REMY, THOMAS, MOOSE and MANLEY, LLP
ATTORNEYS AT LAW

MICHAEL H REMY
1944 - 2003

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ANGELA M WHATLEY
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HOWARD F WILKINS III
CARRIE A ELLIS
CATRINA L FOBIAN
MEGAN M QUINN

January 3, 2006

Via Fed-Ex
Susan Brandt-Hawley
Brandt-Hawley Law Group
Chauvet House
P.O. Box 1659
Glen Ellen, CA 95442

Re: *Pocket Protectors v. City of Sacramento*; emails between Sycamore Environmental Consultants, Inc., and City staff

Dear Susan:

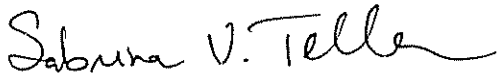
Through your Public Records Act requests to the City over the last few months, I am aware that you are interested in obtaining copies of all correspondence between Sycamore Environmental Consultants and City staff. Therefore, I asked Jeff Little of Sycamore to search his computer network for emails between his firm and City staff. I compared what he produced to the printouts of emails available in City staff's public files and noted that the attached emails appear not to have been retained by the City in its files. I am providing these emails as a courtesy to you because, having been sent to the City, and notwithstanding the fact that the City apparently did not keep copies of these communications, these particular documents are not protected by the attorney-client and attorney-work product privileges provided in the California Evidence Code section 952 and Code of Civil Procedure section 2018. Because they were sent to City staff, the evidentiary privileges that would otherwise attach to these particular documents were waived.

These communications demonstrate that the City exercised its duty under CEQA to retain independent review and final judgment over the ultimate conclusions and representations of the EIR. (Pub. Resources Code, § 21082.1; CEQA Guidelines, §

15084.) The City's comments and requested revisions to the administrative draft DEIR and FEIR and other communications with Sycamore relating to the proposed project further demonstrate that the City did, in fact, undertake independent review of the proposed representations of those documents and exercised its independent judgment in accordance with CEQA's requirements. (*Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1452-1456; see also *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 908; *Concerned Citizens of Palm Desert, Inc. v. Riverside County Board of Supervisors* (1974) 38 Cal.App.3d 272, 287-288; *City of Poway v. City of San Diego* (1984) 155 Cal.App.3d 1037, 1042.)

By copying this letter and its attachments to the City Clerk, I am also hereby requesting that these documents be included in the official administrative record of proceedings for this project.

Sincerely,



Sabrina V. Teller

Enclosures

cc: Shirley Concolino, City Clerk
Bill Heartman, Regis Homes of Northern California, Inc.
Jeff Little, Sycamore Environmental Consultants

60123013 001 wpd

Jennifer L. Williams This bounced back

From: Andrew Bayne
Sent: Thursday, October 27, 2005 4:29 PM
To: 'Kimberly Kaufmann-Brisby'
Cc: BHeartman@srgnc.com; Jeffery Little
Subject: RE: Islands DEIR electronic version?

Too many megs

Section9_Glossary-Islands@Rive... | Exhibit_InitialStudy-Islands | Exhibit_DP&Comments-Islan | Exhibit_PTPUD&PACP-SPSP | Exhibit_PlanDrwg&Figs-Islan | Exhibit_ApprovedShade-Islan | Section1_Introduction-Islands@...

Section2_Summary-Islands@River... | Section3_ProjectDescription-Is... | Section4_EnviromentalEval-Isla... | Section5_Alternatives-Islands@... | Section6_CEQAReqAssessment-Isl... | Section7&8_LitCited&Preparers-... | Cover_TOC-Islands@Riverlake_DE...

Kimberly:

As requested attached is the Draft Environmental Impact Report for the Islands at Riverlake project.

Regards,

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Thursday, October 27, 2005 4:20 PM
To: Andrew Bayne
Cc: BHeartman@srgnc.com
Subject: Islands DEIR electronic version?

Hi Andrew-Another request...one of Bill Parker's people would like an electronic version of the env. doc....is it possible to provide or is the file too large?

thank you very much.....Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Monday, October 24, 2005 3:35 PM
To: 'Kimberly Kaufmann-Brisby'
Subject: RE: Islands FEIR electronic version?

Islands@RiverLake FEIR-readme (...

Kimberly:

As you requested, attached is an electronic version of the FEIR. Look forward to seeing you on the 15th, if not before.

Regards,

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Monday, October 24, 2005 3:27 PM
To: Andrew Bayne
Subject: Islands FEIR electronic version?

Andrew-I have received a request for an electronic version of the FEIR....does such an animal exist and if it does, would please send a copy over?

Hope all is well with you....if you haven't already heard, the Islands is now scheduled to be heard on the 15th of Nov.

Thank you,
Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Jeffery Little
Sent: Monday, September 19, 2005 5:25 PM
To: 'Kimberly Kaufmann-Brisby'; Andrew Bayne
Subject: RE: Islands at Riverlake Council hearing-Sept. 27th-7 p.m.

Kimberley,

Andrew and I will attend. Thanks,

Jeff

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Monday, September 19, 2005 5:03 PM
To: Andrew Bayne; Jeffery Little
Subject: Islands at Riverlake Council hearing-Sept. 27th-7 p.m.

Hi Andrew- Just wanted to make certain you all will attending the hearing next Tuesday.....I am uncertain whether LE will be attending.

Thank you, Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, September 15, 2005 3:45 PM
To: 'Kimberly Kaufmann-Brisby'
Subject: RE: Antonopolis opposition letter-Islands at Riverlake

Kimberly:

The Word document you emailed came to us corrupted. I am not able to read it. Would appreciate it if you could try again. Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Thursday, September 15, 2005 3:29 PM
To: Lezley Buford; BHeartman@srgnc.com; Andrew Bayne
Cc: David Kwong; Jennifer Hageman; Tom Pace
Subject: Antonopolis opposition letter-Islands at Riverlake

Hi all-

I have attached the letter identified above for your perusal....I have put together a supplemental packet of information for the commissioners that includes a cover memo outlining the packet contents. I have ttached the memo as well. The memo addresses the opposition letter's oncerns but I determined it would be good for you all to have this as a heads-up...just in case.

See you soon.....Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Monday, September 12, 2005 9:39 AM
To: 'Kimberly Kaufmann-Brisby'
Cc: Jeffery Little
Subject: RE: Hi LE:

Kimberly:

Jeff and I will be attending the Planning Commission hearing to respond to questions as needed.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Monday, September 12, 2005 9:27 AM
To: Lezley Buford
Cc: David Kwong; Jennifer Hageman; Samar Hajeer; Andrew Bayne
Subject: Hi LE:

Hi LE:

If I already sent an e-mail regarding the following, please disregard.

am double checking to make certain the EIRs were sent to the Planning ommission and to the City Council. The "Responses to the additional comment letters" was included in the CPC staff report and as an attachment to the council report....as I recall, the response packet was mailed to the individuals who wrote the letters over a week ago.

Also, I wanted to make certain any consultants involved w/the eir and traffic study will be attending the meetings.

Thank you,

Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Leslie Powell
Sent: Friday, September 02, 2005 3:58 PM
To: 'kkbrisby@cityofsacramento.org'
Cc: Andrew Bayne
Subject: Islands at Riverlake document

Kimberly,
I found a faster way of creating the file instead of scanning, so I am able to send you this file earlier than expected.
Have a great holiday weekend!

Islands@Riverlake_
ResponseAddl...

Leslie Powell
Sycamore Environmental Consultants, Inc.
6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703 ph
916/ 427-2175 fax
leslie.powell@sycamoreenv.com

Islands at Riverlake
Responses to Additional Comments
SCH# 2002062103

Prepared for:

City of Sacramento
Sacramento, CA

Prepared by:

Sycamore Environmental Consultants, Inc.
Sacramento, CA

August 2005

3.0 COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

Reponses were provided in the Islands at Riverlake Final EIR for 36 comment letters received on the Draft EIR. Responses are provided for three additional comment letters in the following section. The section heading and pagination is in sequence to the Final EIR.

3.1 List of Commentors

The following individuals and representatives of organizations and agencies submitted comments on the DEIR.

Table 1. Comments Received.

Letter Number	Individual or Signatory	Affiliation	Letter Date
37	Roger and Martha McCardle	Riverlake Residents	4 August 05
38	Vernice Brooks	Riverlake Resident	Not dated
39	Mark S. Drobny	Riverlake Resident	1 August 05

3.2 Comments and Responses to Comments

Written comments received on the DEIR are reproduced on the following pages. To assist in referencing comments and responses, each commenter has been assigned a number and each comment a corresponding number Responses correspond to the numbers used in the margin of the comment letter.

3.2.1 The Letters

37

RECEIVED
AUG 04 2005
PLANNING DEPARTMENT

August 4, 2005

L. E. Buford, Principal Planner
City of Sacramento Planning Division
1231 I Street, Room 300
Sacramento, CA 95814

SUBJECT: Draft Environmental Impact Report (DEIR) Islands at Riverlake

Dear Ms. Buford:

As residents of Cobble Shores and the Riverlake community our wish is that the proposed Regis Homes' project maintain the present environmental standards, including requirements of CEQA, aesthetics, and quality of the Riverlake community. This community was jointly developed by the leadership of the City of Sacramento in partnership with the original developer in a 1985 Master Plan Development Agreement (DA).

