to the satisfaction of the Development Engineering & Finance Division.
- ~~E33. The applicant shall provide landscaping within the existing median on Arena Boulevard, as deemed necessary by the Development Services Department. Said work is subject to reimbursement, per the North Natomas Finance Plan. The applicant shall coordinate with the Development Engineering & Finance Division prior to submitting improvement plans, in order to determine if landscaping of the median will be required as part of the public improvements required for this project. *(Amended by CPC on July 28, 2005)*~~
- E34. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering and Finance Division.
- E35. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division. The main entry driveway on Arena Boulevard shall be designed and constructed to align with the approved future street of the Natomas Field project (P04-236) to be signalized with said driveway. Any existing site driveways shall be removed and/or redesigned/reconstructed, if necessary, to City Standards to the satisfaction of the Development Engineering and Finance Division. NOTE: The main driveway on Arena Boulevard is to be a shared access for this project site,

P04-240

JULY 28, 2005

ITEM # 9
PAGE 34

and the adjacent site to the west. A reciprocal access easement will be required for shared use of the driveway and for that portion of the driveway outside the subject project boundary. Prior to release of the building permit, the applicant shall provide sufficient documentation to show that such an easement exist to the satisfaction of the Development Engineering & Finance Division. *(Amended by CPC on July 28, 2005)*

- E36. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards.
- E37. The applicant shall merge the existing parcels that cover the project site which creates the parcel boundary shown on the proposed site plan prior to obtaining any Building Permits.
- E38. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- E39. The design of walls, fences, signage, and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering and Finance Division.

FIRE

- E40. Prior to the issuance of a gate/fence permit, provide to the Fire Department a site plan that includes: buildings (including doors), footpaths, fire-control room doors, hydrants, FDCs, key box locations, Post Indicator Valves, Risers and backflow prevention devices, vehicular access and fire lanes, landscaping, proposed fencing and gate locations and cut sheets for electrically operated gate controllers.
- E41. The vehicular entrance needs to be at least 16' wide per Fire Code; the other side should be minimum of 20'. Ensure turning radii for fire access is designed as 35' inside and 55' outside. *(Amended by CPC on July 28, 2005)*
- E42. All designated pedestrian gates shall be marked for Fire access. A permanent all-weather walkway shall be provided from the gate to the corresponding building, not less than the width of the gate. *(Amended by CPC on July 28, 2005)*
- E43. Fencing shall not impede access to a public hydrant from a public way. Public fire hydrants obstructed by fencing shall not be considered as available to the complex unless gates with acceptable padlocks are provided. *(Amended by CPC on July 28, 2005)*

P04-240

JULY 28, 2005

ITEM # 9
PAGE 35

- E44. Split gates shall be designed such that both gates open simultaneously when the emergency operating switch is activated, and are capable of being locked open from the switch. *(Amended by CPC on July 28, 2005)*

UTILITIES

- E45. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the Department of Utilities.
- E46. Multiple fire services are allowed per parcel and may be required.
- E47. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- E48. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- E49. This project is greater than 1 acre (8.2 acres), therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- E50. The lot shall be graded so that drainage does not cross property lines.
- E51. Properly abandon under permit, from the City and County Environmental Health Division, any well or septic system located on the property.
- E52. The property owner/developer shall be responsible for off-site storm drain service taps as determined by the Department of Utilities Engineering Services Division.
- E53. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. The storm drain service taps shall drain on-site shed areas which are in general conformance with the master drainage shed map for Basin 5. An on-site drainage study and shed map is required. This study and shed map shall be approved by the Department of Utilities. The onsite system shall be designed so the 10-year HGL is a minimum of 6-inches below the

P04-240

JULY 28, 2005

ITEM # 9
PAGE 36

onsite drain inlets. The 10-year HGL shall be determined using the Sacramento Charts for Zone 2. Finished floor elevations shall be a minimum of 1.50 above the 100-year HGL and 1.70 feet above the controlling overland release elevation. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). Approximately 3.2 acres of the site shall drain to the storm drain system in Arena Boulevard and 5.0 acres of the site shall drain to the storm drain system located in the easement along the north side of the property. Prior to design, contact the Department of Utilities for a copy of the master drainage plan.

- E54. **Plot on the improvement plans the existing 20-foot wide storm drain easement and the associated 36-inch storm drain line and manholes. The storm drain line and manholes shall be field located. Buildings, building foundations and building roof lines shall be located outside of the storm drain easement. (Amended by CPC on July 28, 2005)**
- E55. Per City Code 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of the existing storm drain line or anywhere within the associated storm drain easement, unless approved by the Director of Utilities upon execution of a hold harmless agreement approved by the City Attorney. Minimal landscaping (no trees with invasive roots) and AC paving is allowed within the drainage easement. The applicant shall execute a hold harmless agreement for improvements placed within the drainage easement.
- E56. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- E57. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- E58. The proposed development is located within County Sanitation District No. 1 (CSD1). The applicant shall comply with all CSD1 requirements.

PARKS

P04-240

JULY 28, 2005

ITEM # 9
PAGE 37

- E59. The applicant must provide proof of compliance with City Code 16.64(Parkland Dedication) prior to approval of special permits or issuance of building permit if the parcel was created after March 5, 1981, the effective date of City Ordinance # 81-007 relating to the Dedication of Land, Payment of Fees, or both, for Park and Recreational Purposes.
- E60. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to the issuance of any building permit. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the costs will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager)

SOLID WASTE DIVISION

- E61. Recycling capacity be met or exceeded.
- E62. A recycling program shall be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.
- E63. This project shall be conditioned to divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division:
- Method of recovery
 - Hauler information
 - Disposal facility
 - Diversion percentage
 - Weigh tickets documenting disposal and diversion

CSD-1

- E64. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.
- E65. Each lot and building with a sewer source shall have a separate connection to the CSD-1 sewer system.
- E66. In order to obtain sewer service, construction of CSD-1 sewer infrastructure is expected to be required.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 38

- E67. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.
- E68. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance. The subject project owner shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and driveways damaged by CSD-1 maintenance and repair operations.
- E69. CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met.

SMUD

- E70. Dedicate the common areas as a public utility easement for underground facilities and appurtenances except for those areas where structures or pool are located.
- E71. The owner/developer must disclose the Special Permit to SMUD when applying for their Facilities design.

ADVISORY NOTES: FIRE

- E72. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- E73. Provide a water flow test. (Contact Department of Utilities at 916-808-5371.)
- E74. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
- E75. Provide appropriate Knox access for site.
- E76. A reciprocal ingress egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access.
- E77. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
- E78. Locate and identify Fire Department Connections (FDCs) on address side of building within 40 feet of a fire hydrant.
- E79. Provide clear access to building openings, free of landscaping and other obstructions. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the Fire Department. CFC 902.3.1

P04-240

JULY 28, 2005

ITEM # 9
PAGE 39**ADVISORY NOTES: PUBLIC WORKS – TECHNICAL SERVICES – ELECTRICAL SECTION**

E80. This project shall require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functionally during construction.

ADVISORY NOTES: SOLID WASTE DIVISION

E81. The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.

E82. Businesses that choose private sector service should ask about the recycling opportunities that company offers. Recycling should still be cheaper than disposal.

E83. Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.

ADVISORY NOTES: UTILITIES

E84. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression system.

E85. The applicant is advised that in the future, if the project is converted to a condominium complex the on-site water and sanitary sewer systems will need to be reconstructed to conform to City Code. The proposed apartment project could be designed to meet code requirements for a condominium complex. If a condo conversion is anticipated, the applicant is advised to contact the Department of Utilities (916-808-1423), prior to the design of the proposed apartment project, for additional information regarding condominium conversions.

ADVISORY NOTES: SMAQMD

E86. The project will be subject to Air Quality District Rule 403 which has to do with fugitive dust.

ADVISORY NOTES: SRCSD

E87. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and CSD-1 will issue sewer permits to

P04-240

JULY 28, 2005

ITEM # 9
PAGE 40

connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served." There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.

ADVISORY NOTES: CSD-1

- E88. Developing this property may require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.
- G. Special Permit to establish gates at private vehicular entrance to a multi-family residential development.**
- G1. Gates shall remain open during business hours.
- G2. **Split gates shall be designed such that both gates open simultaneously when the emergency operating switch is activated, and are capable of being locked open from the switch. (Amended by CPC on July 28, 2005)**
- G3. The design and construction of such gates shall allow adequate vehicle maneuvering and turnaround to the satisfaction of the Development Engineering & Finance Division.

P04-240

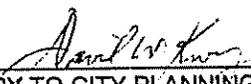
JULY 28, 2005

ITEM # 9
PAGE 41



CHAIRPERSON

ATTEST:



SECRETARY TO CITY PLANNING COMMISSION

7/27/05

DATE (P04-240)

- Exhibit 1A Mitigation Monitoring Plan
- Exhibit 1B Parcel Merger
- Exhibit 1C Legal Description
- Exhibit 1D Site Plan
- Exhibit 1E Landscape Plan
- Exhibit 1F Grading and Drainage Plan
- Exhibit 1G Units Floor Plan
- Exhibit 1H Building Type 8
- Exhibit 1I Building Type 8G
- Exhibit 1J Building Type 10
- Exhibit 1K Building Type 11
- Exhibit 1L Recreation Building
- Exhibit 1M Garage & Section
- Exhibit 1N Justification for Vehicular Gates Special Permit
- Exhibit 1O Photos of Gates and Fences

P04-240

JULY 28, 2005

ITEM # 9

PAGE 42

Exhibit 1A – Mitigation Monitoring Plan

**ASHTON PARC PROJECT (P04-240)
MITIGATION MONITORING PLAN**

FOR

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION**

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

**DATE:
February 17, 2005**

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

**DATE:
7/28/05**

ATTEST:


P04-240

JULY 28, 2005

ITEM # 9
PAGE 43

Exhibit 1A – Mitigation Monitoring Plan

**ASHTON PARC PROJECT (P04-240)
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, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Ashton Parc Project (P04-240)
Owner/Developer- Name: A.G. Spanos Corporation
Address: 10100 Trinity Parkway, 5th Floor
Stockton, CA 95219

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

The proposed project site is located at north of Arena Boulevard and west of Sports Parkway on APNs 225-0070-121, -122, and -123 in the North Natomas Community Plan area.