This agreement was a contract that delineated all the development and future development for this entire community. Individuals that purchased homes in this community relied on the DA promises for the future development of vacant property. This DA further stated that should the developer wish to construct stand alone single family homes, he had that option to rezone to R-1. This clearly can be one option for the DEIR to consider as an alternative and would be consistent with the original DA. 37-1

The following is our comments on the draft report for the subject project. This is not a complete list, but has several significant issues and questions to which we would appreciate a response by the City of Sacramento

Planning Criteria:
The City of Sacramento Planning Department outlined in the criteria document, dated April 30, 2001 a number of items to be considered and incorporated into the proposed project. It appears that most of these comments and details were ignored by the developer, Regis Homes of Northern California. We will summarize a number of those items; however, I would suggest a detailed review of this document by the EIR consultant for a complete list of items that were not included, or considered in the proposed project.

One of the most important aspects of this document was a letter dated April 4, 2001 from Stacy Harsgrove, the long-range planner for the Planning Department. She stated "concerns of the tunnel or canyoning effect of two-story, wide houses on narrow lots" for the Islands at Riverlake project. Among the several options noted she stated. "has the applicant (Regis Homes of Northern California) considered reducing the number of units and reconfiguring the lots into only one row of houses on deeper lots?" 37-2

This same document indicated a private road width of 31' and what is proposed by RHNC is a 22' wide (18' paved width) road, or a 30% reduction of width The City of Sacramento standard street right-of-way is 41' wide, a significant difference from what is proposed by RHNC There are concerns about the practical use of this road as proposed for the weekly collection of garbage and recycle materials as well as adequate fire protection vehicle access. Also, pedestrian access is very limited by one sidewalk whereas with the Pocket Protector plan all units are on a user friendly sidewalk system.

For the record, after careful observation of this collection function we have noted the following data. The garbage cans (located on one side of the street as noted in the DEIR) take three-feet of space from the edge of the rolled concrete curb to the edge of the can. The typical garbage truck position is 2' from the garbage can for the operation of the articulating arm to pickup the can and the truck is 8-1/2' wide for a total of 13-1/2' with the result of being 2-1/2' over the center line of the private road The pavement width is 18-feet so the edge of the truck to the edge of the asphalt pavement is 6-1/2'and a small portion of the rolled curb could be used for a tire path So, <u>how do cars pass the garbage truck during the weekly pickups</u>? This can be easily verified by observation and measurement, which obviously has not been done. (Most single garage doors are nine-feet wide). <u>Please address this question in the Final EIR with diagrams to scale</u>. 37-3

<u>Project Alternatives</u>: (See Attached Exhibit "A"-Planning Dept. Marked-up Drwgs.) "Section 2.2, Areas of Controversy" summarizes concerns that led to the requirements of a DEIR. "Section 5.0, Alternatives to the Proposed Project" states in effect that State law requires identification of the most environmentally superior reasonable alternative. The analysis in the DEIR is a woefully inadequate analysis and presentation of Alternative 4

The Alternative noted as A-4 that was prepared by the Pocket Protectors has a number of incorrect assumptions and data that would lead one to draw the wrong conclusions. First of all, this proposal was a "concept" drawing to merely indicate that alternatives do exist to what is proposed by the developer. Clearly, a significant amount of time had not been expended to develop a preliminary design as the developer has done. The main details of this alternative were to demonstrate that one could achieve better land use, provide large scale shade trees, no intrusion of the publically dedicated greenbelt and increased setbacks between the new development and existing homes, a 15% wider private street and a reduction of the number of structures by half. 37-4

The results would be half-plex structures consistent with the over 134 half-plexes that exist on many corners of the present Riverlake community, thus reducing in a significant way the impact on existing residents

A most disturbing issue is that the City of Sacramento's consultant *did not make one telephone call to representatives of the Pocket Protectors* to discuss this alternative, rather they chose to draw the wrong conclusions and attempted in a transparent fashion to make incorrect statements and to say that density would be greatly reduced and not meet community minimum standards. This is totally incorrect and needs to be corrected for proper analysis and to see that the many concessions by the City of Sacramento for the RHNC flawed design are not needed with the Pocket Protectors concept 4.

37-4

Simply stated, this concept was an example of taking a slice through a typical portion of the proposed development, from the wood fence to the publicly dedicated greenbelt. There are a variety of proposed RHNC lot widths, and we arbitrarily chose the dimension we did and did not intend that this would be fixed but rather would conform to the various RHNC lot widths subject to various house sizes, or square footages. Basically we took the two lots on each side of the substandard private road and combined them into one space so that minimum sideyards would be increased allowing for larger tree planting and more separation between structures. The private street would be increased in width by 15% and have a landscape strip next to the existing wood fence, thus providing a significantly increased setback to adjacent homes.

This solution would not require a second fence to be constructed. A second fence would have a number of significant problems associated with that concept, including trash collection between fences, leading to more dry rot and hiding spaces for rodents as well as not being able to stain or periodically apply preservatives to extend fence life. Also, the two fences would not have a uniform top so new homes as well as existing homes could see the other fence periodically extending over the top of their fence for a very ugly view. The last point is the new fence would take six to eight inches out of an already minimal backyard or approximately 5% less space.

37-5

The Pocket Protectors specific units were only noted to show that the square footage could be approximately the same as what is proposed by RHNC. By varying the one and two-story elements, one creates a much more interesting facade. This interesting concept is further enhanced by setting units at a slight angle much like other structures that exist along Pocket Road. This was noted as negative by the consultant as not being interesting, yet the previously approved project was also angular and received positive comments by the City Planning Department as being innovative and interesting. This certainly is an inconsistency and is a subjective opinion not based on facts or good architectural design principles.

37-6

We would argue that the Pocket Protectors concept is more creative than a double row of houses on tiny substandard lots going on for nearly a mile, yet that is not mentioned in the EIR as being a detractor; how is this objective analysis? <u>Please fairly redo alternative 4 to reflect a feasible portrayal of the Pocket Protectors' plan.</u>

37-7

Project Denisty: (See Attached Exhibit "B")
Attached as an exhibit is a City of Sacramento Planning Dept. acreage analysis and resulting density calculations for your review. This analysis does not match up with data in the DEIR document, which allows readers to draw the wrong conclusions relative to density and impact to the community and is a major discrepancy.

The DEIR documents indicate a net acreage of 19.44 acres. The City Planning Department documented density factors for a January 27, 2003 community meeting indicates a net acreage of 12.23 net acres. What has been noted throughout the DEIR report indicating a density of 7.15 units per net acre. Isn't true that with a discrepancy of this magnitude many of the conclusions with reference to community impact are totally incorrect? 37-8

The City of Sacramento in Section 17.16.010-pg.1215 has a very clear definition of what is "net" acreage. The net acreage calculation used in the General Plan, Community Plan, as well as the LPPT PUD Guidelines conforms to this section.

Isn't it true that the DEIR is flawed due to this miscalculation and therefore the data that were used as a basis were incorrect? What is the community impact when density is approximately 70% greater than what the report indicates?

Summary:

1. Why didn't the EIR consultant make one telephone call to gather the facts of the Pocket Protectors alternate proposal 4? 37-9
2. Why didn't the EIR consultant review the details of the April 30, 2001 document prepared by the City Planning Department as criteria for RHNC? Please do so now and include analysis in the EIR. 37-10
3. Why didn't the EIR consultant review and note approval drawings for the previously approved project indicating in bold felt pen notation that sidewalks and patios could not intrude into the publicly dedicated linear greenbelt? Please do so now and include analysis in the EIR. 37-11
4. Why did the EIR consultant not note that the Pocket Protectors project provided for a 15% wider private street? Please do so now and include analysis in the EIR. 37-12
5. Why did the EIR consultant not note that the Pocket Protector alternative allowed for large shade trees that are impossible to plant on the RHNC scheme? Please do so now and include analysis in the EIR. 37-13
6. Why did the EIR consultant not note the significantly increased setbacks and open space that is created by the Pocket Protector alternative? Please do so now and include analysis in the EIR. 37-14

7 Why did the EIR consultant not note that the nearly half reduction of units that are now half-plexes would be consistent with existing half-plexes that exist in the Riverlake community? Please do so now and include analysis in the EIR. 37-15

8 How can the EIR consultant not clearly see that all of the concessions required by the RHNC proposal are not required by the Pocket Protector alternative? Please do so now and include analysis in the EIR 37-16

9. A City Council member noted when the original project was appealed by RHNC that the Pocket Protector project was a better land use solution. this is public record and in the minutes of that meeting. Please note this comment and duly noted in the final EIR? 37-17

10. What is the community impact when the RHNC Project density is 70% greater than what the DEIR indicates? 37-18

We strongly disagree with the statement that this is an in-fill project. Please acknowledge that this project does not meet the City's definition of infill. This project is part of a Master Plan that was developed jointly by the City of Sacramento and the original land developer in 1985 This is a mischaracterization of the facts by the EIR consultant and numerous individuals who attempt to change the ground rules for their own motives 37-19

A double row of houses on substandard lots on either side of a substandard private road with limited landscape and a significant amount of hardscape are not compatible with the long-planned Riverlake community and this long narrow site. Changing the rules of the development along Pocket Road has a huge aesthetic impact on the entire Pocket Community and this is also not adequately noted in the EIR document. We respectfully request an impartial evaluation of the real impact factors be made and documented in the final EIR document. The Planning Commission had it right when they considered this development was a good development in the wrong location! Please acknowledge this comment from the public record 37-20