Project Description:

The proposed project consists of the entitlements to construct 168-unit apartment complex on 8.23+ net acres in the Employment Center 40 Planned Unit Development (EC-40-PUD) zone.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Air Quality, Biological, 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 with the MMP. The City of Sacramento will be responsible for ensuring compliance.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 44

Exhibit 1A – Mitigation Monitoring Plan

ASHTON PARC APARTMENTS PROJECT (P04-240)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE	
			Compliance Standards	Timing Verification of Compliance (Initials/Date)
<p>Air Quality:</p> <p>AQ-1: Category 1: Reducing NOx emissions from off-road diesel powered equipment</p> <p>The project shall provide a plan for approval by the lead agency, in consultation with SMAQMD, demonstrating that the heavy duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction, and</p> <p>The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p style="text-align: right;">and:</p>	Developer	City of Sacramento, Development Services Dept., and SMAQMD	Submission of an inventory of construction equipment that reduce NOx emissions.	Measures shall be implemented in field during grading and construction activities.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 45

Exhibit 1A – Mitigation Monitoring Plan

ASHTON PARC APARTMENTS PROJECT (P04-240)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE	
			Compliance Standards	Timing Verification of Compliance (Initials/Date)
<p>AQ-2: Category 2: Controlling visible emissions from off-road diesel powered equipment The project shall ensure that exhaust emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SMAQMD shall be notified within 48 hours identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations.</p>			<p>Monthly summary of the visual survey results.</p>	<p>Measures shall be implemented in field during grading and construction activities.</p>
<p>AQ-3: Prior to the approval of improvement plans or the issuance of grading permits, the Project Proponent will submit proof that the off-site air quality mitigation fee of \$1,631.00 has been paid to SMAQMD, and that the construction air quality mitigation plan has been approved by SMAQMD and the lead agency.</p>			<p>Submission of mitigation fee to SMAQMD.</p>	<p>Prior to the approval of improvement plans or the issuance of grading permits.</p>

P04-240

JULY 28, 2005

ITEM # 9
PAGE 46

Exhibit 1A – Mitigation Monitoring Plan

ASHTON PARC APARTMENTS PROJECT (P04-240)
MITIGATION MONITORING PLAN

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 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 ITPs issued by the USFWS and CDFG.</p>	Developer	City of Sacramento Development Services Dept., CA Dept. of Fish and Game, & US Fish and Wildlife Service	<p>Submission of documentation that all NBHCP conditions have been met.</p>	<p>Prior to the issuance of a grading permit.</p>

P04-240

JULY 28, 2005

ITEM # 9
PAGE 47

Exhibit 1A – Mitigation Monitoring Plan

ASHTON PARC APARTMENTS PROJECT (P04-240)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE	
			Compliance Standards	Timing Verification of Compliance (Initials/Date)
<p>Noise:</p> <p>N-1: The proposed windows and sliding glass doors for the second and third-floor living rooms of the units that face Arena Boulevard shall have acoustical glazing with a minimum of STC rating of 35. The proposed windows and sliding glass doors shall also be a minimum of STC rating of 35.</p> <p>N-2: Air conditioning or other suitable mechanical ventilation so that residents could leave their windows closed if they wish shall be provided.</p>	Developer	City Development Services Department	Building plans shall specify the mitigation measures.	Measures shall be implemented prior to issuance of a building permit.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 48

Exhibit 1A – Mitigation Monitoring Plan

ASHTON PARC APARTMENTS PROJECT (P04-240)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE	
			Compliance Standards	Timing Verification of Compliance (Initials/Date)
<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>	Developer	City Development Services Department	Note shall be included on the Map and within the Standard Construction Specifications	Measures shall be implemented in field during grading and construction activities.

P04-240

JULY 28, 2005

ITEM # 9
PAGE 50

Exhibit 1C – Legal Description

NOV 15 2004 10:45AM CIVIL NEWS

NO 285 P 2

EXHIBIT A

Legal Description
New Parcel after Merger

All that certain real property situate within the State of California, County of Sacramento, City of Sacramento, described as follows:

Parcels 3, 4 and 5 as shown on that certain Parcel Map entitled "Rena Corporate Center Phase 2 Subdivision No P94-089", recorded in Book 175 of Parcel Maps, at Page 8, records of said County

Said description contains 9.844 acres (Gross) more or less.