Regis Homes of Northern California has a right to develop its property in a reasonable and responsible way. Pocket Protectors have on more than one occasion extended an invitation to work with the developer in a meaningful way. Instead, the developer has chosen to propose the project based on politics and not technical merit We respectfully request that a fair and objective analysis be made of the Pocket Protectors concept 4 37-21

At the request of a City Council member, a stakeholder meeting was held over a year ago with the Planning Department manager. The alternate proposal was presented, hardly any questions were asked by Mr. Stonehouse and a few days later he wrote his biased report. I think it is time to have a fair and open professional discussion of alternatives and how an environmentally better solution can be developed for the entire community Let's work together to provide an innovative solution that does not require bending of 37-22

rules and clarifications of wording to merely make a project that was described by city staff as not fitting, fit! 37-22 (cont'd)

On August 22, 2003 the City of Sacramento Planning Commission denied the Special Permit to develop detached single family dwellings within the LPPT PUD. It was denied based on the following Findings of Fact: (Actual quote on record)

1. The project is not based upon sound principles of land use in that:

   a. the shallow depth of the existing parcels does not afford sufficient area to develop the proposed lotting plan with adequate setbacks from adjacent properties:
   b. the massing of the houses creates crowded conditions along the narrow interior private drive:
   c. adequate play yards for children have not been provided;
   d. small front yards prevent the planting of large shade trees;
   e. the ability to provide guest parking adjacent to each dwelling is impeded by the narrow street which does not afford on-street parking and by the shallow front setbacks, which do not allow for parking in the driveways of many lots.

37-23

The City of Sacramento Planning Commission had it right and the present RHNC proposed plan has not taken adequate mitigation measures to make this a project that is consistent with the Riverlake community.

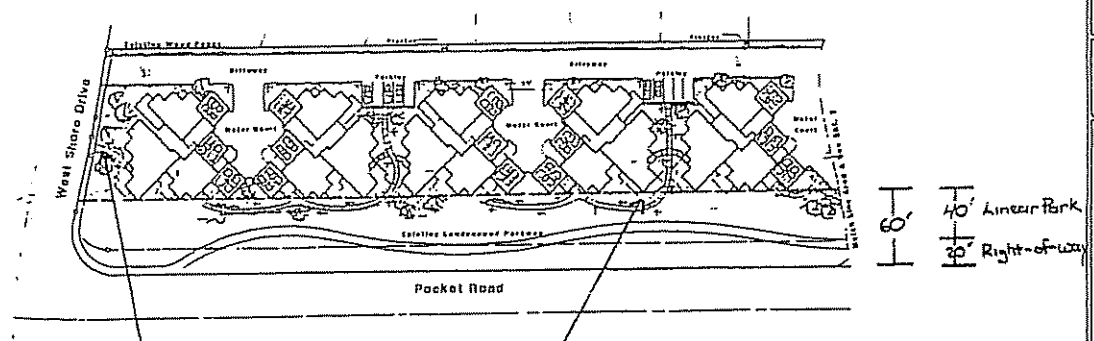
Even Dave Jones, Vice Mayor wrote on August 8, 2003 "In the final vote on the project, I voted against the Isles of Riverlake development, but a majority of the Council approved it over my opposition."

He further stated that "during the debate on this project, I supported the Pocket Protectors proposal and made a motion that the Council continue the item to allow more time to be provided to further analyze the Pocket Protector proposal. No one on the council seconded my motion and so it died."

37-24

Martha McCardle

Roger A. McCardle – Architect



Remove all private walks leading to public right-of-way from landscaped setback (example)

Remove all patio areas from linear parkway (example)

Partial Site Plan
LOT 22 of Parcel 4 at Riverlake

EXHIBIT "A"
1 of 5
C-1

DONALD JOSEPH CO

Lot 22 of Parcel 4 at Riverlake

1

PBT-129

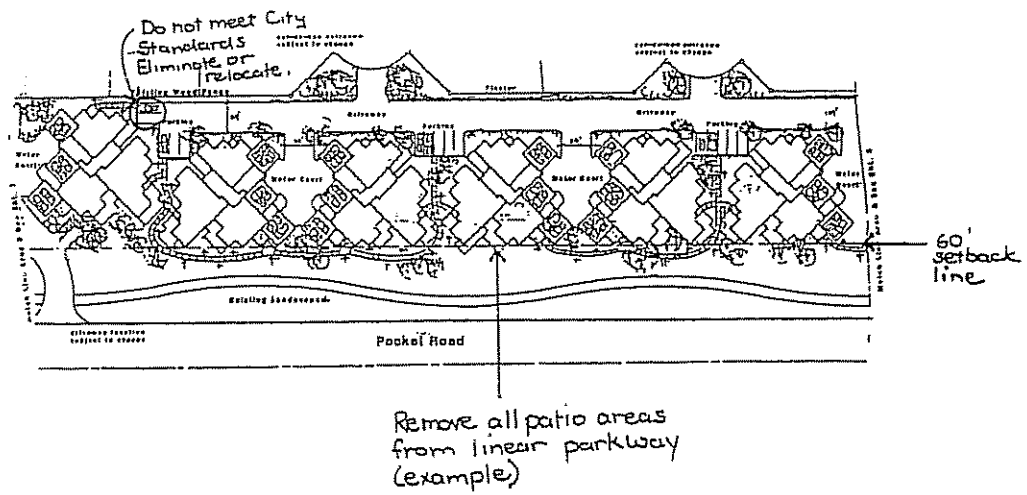
4-13-89
~~4-9-87~~

Item 18
20

P87-129

4-9-87 13 9

Item 18



Partial Site Plan
LOT 22 of Parcel 4 at Riverlake

DONALD JOSEPH CO

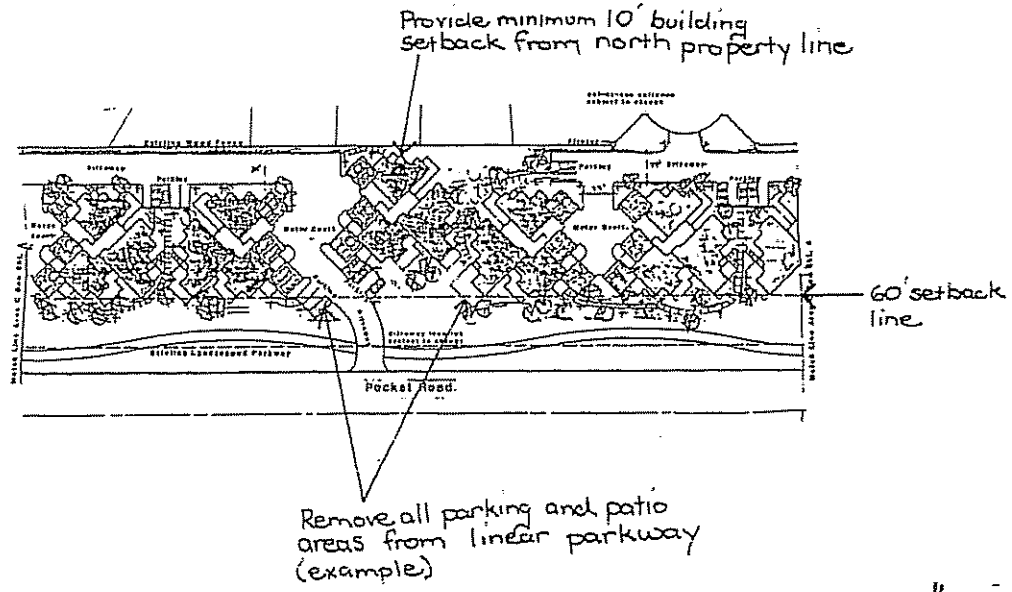
Lot 22 of Parcel 4 at Riverlake

2

P87-129

13 9
4-9-87

Item 18

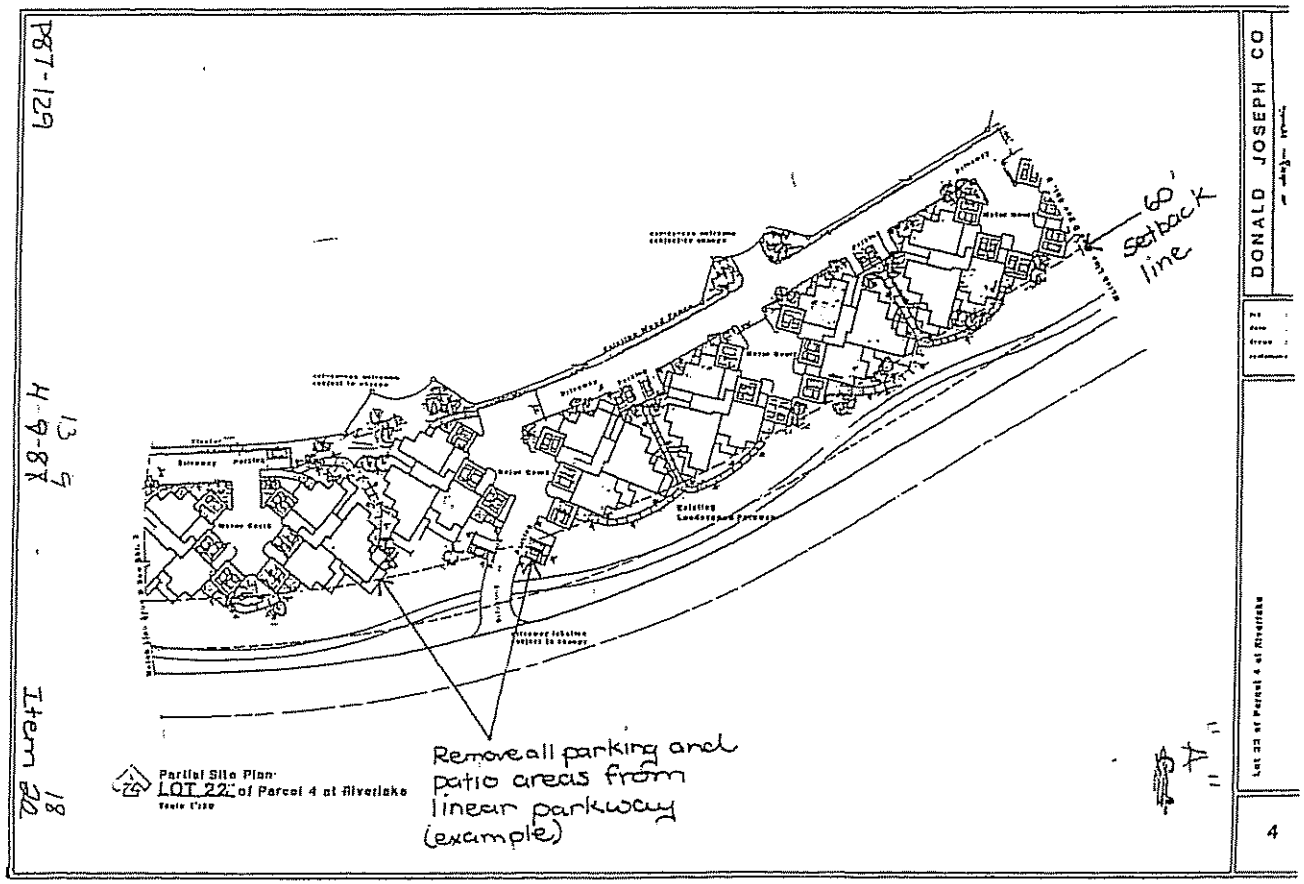


Partial Site Plan
LOT 22 of Parcel 4 at Riverlake

DONALD JOSEPH CO

Lot 22 of Parcel 4 at Riverlake

3

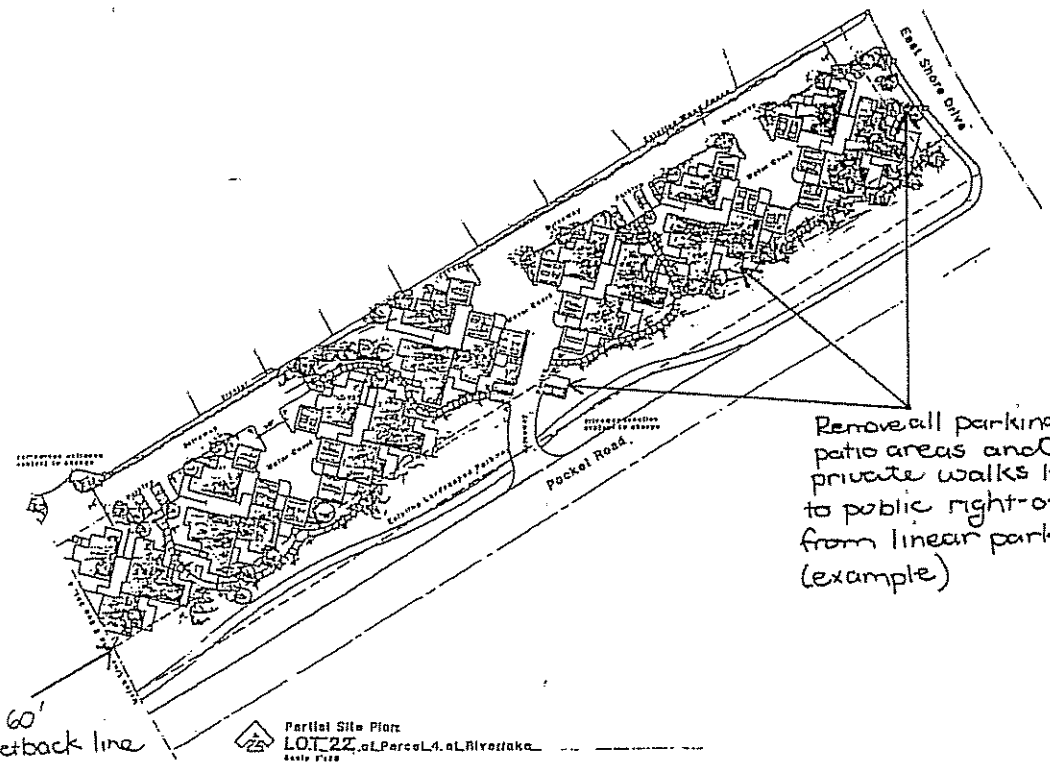


P87-129
13 9
4-9-87
Item 18
Partial Site Plan
LOT 22 of Parcel 4 at Riverlake
Remove all parking and patio areas from linear parkway (example)
60' setback line
"A"
DONALD JOSEPH CO
4

P87-129

4-9-87 13 9

Item 20 18



DONALD JOSEPH CO

Lot 22 of Parcel 4 at Riverlake

5

EXHIBIT "B"
1 OF 2

Islands at Riverlake

Density Information for the January 27th, 2003 meeting

General Plan – 4-15 dwelling unit per net acre (du/na*)
Pocket Community Plan – 7-15 du/na

* Net acreage excludes publicly dedicated land(s), private streets that meet city standards, and other public use areas, as determined by the Planning Commission (Section 17.16 010-pg.1215)

In the staff report, the net density was determined by excluding the public use area (linear parkway of 40') as well as the 25' private drive from the 160' deep parcel leaving 95' or 59 percent of the original 20.6± acre parcel = 12.23± acres, for a density of 11.4 du/na (139 du ÷ 12.23 na).

With the 40' wide public use area (linear parkway) excluded, which comprises 25 percent of the property width, the density changes to 9.0± du/na (139 du ÷ 15.45 na) under the current proposal.

The maximum density allowed, including 25' private drive and excluding the 40' wide linear parkway, without amending the Community Plan is 15 du/na or 232 units (15.45 na x 15 du = 232 du). However, the LPPT PUD Guidelines would have to be amended as currently a maximum of 164 units are allowed (8 du/acre x 20.6 ac) under the current PUD guidelines.

The minimum number of units allowed without amending the Community Plan, including the 25' private drive and excluding the 40' wide linear parkway, would be 108 (7 du x 15.45 na = 108).

"B"

	General Plan	Community Plan	LPPT PUD Guidelines	Staff Report
Dwelling Units				
Minimum	4	7		
Maximum	15	15	8	
Net Acreage				
Total Acreage	20.60	20.60	20.60	20.60
40' Parkway	5.15	5.15		5.15
25' Drive	3.22			3.22
Net Acres	12.23	15.45	20.60	12.23
Dwelling Units/Net Acre (du/na)				
Units				139.00
Minimum	48.9	108.2		
Maximum	183.5	231.8	164.8	
Staff Report Density				11.36

OFFICE OF THE
CITY COUNCIL

DAVE JONES

VICE MAYOR
COUNCIL MEMBER
DISTRICT SIX

CITY OF SACRAMENTO
CALIFORNIA

August 8, 2003

Ms. Martha McCardle
800 Cobble Cove Lane
Sacramento, CA 95831

Dear Ms McCardle:

Thank you for sharing with me your opposition to the Isles at Riverlake housing development through your signatures on the petition provided to my office.

During the debate on this project, I supported the Pocket Protectors proposal and made a motion that the Council to continue the item to allow more time to be provided to further analyze the Pocket Protectors proposal. No one on the council seconded my motion, and so it died

In the final vote on the project, I voted against the Isles of Riverlake development, but a majority of the Council approved it over my opposition

Thank you again for sharing your views with me on the Islands at Riverlake. If you have any further questions or concerns, please feel free to contact my office at 808-7006

Sincerely,

DAVE JONES
Vice Mayor

730 I STREET ROOM 321, SACRAMENTO, CA 95814-2608
Mailing Address: 915 I STREET, ROOM 205 SACRAMENTO CA 95814-2608
PH 916-808-7006 • FAX 916-264-7680 • djones@cityofsacramento.org

3.2.2 37 Letter 37. Martha McCardle and Roger A. McCardle

37-1 The commentors recommend analyzing an alternative which considers rezoning the project site to R-1. An R-1 rezone alternative plan was analyzed in the Draft EIR. Please see pages 199-206 of the Draft EIR. See also Master Response 7.

37-2 Due to the changes made in the project design from the time that it was first reviewed by the long-range planning staff in 2001 and the City Council's June 2003 approval, staff no longer considers the project to create any risk of a significant or adverse visual "canyoning" or "tunnel" effect. Please see Master Response 11 and Response to Comment 37-10 below Additionally, the portion of the 2001 staff assessment cited by the commentors suggested consideration of a reduced unit design or different configuration with a single row of houses on deeper lots These variations on the project design were aspects of some of the alternatives studied in the Draft EIR. Please see pages 194-199 (analysis of Alternative A5) and pages 199-206 (analysis of Alternative A6) of the Draft EIR, in which two different designs incorporating deeper lots and a single row of homes were considered Additionally, Alternatives A4 and A6 included fewer units (126 and 100, respectively) than the proposed project (139 units).