P04-240
REC'D 11-19-2004


Michael J Walters L.S. 5528 Date 11-19-04
License Expiration Date: 09-30-06

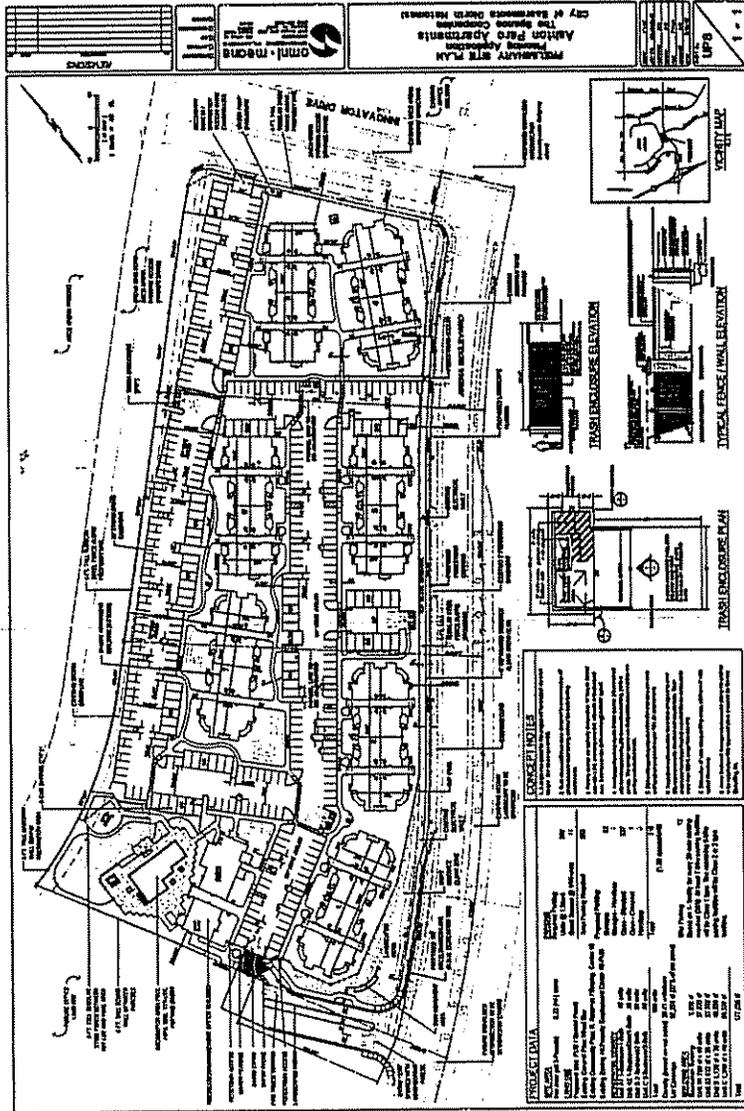


P04-240

JULY 28, 2005

ITEM # 9
PAGE 51

Exhibit 1D – Site Plan

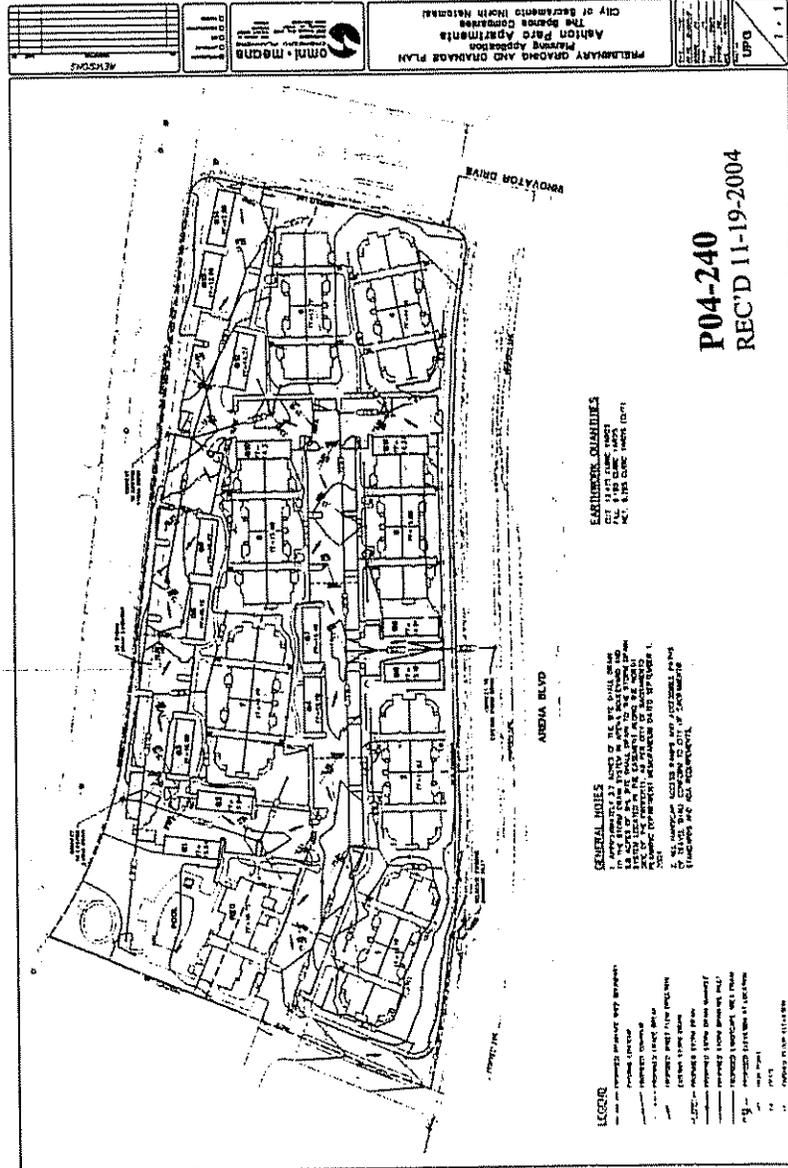


P04-240

JULY 28, 2005

ITEM # 9
PAGE 53

Exhibit 1F - Grading and Drainage Plan



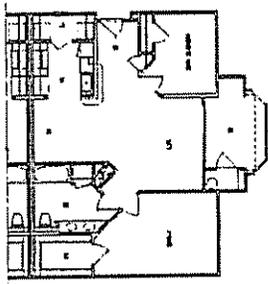
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JULY 28, 2005