37-3 Please see Master Response 1.

37-4 Please see Master Response 7

37-5 Please see Master Response 8.

37-6 Please see Master Response 7 Additionally, the commentors assert that the angular design of the Pocket Protectors' alternative (A4) was not assessed consistently with one of the previously approved projects, which was also angular, and which the commentors assert was favorably reviewed by the City Planning Department As explained in the Draft EIR, however, the angular design of both Alternatives A2 and A4 is not considered consistent with the City's Single Family Residential Design Principles (SFRDP) (adopted in 2001) as a solution to the problem of "sameness" in design (DEIR, pp. 171-172.) The SFRDP were not yet in effect when Alternative A2 was originally approved in 1987; therefore, at the time A2 was considered by the Planning Department in 1987, the angular nature of the design was not assessed under those principles as it was in this EIR's analysis. Moreover, as the commentors note, judgment of many of the design details of the proposed project and the alternatives considered in the Draft EIR is inherently subjective and based on personal preferences Therefore, as noted in the DEIR, the responsibility for these kinds of subjective determinations ultimately lies with the Planning Commission and the City Council.

37-7 Please see Master Response 7. Additionally, as explained in the DEIR, the proposed project's variation in architectural styles, heights, sizes and design details would reduce the potential for the "sameness" that commentors appear to be implying would result with the proposed project (DEIR, pp 138-143.)

37-8 The net acreage was calculated consistently with Sacramento City Code 17.16 010 for the February 2005 Initial Study, the June 2005 DEIR, and the August 2005 FEIR. Please see Master Response 5. The sizes of the legal parcels were measured using AutoCAD functions The gross acreage of the legal parcels is 21.44 acres The ± 2-acre parkway easement to the City was subtracted from the gross acreage, in accordance with the definition of "net lot area"

in Sacramento City Code 17.16 010. Therefore, the resulting net acreage is 19 44 acres. When the LPPT PUD was approved, the gross acreage of the legal parcels was ± 22 6 acres. The ± 2-acre City parkway easement was subtracted for the resulting net acreage of 20 5 acres The LPPT PUD Schematic Plan Map, which reports 20 6 acres for the project site, did not include the City parkway easement acreage. Since the LPPT PUD was approved, the gross and net acreage of Lot 21 was reduced due to a lot split for Dutra House and the public Dutra Bend Drive

The formulation of net acreage presented in the 27 January 2003 meeting notes subtracted the acreage of the private street and the applicant-owned, Riverlake Community Association-held, landscape easement in addition to the acreage of the 25-foot wide parkway easement to the City The formula for calculating net acreage in Sacramento City Code 17 16 010 does not subtract private roads and private easements. Therefore, the formulation of net acreage presented in the 27 January 2003 meeting was incorrect The formulation of net acreage used in the 2005 Initial Study and EIR is the correct one

37-9 Please see Master Response 7. The EIR consultant considered the information previously provided by the Pocket Protectors in 2003 to provide enough detail to develop the alternative considered in the Draft EIR as A4. Additional contact with the Pocket Protectors regarding the details of the alternative was not considered necessary in order to assess the relative merits and flaws in the alternative design as compared to the proposed project.

37-10 Please see Master Response 11. Additionally, staff considers the issues raised in the Planning Department's April 30, 2001, letter to the applicant to have been resolved through subsequent revisions in the project and through the proposed conditions of approval. Staff noted in the April 30, 2001, letter, "A thematic landscaping plan, together with a variety of facades and one and two story design will minimize the "canyon" effect which occurs when the building massing is similar for long expanses, as is the case with the project as proposed." Staff finds that the applicant has incorporated these recommendations into the currently proposed project. Between the time the project was first reviewed by staff in 2001 and the time it was approved by the City Council in 2003, the project applicant revised the proposed project to: include fewer units (from 163 to 139); provide a mix of one- and two-story homes, in contrast to the predominantly two-story plan proposed in 2001; increase setbacks from the existing fenceline, from the 5 feet proposed in 2001 to the 10-12 feet currently proposed; and include an interior sidewalk and seven "mini-parks" with connecting pathways between the mini-parks and homes fronting on the Linear Parkway that will facilitate pedestrian access to the Linear Parkway and add open space The conditions of approval that were previously adopted for the project by the City Council and which are proposed again for the current project further incorporate many of the recommendations in the April 30, 2001, letter. Therefore, staff considers the issues noted in that letter to have been addressed and the potential "canyoning" or "tunnel" effect to have been eliminated.

37-11 Please see Master Response 4.

37-12 The Draft EIR noted that the proposed street width for the Pocket Protectors' proposed alternative plan (A4) is 25 feet, 3 feet wider than the proposed project's street width of 22 feet. (DEIR, p. 187.)

37-13 The Draft EIR noted that under the Pocket Protectors' proposed alternative plan (A4), shade trees would be planted consistent with other residential development and would not create adverse shade impacts (DEIR, p 194.) Please see also Master Response 6

37-14 The Draft EIR described the setbacks that would result with the Pocket Protectors' proposed alternative plan (A4). (DEIR, pp. 192-193.) The DEIR also noted that the angled layout of the design would provide for more individual lot yard space than the other alternatives. (DEIR, p. 187.)

37-15 It is unclear exactly what question or point the commentors are stating in this comment. The Draft EIR described the consistency of the Pocket Protectors' proposed alternative plan (A4) with existing land use designations and with adjacent existing neighborhoods. (DEIR, pp. 192-194.)

37-16 The differences between the proposed project and the Pocket Protectors' proposed alternative plan (A4) were generally described in the DEIR. (DEIR, pp. 215-217.) Additionally, see Response to Comment 37-10 above.

37-17 As indicated in the letter from Council Member Dave Jones that the commentors attached to their letter, Council member Jones noted his preference for the Pocket Protectors' proposed alternative plan.

37-18 Please see Master Response 5 and Response to Comment 37-8 above.

37-19 Please see Master Response 9.

37-20 The fact of the previous Planning Commission's denial of an earlier version of the project is noted in the Draft EIR. (DEIR, p. 2.) Please also see Master Responses 6 and 11.

37-21 Comments noted. Please also see Master Response 7 and Responses to Comments 37-6, 37-9, and 37-12 through 37-17.

37-22 The Draft EIR provides a comprehensive discussion of six project alternatives, plus a "no-project" alternative. Please see also Master Response 7.

37-23 Please see Master Responses 1, 4, 6 and 11. Additionally, the issues of setbacks, massing and guest parking are addressed in the Draft EIR. (DEIR, pp. 38-39, 86-88, 104-111, 111-115, 126.)

37-24 Please see Response to Comment 37-17 above.

38

Ms Lesley Buford
Environmental Planning Division
123111 I Street, Room 300
Sacramento, CA 95814

Dear Ms Lesley:

I am a Dutra Bend resident and the controversial Project known as Islands at Riverlake, which by now you are aware of, concerns me greatly. Enclosed you will find a list of questions which should be brought to your attention. I would greatly appreciate you going over them to determine if they are valid questions and if so, what can be done to make them right. 38-1

Thanking you in advance, yours truly,

Vernice Brooks

Vernice Brooks
7733 Rio Barco Way
Sacramento, CA 95831

ISLANDS AT RIVERLAKE EIR QUESTIONS:

1 How many licensed architects does Sycamore Environmental Consultants have on staff? Are they California licensed architects? 38-2

2 Previously a City of Sacramento approved project had bold notation on each site plan sheet indicating no intrusion of the "publicly dedicated greenbelt" by sidewalks or patios. Why was this not mentioned and addressed in the EIR? 38-3

3. The Pocket Protectors concept plan was put forth as an example of alternatives. It is not a preliminary design or to suggest details. Lot size and building footprint are examples to illustrate that other options for land use exist. Why was there not one phone call, or meeting to discuss this option for a clear understanding by Sycamore Environmental Consultants rather that promote inaccurate statements, or draw wrong conclusions? 38-4

4. Previously City of Sacramento approved project had angled structures and was cited as being innovative and imaginative. Now the Pocket Protectors scheme was noted just the opposite due to the angled layout. Also other development along Pocket Road is angular and therefore the Pocket Protectors scheme is also related to other structures. Why is this feature not noted as a positive to minimize community impact? Is a one-mile row of primarily two story houses not boring? 38-5

5 The proposed project has a 22' wide street yet all other schemes have a 25' wide street. Doesn't a 15% increase in street width over a mile long offer a significant improvement to traffic flow and safety? 38-6

6. The alternative of having houses on one side of the private street allows for garbage cans to be on the street without one row of houses having all the neighbors' cans in front of their house each week. Is not this a significant advantage? 38-7

7. How does a 22' wide street with approx. 18' of pavement width allow for cars to pass the garbage truck when collection is taking place? The can sits in the roll curb and takes about 3' of space, the truck is 8-1/2' wide and the articulating arm uses about 2' of space or clearance when operating for a total of 13-1/2', leaving about 7' or less space to drive a car? How does this work on a weekly basis? 38-8

8. Is the private driveway to City of Sacramento standards except for the proposed width? Will the street handle the loading of heavy fire trucks with axle loads of 20,000lb or more and the required turning radius. 38-9

9. With the City of Sacramento presently taking out turnarounds as being unworkable in various communities, why are these substandard streets proposing small tight turnarounds that are obstacles for traffic. 38-10

10. The city of Sacramento definition of "net" acreage requires the subtraction of private streets to city standards. Why is definition not used in all references to determine accurate density calculations? 38-11

11. There is no reference that I could see with regard to hardscape and the impact to the cities goal of having more shade trees and reduce hot paved surfaces. Clearly some schemes have a dramatic difference from the proposed scheme. Why is this not discussed or evaluated in the EIR document? Did someone forget while preparing the EIR that we are the city of trees, even our water towers display that theme for the public to see 38-12

12. How are trees planted in limited front yards where there are utility easements that prevent or do not allow for tree planting above utility pipes and conduits? 38-13

13. Why isn't there a site plan that shows the feeder sidewalks or connector sidewalks in the dedicated linear greenbelt and how they go through groves of existing trees and that addresses grade changes? Does this require more tree cutting to work? 38-14

14. With primarily two-story houses fronting the publicly dedicated greenbelt and their proximity on the border with tree limbs overhanging into the building space how can you construct homes with roof overhangs without severely butchering trees or cutting more trees? 38-15

15 The Pocket Protector alternative notes (EIR) slightly less than the 7 units per net acre requirement for one of the community plans. The lot size if designed, or reviewed in any detail could be adjust to meet the exact requirement very easily, as well as adjusting the house square footage, or footprint. Why wasn't this noted, as all lots on other plans or alternatives are not all the same size or area? 38-16

16. Other progressive cities like Elk Grove do not allow subdivisions to open directly on to major traffic arteries. For example; Elk Grove Blvd. and Laguna Blvd which are similar high-speed four lane streets like Pocket Road. Why was this not considered and which allows children to play only a short distance from cars and traffic that frequently exceed the 45mph posted speed limit? (There are not backyards to play) 38-17

17. Relating to item 16 above why is there not a discussion in the EIR of providing a decorative masonry sound wall similar to the rest of Riverlake a consideration? 38-18

18 Other City of Sacramento approved projects on this site had a stipulation that additional sound attenuation was required in the construction of those proposed homes. Has the sound level and traffic decreased since these projects were proposed about ten-years ago? 38-19

19. Permits were given to remove two heritage trees, how many more need to be removed? 38-20

20. Heritage trees have had root damage as verified by the City of Sacramento arborist recently. What steps are being taken to correct this present serious problem and to prevent future similar tree damage? 38-21

21. Construction will be over a significant period of time. What measures are being taken with reference to construction noise (working hours), dust to adjacent properties and traffic as large 65-70' long semi trucks cannot maneuver with 22' wide streets. 38-22

22. How are double fences a reasonable alternative? Rodent hiding space, accumulation of debris, rotting or existing wood due to trapped moisture are all issues. The thickness of the new fence also takes away clear space in the limited rear setbacks? The fence takes up in excess 5% of the rear yard space. Double fence does not allow for staining of wood fence material that helps to preserve the wood from decay and reduces the life, or replacement cycle. What about the height of fences being different and the visual impact to the existing, as well as new property owners? 38-23

23. In 2001 the City Planning Long-range Planning Staff (Stacy Harsgrove) indicated by letter her concerns about the "tunneling effect" of the proposed project. That concern was obviously ignored by the developer. In fact the street that was proposed then was 25' wide and now it has been reduced to 22'. Why were the alternatives or considerations posed in that document not addressed and included in this EIR document? 38-24

24. The acreage calculations provided by the City Planning Staff for the January 27th 2003 meeting indicated a true density of 11.4 dwellings units per net acre. The net acreage was noted as 12.23 acres. Why don't the numbers calculated by the City Planning Staff correlate with various acreage and density numbers in the EIR document? This clearly is a major discrepancy, as it relates to the General Plan, Community Plan as well as the LPPT PUD! 38-25

FOR REFERENCE ONLY

3.2.2.38 Letter 38 Victoria Brooks

38-1 Comment noted. The commentor is generally introducing the more specific comments attached to the comment letter

38-2 Sycamore Environmental Consultants, Inc. has no architects on staff.

38-3 Please see Master Response 4

38-4 Please see Master Response 7. Please also see Response to Comment 37-9 above.

38-5 Please see Master Response 7 and Response to Comment 37-6 and 37-7 above

38-6 Please see Master Responses 1 and 11.

38-7 Please see Master Response 1

38-8 Please see Master Response 1

38-9 The street will be built to the City's standards regarding load-bearing capacity. Please also see Master Response 1.

38-10 Please see Master Response 1

38-11 Please see Master Response 5.

38-12 Please see Master Response 6

38-13 Please see Master Response 6 and Response to Comment 12-7.

38-14 A conceptual landscaping plan that shows the location of connector sidewalks was provided as Exhibit D to the Draft EIR

38-15 The Draft EIR identifies which trees have been or would be removed to construct the project (DEIR, pp. 21-23, 130-131.) If the applicant damages any trees in the parkway, this is an enforcement issue for the City, but it is outside the scope of this EIR.

38-16 Please see Master Response 7.

38-17 Please see Master Response 4.

38-18 Please see Master Response 1. Additionally, because there are no significant noise impacts, a sound wall is not required. (See Initial Study, pages 49-53, Exhibit A to the DEIR.)

38-19 Please see Response to Comment 38-15 above.

38-20 Please see the Draft EIR, pages 21-23 and 130-131.

38-21 Please see Response to Comment 16-2 above

38-22 Please see Response to Comment 18-2 above

38-23 Please see Master Response 8.

38-24 Please see Master Response 11 and Response to Comment 37-10 above.

38-25 Please see Response to Comment 37-8 above.

DROBNY LAW OFFICES, INC.
A Professional Corporation

Mark S. Drobny*
Jennifer S. Rouse
Amy L. McEvoy
Michelle H. Wong*

*Master of Laws (LL.M.) in Taxation

(39)

August 1, 2005

Lezley Buford
Environmental Planning Principal
City of Sacramento
Development Services Department
Planning Division
1231 I Street, Suite 300
Sacramento, CA 95814

Re: Islands at Riverlake

Dear Ms. Buford:

I have been a resident of Riverlake in the Pocket area since 1988, owning three different homes during that time. I wouldn't live anywhere else. I have raised my children there, and they are now coming back home after college as well and will live here.

I have been silent on the issue of development along Pocket Road up to this point, but feel the need to be heard at this time

Pocket Protectors purports to represent the residents of the Pocket area They don't. They are a vocal minority representing the very few disgruntled home owners along the fence line The "silent majority" of Pocket residents do not agree with Pocket Protectors.

Each and every resident reads and signs a disclosure before they buy a home in Riverlake, advising them that the long strip of dirt between the green belt and the fences along Pocket Road has been reserved to build town houses and condominiums People who purchased homes along the fence line were also required to sign additional disclosures that they had been advised that on the other side of their fence, town homes and condos were eventually going to be built THEY PAID LESS FOR THEIR HOMES ALONG THE FENCE BECAUSE THEY KNEW THE TOWNHOUSES AND CONDOMINIUMS EVENTUALLY WERE GOING TO BE BUILT ON THE OTHER SIDE OF THEIR FENCES They were fortunate enough to enjoy the many years with nothing on the other side of their fence because the economy and their on-going efforts to thwart construction on the other side of the fences, delayed that construction

Their argument that development would be unsightly or disruptive is absurd WE ALL KNEW WHEN WE MOVED INTO RIVERLAKE THAT TOWNHOUSES AND CONDOMINIUMS WOULD EVENTUALLY BE BUILT THERE EVERYONE WHO BOUGHT ALONG THE

4180 Truxel Road Suite 100
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(916) 419-2100 Fax (916) 419-1222
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Modesto: (209) 578-2800
San Ramon: (925) 829-6968
Stockton: (209) 464-3408

FENCE KNEW WHAT WOULD EVENTUALLY BE ON THE OTHER SIDE OF THEIR FENCE THAT IS WHY THEIR HOMES WERE WORTH LESS WHEN THEY BOUGHT THEM AND WHY THEY ARE WORTH LESS WHEN THEY SELL THEM They just want to profit from the "good deal" they got when they bought their houses along the fence line if they can prevent anything from ever being developed on the other side of their fence

This has gone on for years. Every time any project is presented, they object to whatever the project is, for a various assortment of objections The truth is they just don't want anybody to build anything on the other side of their fence. Meanwhile, the entire community has to suffer through this long strip of dirt continuing undeveloped while Pocket Protectors plays their games

What is more unsightly and disruptive is the fact that this long expanse of dirt has existed along Pocket Road for all of these years

What is more unsightly and disruptive is the fact that finally this project is being developed and Pocket Protectors again filed something to delay the completion of the project.

What is more disruptive and unsightly is because of their delay tactics, a partially completed construction project sits uncompleted.

What is more disruptive is the fact that all of these whining homeowners along the fence line constantly knocking on our doors, asking us to go to meetings, leaving flyers on our doorsteps, lying about what is really going on in an attempt to prevent the normal development of our neighborhood which has endured years of incomplete development as a result of their stall tactics.