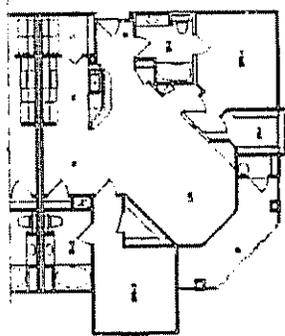
ITEM # 9
PAGE 54

Exhibit 1G -- Units Floor Plan

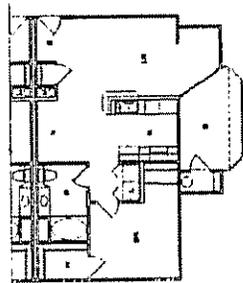
FLOOR PLANS 



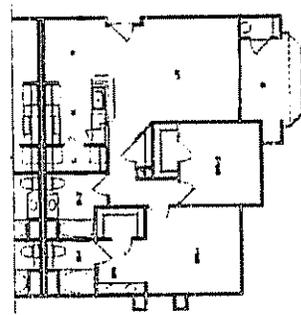
FLOOR PLAN UNIT A1



FLOOR PLAN UNIT A2



FLOOR PLAN UNIT B1



FLOOR PLAN UNIT B2

P04-240
REC'D 11-19-2004

P04-240

JULY 28, 2005

ITEM # 9
PAGE 55

Exhibit 1H -- Building Type 8

BUILDING TYPE 8

The architectural drawings for Building Type 8 include:

- FLOR PLAN:** A detailed floor plan showing the layout of the building, including rooms, corridors, and structural elements.
- ELEVATION:** A vertical cross-section of the building showing the exterior facade, including windows, doors, and roof structure.
- SECTION:** A vertical cut through the building showing the internal structure, including floors, walls, and roof.
- LEGEND:** A key for the symbols used in the drawings, including various types of lines and markers.