Riverlake will never become a mature and fully developed community until it is fully built out AS IT WAS ORIGINALLY CONTEMPLATED in the original plans and maps APPROVED BY THE CITY OVER 20 YEARS AGO The Architectural Review Board and Homeowners Association have both approved The Islands at Riverlake plans THEY SPEAK FOR THE HOMEOWNERS, NOT POCKET PROTECTORS The Homeowners Association is an elected group of representatives. Pocket Protectors is not elected and does not speak for the majority of homeowners

Older constructed homes build in the 1980s and 1990s need to look compatible with the townhouses and condos that were designed to be built along Pocket Road The longer this takes, the more environmentally unsightly it will be

Residents of Riverlake have had to endure the normal dirt, dust and noise of construction as homes around us were being built. That dirt, dust and noise needs to occur again sooner or later when the townhouses and condominiums are built along Pocket Road. The sooner, the better, so our neighborhood can be completed and mature as a complete community

The amenities that other neighborhoods enjoy, such as several good restaurants and shops has never taken place in Riverlake because until this neighborhood is fully built out, there simply aren't enough residents to support that infrastructure. Drive around Riverlake. There isn't anywhere good to eat and shop. Residents have to go downtown or further because there aren't enough residents in a still undeveloped Pocket area to support multiple, quality, upscale restaurants and shops.

It is inexcusable that the development that should have taken place years ago along Pocket Road remains undeveloped as a result of a vocal minority If their argument continues to be that development of Islands at Riverlake would make our neighborhood unsightly, then they need to take a look at those long strips of dirt that have existed along Pocket Road for over 20 years. If they think building townhouses along that strip on Pocket Road would be disruptive, those issues should have been addressed before the final map was approved over 20 years ago for our neighborhood We all knew when we bought in Riverlake that townhouses and condos were going to be built along that strip.

On behalf of the overwhelming majority of residents in Riverlake, I would respectfully request this never ending circus orchestrated by Pocket Protectors finally be put to an end and that the construction we all knew would take place be allowed to take place and our neighborhood be allowed to mature as a complete community

Very truly yours,

DROBNY LAW OFFICES, INC.
A Professional Corporation

MARK S. DROBNY

MSD:bg

5

3.2.2.39. Letter 39. Mark S. Drobny

This letter is nearly identical to Letter 10 above. This version of the previously submitted letter does not raise any new CEQA issues that need to be addressed further in these responses to comments.

Jennifer L. Williams

From: Andrew Bayne
Sent: Tuesday, August 30, 2005 9:23 AM
To: 'Kimberly Kaufmann-Brisby'
Cc: Jeffery Little
Subject: RE: Coordination meeting - Islands at Riverlake-Aug. 31st @ 10:30

Kimberly:

Jeff and I are available to attend the meeting tomorrow. Did you want us to be there at 10:00 or 10:30?

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Monday, August 29, 2005 4:46 PM
To: BHeartman@srgnc.com
Cc: Andrew Bayne
Subject: Coordination meeting - Islands at Riverlake-Aug. 31st @ 10:30

Hi Bill:

I have scheduled a coordination meeting for staff for the first half hour (10-10:30)and then you and Sabrina joining us for the second half to make certain all points are covered.

Please let me know if you will be able to attend at your earliest convenience.

Thank you,

Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, August 18, 2005 10:10 AM
To: 'lbuford@cityofsacramento.org'
Cc: Jeffery Little
Subject: FW: Islands at Riverlake MMP

03056_Islands@Riverlake_MMP_01...

Lezley:

Attached is the MMP we emailed to Kimberly last week. You should check with her to see if she has made any changes.

Please call or email if you have any questions.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Andrew Bayne
Sent: Tuesday, August 09, 2005 9:44 PM
To: 'Kimberly Kaufmann-Brisby'
Cc: BHeartman@srgnc.com; 'steller@rtmmlaw.com'; Jeffery Little
Subject: RE: Islands at Riverlake MMP

Kimberly:

Attached is the MMP for the Islands at Riverlake EIR. Please call or email if you have any questions.

Regards,

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Tuesday, August 09, 2005 6:53 PM
To: Andrew Bayne
Cc: BHeartman@srgnc.com
Subject: Islands at Riverlake MMP

Hi Andrew:

I had made the request I'm about to make a week or so ago but I apparently had the wrong e-mail adddress for you.....could you please provide the cover, text and tables of the MMP in portrait format by this Thursday so I can insert it into the staff report?

ank you,

MITIGATION MONITORING PLAN

FOR

Islands at Riverlake/ P01-133

Type of Environmental Document:
Environmental Impact Report

Prepared For:
City of Sacramento, Development Services Department, Planning Division

Date:
_ _ August 2005

Adopted By:
City of Sacramento, Planning Commission

Date:

_____

Attest:

_____
Secretary

CITY OF SACRAMENTO
MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required by and prepared for the Development Services Department Planning Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 808-5590, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Islands at Riverlake / P01-133
Applicant - Name: Regis Homes/ Bill Heartman - contact
Project Location / Legal description of Property (if recorded): The project is located in the City of Sacramento, Sacramento County, California. The project is located on County Assessor's Parcel Numbers 031-1210-003, 031-1210-061, 031-1200-073, 031-1030-015, 031-1030-031, and 031-1300-048. The parcels are located on the north and south sides of Pocket Road from approximately 1,200 feet west of West Shore Drive to approximately 580 feet east of Dutra Bend Drive. The Project is approximately 250 feet west of the intersection of Pocket Road and Greenhaven Drive and approximately 2,000 feet west of Interstate 5.

SECTION 2: GENERAL INFORMATION

The project as proposed includes mitigation measures for potential impacts to air quality, biological resources, traffic, and cultural resources. The intent of the Mitigation Monitoring Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified in the Environmental Impact Report (EIR) 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. The number system of the mitigation measures matches the numbering system of the EIR.

Air Quality

AIR-1: Short-term Emissions (Construction) - Emissions of ROG, NOx, and PM10.

- The project shall provide a plan for approval by the City of Sacramento, 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.

- The project representative shall submit to the City of Sacramento 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.

- The project shall ensure that 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 City of Sacramento and SMAQMD shall be notified within 48 hours of 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 supercede other SMAQMD or state rules or regulations.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Sacramento Air Quality Management District

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will review and approve the Plan submitted by the project developer that demonstrates that the Plan 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 verify that the Plan was submitted to SMAQMD for concurrent review.

The Building Division will verify that the 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 is submitted to the Building Division and SMAQMD.

The Building Division will verify that the monthly monitoring reports are submitted to the Building Division and SMAQMD. The Building Division, Field Inspection may conduct periodic inspections.

Transportation/Circulation

TRAN-2: Reduce exposure of residents to safety hazards.

- On-street parking shall be prohibited on the private roads. The private roads shall be signed and striped for no parking at all times. A homeowners association shall be responsible for enforcing the no parking rule.

- The Covenants, Codes and Restrictions (CC&Rs) shall require that all trash and recycle bins are placed on the same side of the private road on pick-up day.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division

Monitoring Program:

Prior to issuance of Improvement Plans, the Building Division will verify that the plans for the private road note that the curbs are striped and signs are provided for no parking.

Prior to the issuance of certificates of occupancy, the Building Division will verify that a Homeowners Association has been formed or the project has joined the Riverlake Community Association and the CC&Rs for the subdivision indicate that it is the responsibility of the Homeowners Association or Riverlake Community Association to enforce the no parking rule on the private roads.

Prior to the issuance of certificates of occupancy, the Building Division will verify that the CC&Rs for the subdivision identify that residents are to place trash and recycle bins on one side of the street. The CC&Rs will designate the side of the street bins are to be placed.

Biological Resources

BIO-1: Avoid disturbance of nesting raptors

- If construction begins outside the 1 March to 15 September breeding season, there will be no need to conduct a preconstruction survey for active nests.

- If construction is scheduled to recommence during the breeding season, a preconstruction survey will be conducted by a qualified biologist to determine if raptors are nesting within 0.25 mile of the project site.
  - The applicant will conduct a preconstruction survey at least 2 weeks prior to construction.
  - If no active nests are found, no additional mitigation will be necessary.
  - If active raptor nests are found within 0.25 mile of the project site, DFG will be notified and no project activities that would result in nest abandonment (e.g., noise generated from the operation of heavy equipment) will be conducted without DFG approval.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will verify that surveys have been conducted. If any active nests are found, the Building Division will verify that

the appropriate DFG avoidance measure(s) are implemented. If avoidance measures are needed, Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

BIO-2: Protect trees

- Project plans shall note that all roots shall be cut clean. Any roots greater than two inches in diameter will require inspection by an ISA certified arborist prior to severing. The applicant shall provide the City Arborist with a report demonstrating that severed roots greater than two inches diameter were inspected before cutting by an ISA certified arborist.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Department of Parks and Recreation Parks and Tree Services

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division will verify that the project plans note that all roots shall be cut clean and any roots greater than two inches diameter require inspection by an ISA certified arborist prior to severing. The City Arborist will review reports of severed roots greater than two inches diameter and may inspect health of tree to assess any damage.

CULTURAL RESOURCES

CUL-1 Protect previously unidentified artifacts

- If subsurface archaeological or historical remains (including, but not limited to, unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work within 100 feet of the discovery 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.

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Planning Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division shall verify that the project developer has noted CUL-1 on all plans. If artifacts are found, the Planning

Division will review the recommendations of the archeologist and Native American Heritage Commission to verify the significance of the artifact and, if necessary, the measures required to ensure a less than significant impact. The Building Division will verify that the appropriate measures are implemented. If avoidance measures are needed, Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

CUL-2 Protect human remains if found

- If human burials are encountered, work within 100 feet if the discovery 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).