P04-240
REC'D 11-19-2004

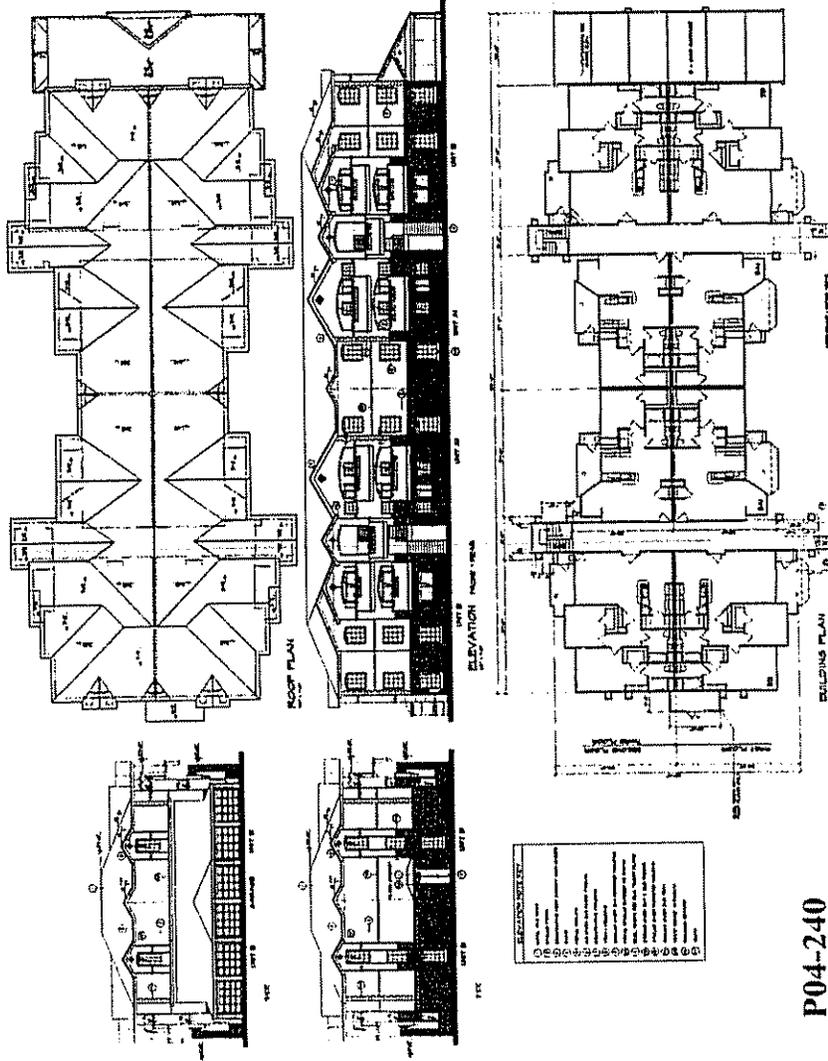
P04-240

JULY 28, 2005

ITEM # 9
PAGE 56

Exhibit 11 – Building Type 8G

BUILDING TYPE 8G



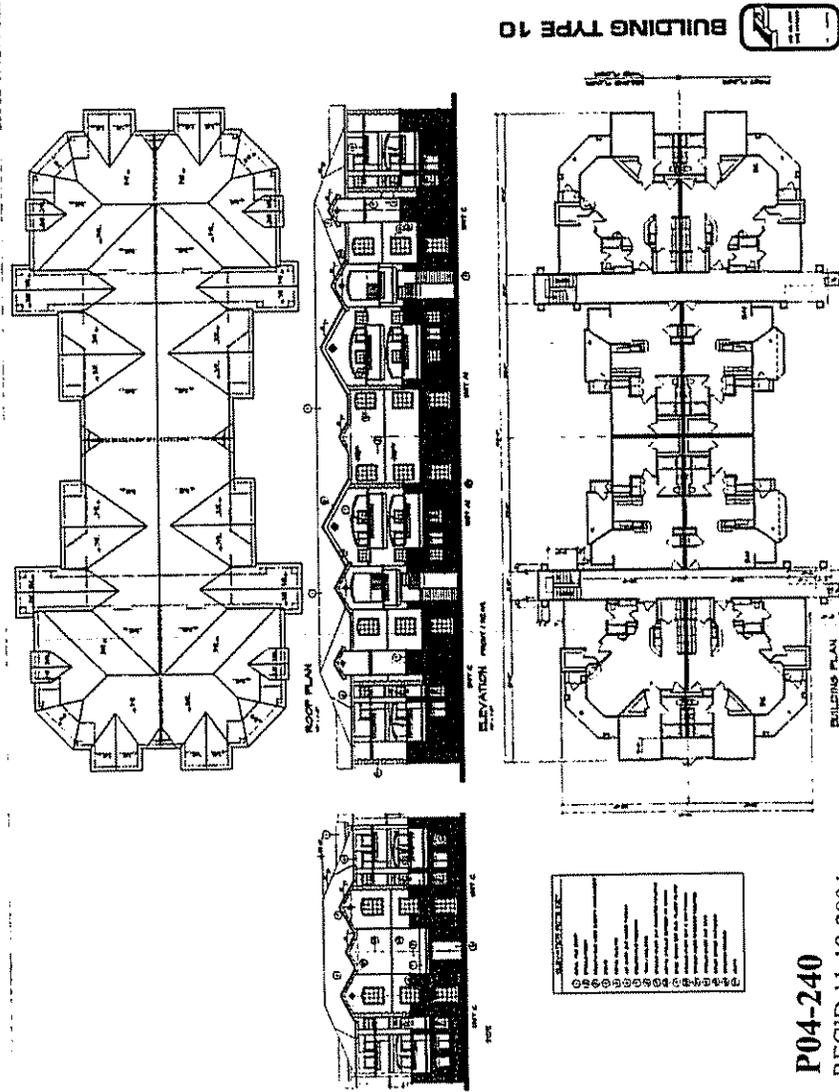
P04-240
REC'D 11-19-2004

P04-240

JULY 28, 2005

ITEM # 9
PAGE 57

Exhibit 1J -- Building Type 10



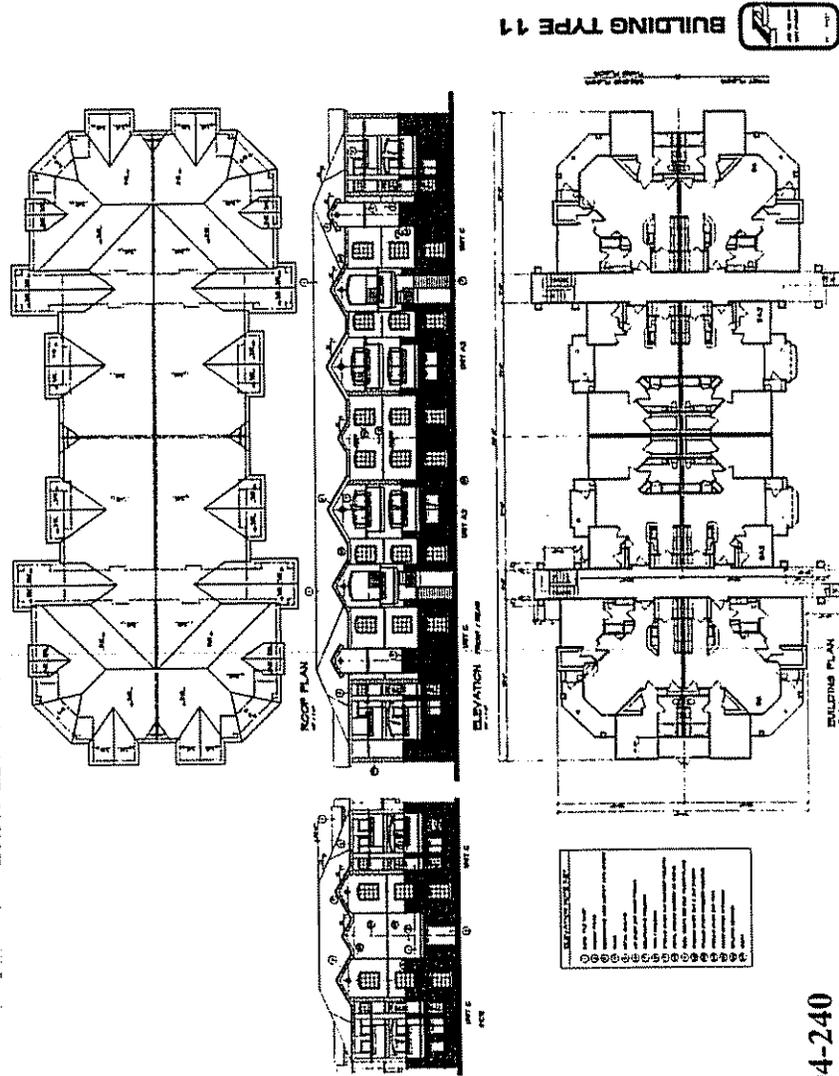
P04-240
REC'D 11-19-2004

P04-240

JULY 28, 2005

ITEM # 9
PAGE 58

Exhibit 1K - Building Type 11



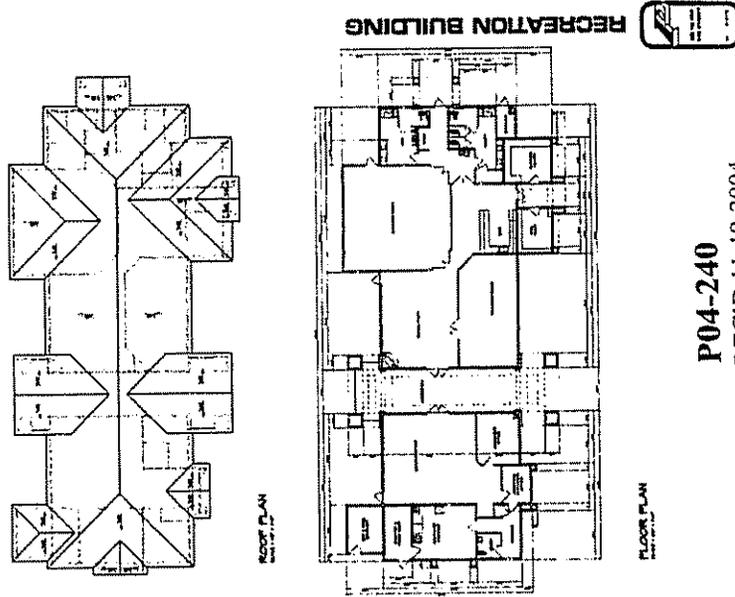
P04-240
REC'D 11-19-2004

P04-240

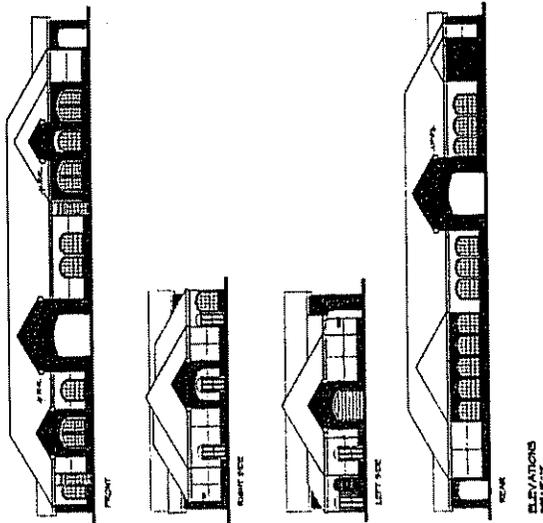
JULY 28, 2005

ITEM # 9
PAGE 59

Exhibit 1L. - Recreation Building



P04-240
REC'D 11-19-2004



P04-240

JULY 28, 2005

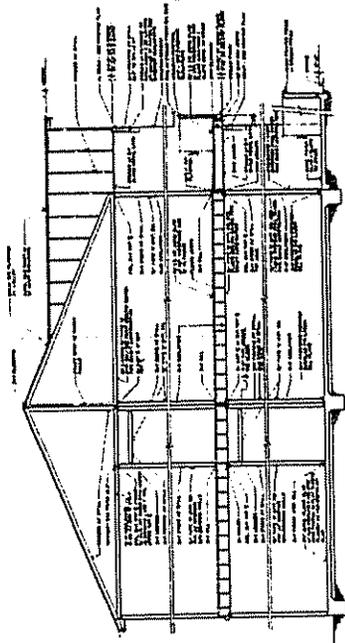
ITEM # 9
PAGE 60

Exhibit 1M -- Garage & Section

GARAGE & SECTION



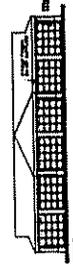
P04-240
REC'D 11-19-2004



TYPICAL SECTION



ELEVATION



GARAGE EXTERIOR ELEVATION

P04-240

JULY 28, 2005

ITEM # 9
PAGE 61

Exhibit 1N – Justification for Vehicular Gates Special Permit

Ashton Parc Apartments

Sacramento, California

A. G. Spanos Corporation

SPECIAL PERMIT

As part of our planning application, we are requesting a Special Permit to allow for a gated apartment complex. There are several reasons for the request.

First, the use of limited-access gates will help to reduce unauthorized pedestrian and vehicular traffic on the property. The proposed project is located adjacent to the ARCO Arena. During major events at the Arena, gates will discourage non-residents from parking in spaces reserved for tenants. Also, it will restrict the access of non-residents who may try to take a short-cut through the site in order to get to the Arena.

Second, the use of limited-access gates provide the tenants with the perception of security, safety, and privacy. Gates will restrict access from non-residents to the project's on-site recreational amenities, such as the swimming pool, fitness center and children's play area. With the use of limited-access gates, the intention is to increase security and safety and to reduce crime by creating a significant barrier to unauthorized traffic. Less unauthorized traffic also means a safer environment for children playing on the site.

Third, the use of limited-access gates is an important marketing feature for the Ashton Parc apartment project. Today, many apartment tenants prefer to reside in gated projects. Gates are an amenity for attracting and retaining tenants, and it is considered a standard amenity in luxury apartment projects such as Ashton Parc. In addition, there is a precedent for the use of limited-access gates in the North Natomas Area. The Villagio apartment complex, located directly across Arena Boulevard from the site, is a gated project. Also, many of the existing apartment and condominium projects located in the area have gated access (i.e., Bella Rose, Homecoming, etc.). As a result, in order for Ashton Parc to be competitive with the existing projects in the area, it needs to be gated.

Finally, the two sets of gates proposed for the project are limited-access electronic gates. The gates will be open during business hours (Monday - Saturday 9:00AM to 6:00PM and Sunday 11:00AM - 5:00PM). During non-business hours, each tenant will use an individual remote clicker to open the gates. The gates will control traffic entering and exiting the property. Visitors will use an electronic informational kiosk located at the main entry to call residents for access into the project. In addition, the gates will utilize a "Knox Box" key system for fire and emergency vehicle access. The gate and fencing will be constructed of ornamental metal (painted 1-1/2" square tubular steel rail sections). The fencing is located between masonry columns, which will have the same stucco finish and color as the buildings. The attached photos are of a similar apartment project and indicate the design and appearance of the gate and fence being proposed.

04/29/2005

REVISED
P04-240
REC'D 4/29/05

P04-240

JULY 28, 2005

ITEM # 9
PAGE 62

Exhibit 10 – Photos of Gates and Fences

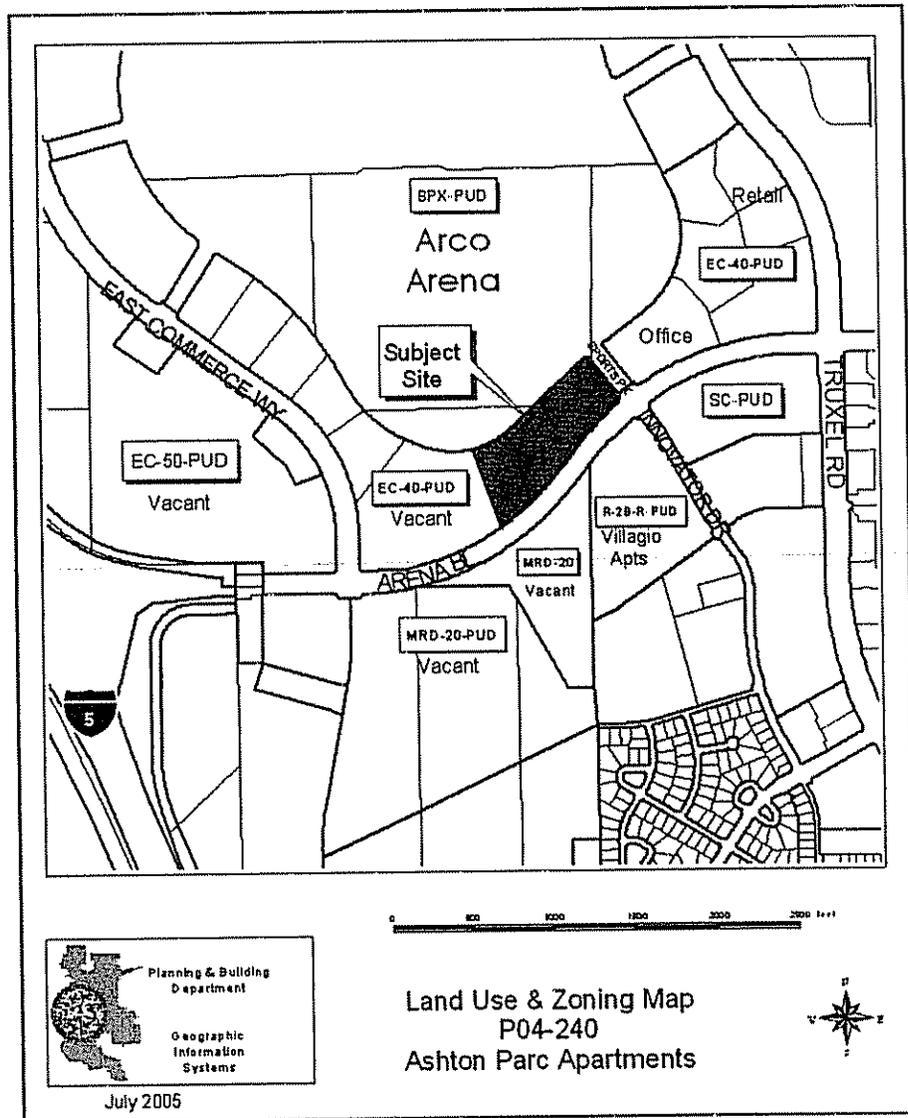


PHOTO OF ENTRY AREA WITH GATES



PHOTO OF FENCE

Attachment 2 – Land Use & Zoning Map



RESOLUTION NO. 2005-XXXX

Adopted by the Sacramento City Council

Date

RESOLUTION AMENDING THE ARENA CORPORATE CENTER PUD SCHEMATIC PLAN TO DESIGNATE A 168-UNIT APARTMENT COMPLEX ON 8.23± NET ACRES EMPLOYMENT CENTER 40 (EC-40) PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF ARENA BOULEVARD AND INNOVATOR DRIVE. (APN: 225-0070-121, -122, -123) (P04-240)

BACKGROUND

The City Council conducted a public hearing on September 13, 2005 concerning the Arena Corporate Center PUD Schematic Plan Amendment and based on documentary and oral evidence submitted at the public hearing, the City Council hereby finds:

- A. The PUD amendment conforms to the General Plan and the North Natomas Community Plan goals and policies to enhance the quality of life in the City;
- B. The PUD amendment conforms to the intent of the Zoning Ordinance to provide residential projects in Planned Unit Developments that bring substantial benefit to a viable and balanced community;
- C. The PUD amendment will not be injurious to public safety and welfare in that the project will be built according to design guidelines and City codes and will not create a negative impact on the adjacent properties.

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

Section 1. The property (APN: 225-0070-121, -122, -123), as described on the attached Exhibit 1, within the City of Sacramento is hereby amended as such on the Arena Corporate Center PUD Schematic Plan.

Table of Contents:

Exhibit 1: PUD Schematic Plan Amendment – 1 page