Entities Responsible for Ensuring Compliance:

City of Sacramento,
Development Services Department Building Division
Development Services Department Building Division, Field Inspection

Monitoring Program:

Prior to issuance of any Grading Permits and/or Improvement Plans, the Building Division shall verify that the project developer has noted CUL-2 on all plans. If human burials are found, the Building Division will review the recommendations treatment to verify that the appropriate measures are implemented. The Building Division, Field Inspection may conduct periodic inspections to ensure the avoidance measures are implemented.

Jennifer L. Williams

From: Jeffery Little
Sent: Tuesday, August 16, 2005 8:46 AM
To: 'Lezley Buford'
Subject: RE: Response to Caltrans Comment Letter

Lezley,

We have the following address for Fehr & Peers Sacramento office:
Fehr and Peers
Sacramento, CA
660 J Street, Suite 390
Sacramento, CA 95814

We would appreciate a copy of the letter to Caltrans for our file.

We will deliver 10 copies to you today for distribution to the Planning Commission.

Thanks,

Jeff

-----Original Message-----
From: Lezley Buford [mailto:LBuford@cityofsacramento.org]
Sent: Tuesday, August 16, 2005 8:39 AM
To: Jeffery Little
Subject: RE: Response to Caltrans Comment Letter

Hi Jeffrey,

n page 81 please remove Gary Stonehouse...he has retired. Aslo, didi you get an address for Fehr and Peers? I made a few edits to the Caltrans letter. Do you need a copy of the final or were yoou just going to respond as you did to other comments?

LE

Lezley E. Buford, AICP
Manager, Environmental Planning Services
1231 I Street, Suite 300
Sacramento, CA 95814
tele: 916 808-5935 fax: 916 264-7185
e-mail: lbuford@cityofsacramento.org

>>> "Jeffery Little" <Jeffery.Little@SycamoreEnv.com> 08/15/05 4:46 PM
>>> >>>
Lezley,

We received comments on pages 1 through 72 ending on comment letter 35 (Weitzman). Do you have any comments on pages 73 to the end? Thanks,

Jeff

> _____
> From: Jeffery Little
> Sent: Monday, August 15, 2005 3:18 PM
> To: 'lbuford@cityofsacramento.org'
> Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Andrew Bayne
> Subject: RE: Response to Caltrans Comment Letter
>
> Lezley,

>
> We are receiving the fax right now. The margin comments on pages 14
> and 15 were cut off.
>
> Did you have any questions or comments on the Caltrans letter? The
> only thing I have to comment is that the letter does not have a
> subject line.
>
> How many FEIR copies do you want produced? Where should we deliver
> the Planning Commissioner's copies to?
>
> Thanks,
>
> Jeffery Little
> Vice President
> Sycamore Environmental Consultants, Inc.
> 6355 Riverside Blvd., Suite C
> Sacramento, CA 95831
> 916/ 427-0703
> 916/ 427-2175 fax
> Jeffery.Little@SycamoreEnv.com
>
>
>
> _____
> From: Andrew Bayne
> Sent: Monday, August 15, 2005 12:31 PM
> To: 'lbuford@cityofsacramento.org'
> Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Jeffery Little
> Subject: Response to Caltrans Comment Letter
>
> Lezley:
>
> Attached is a draft response letter to Caltrans' comment letter. You
> can make any changes and print out on the City's letterhead. Please
> call or email if you have any questions.
>
> We would appreciate it if you could let us know the number of copies
> that will be needed so that we can start copying the appendices and
> comment letters. We would also like to know if the City has a
> preference between pairing the letters with the responses or grouping
> the letters and responses in separate sections.
>
> Thanks
>
> << File: Response to Caltrans Comment Letter.doc >>
>
> Andrew Bayne
> Environmental Planner
> Sycamore Environmental Consultants, Inc.
> 916/ 427-0703
>

Jennifer L. Williams

From: Jeffery Little
Sent: Monday, August 15, 2005 4:47 PM
To: 'lbuford@cityofsacramento.org'
Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Andrew Bayne
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Jeffery Little
Vice President
Sycamore Environmental Consultants, Inc
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916/ 427-0703
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Jeffery.Little@SycamoreEnv.com

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Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Jeffery Little
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Thanks

<< File: Response to Caltrans Comment Letter.doc >>

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Jeffery Little
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Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Andrew Bayne
Subject: RE: Response to Caltrans Comment Letter

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916/ 427-0703
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From: Andrew Bayne
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Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Jeffery Little
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Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

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Sent: Monday, August 15, 2005 12:31 PM
To: 'lbuford@cityofsacramento.org'
Cc: 'steller@rtmmlaw.com'; 'mhabersack@rtmmlaw.com'; Jeffery Little
Subject: Response to Caltrans Comment Letter

Contacts: Ms. Lezley E. Buford AICP

Lezley:

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We would appreciate it if you could let us know the number of copies that will be needed so that we can start copying the appendices and comment letters. We would also like to know if the City has a preference between pairing the letters with the responses or grouping the letters and responses in separate sections.

Thanks

Response to
altrans Comment L

Andrew Bayne
nvironmental Planner
ycamore Environmental Consultants, Inc.
916/ 427-0703

15 August 2005

Ms. Katherine Eastham
Department of Transportation
District 3 – Sacramento Area Office
Office of Transportation Planning
Venture Oaks, MS 15
P.O. Box 942874
Sacramento, CA 94274-0001

Ms. Eastham:

Thank you for reviewing and providing comments on the Draft Environmental Impact Report for the Islands at Riverlake project in the City of Sacramento, CA. In response to our Notice of Preparation, Caltrans requested in a letter dated 10 March 2005 that a traffic impact study (TIS) be completed for potential project impacts to I-5 on-/off-ramps. The City of Sacramento contracted with Fehr & Peers to prepare the TIS. The TIS is enclosed. It documents the findings in the Islands at Riverlake Initial Study (City of Sacramento February 2005) and DEIR.

The Traffic Impact Study (Fehr and Peers 8 August 2005) was conducted based on the procedures in Highway Capacity Manual (2000 HCM). The TIS examines the roadway, transit, and bicycle/pedestrian components of the overall transportation system. The TIS evaluated existing conditions without the project; existing conditions plus the project, cumulative conditions without the project, and cumulative conditions with project build-out. The analysis provides a Level of Service (LOS) analysis for the freeway ramps and ramp terminal intersections. Merge/diverge analysis was performed for the freeway and ramp junctions based on AM and PM peak hour volumes. The analysis includes LOS and traffic volumes at all study approaches and turn movements based on traffic counts conducted in June 2005.

Based on analysis of the data and forecasts of the cumulative traffic conditions in 20 years (year 2025), the trips generated by the proposed project do not result in any potentially significant impacts requiring mitigation.

Sincerely,

Lezley E. Buford, AICP
Environmental Planning Principal

Enclosure: Transportation and Circulation for Islands at Riverlake, City of Sacramento, CA (Fehr & Peers 8 August 2005)

Jennifer L. Williams

From: Lezley Buford [LBuford@cityofsacramento.org]
Sent: Wednesday, August 10, 2005 10:40 AM
To: STeller@rtmmlaw.com
Cc: Andrew Bayne; Jeffery Little
Subject: Re: Riverlake

Yes, we ended up taking it over to the Clearing huse a day early due to logistics. It is noted in the file.

Lezley E. Buford, AICP
Manager, Environmental Planning Services
1231 I Street, Suite 300
Sacramento, CA 95814
tele: 916 808-5935 fax: 916 264-7185
e-mail: lbuford@cityofsacramento.org

>>> "Sabrina Teller" <STeller@rtmmlaw.com> 08/09/05 5:46 PM >>>
Hi LE,

Jeff Little noted that the State Clearinghouse letter says the comment period closed on the 4th. The City's notices say the comment period closed on the 5th. We don't believe that anyone was prejudiced by this discrepancy, but since you did accept late comments through the 9th, we would recommend that you send a note to the file or take some other step to memorialize this fact so that it is included in the record.

Thanks,
Sabrina

Jennifer L. Williams

From: Andrew Bayne
Sent: Wednesday, August 10, 2005 10:29 AM
To: 'Kimberly Kaufmann-Brisby'
Cc: Lezley Buford; Tom Pace; 'steller@rtmmlaw.com'; Jeffery Little
Subject: RE: Islands at Riverlake MMP

Based on coordination with the City, that is our understanding. The habitat had to be mitigated prior to its destruction. No Swainson's hawk foraging habitat exists on the site anymore.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Wednesday, August 10, 2005 10:20 AM
To: Andrew Bayne
Cc: Lezley Buford; Tom Pace
Subject: RE: Islands at Riverlake MMP

Andrew:

So even though this project is de nuovo (sp?) there is no required mitigation for the habitat-proof that the mitigation has been met for thew new project?

Inquiring mind,

Kimberly

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 08/10/05 9:38 AM >>>
Kimberly:

Swainson's hawk foraging habitat was mitigated prior to issuance of the grading permit. As reported in the DEIR (pages 21 - 23 and 127 - 132, as well as pages 35 - 43 of the Initial Study) the Applicant obtained the heritage tree removal permit for the grading permit. Grading is complete and only two heritage trees required removal (Trees 17 and 18). The heritage tree removal permit is conditioned to plant the mitigation trees in the passive use parks. No new potential impacts to heritage trees were identified.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Wednesday, August 10, 2005 8:53 AM
To: Andrew Bayne
Cc: David Kwong; Lezley Buford; Tom Pace; steller@rtmmlaw.com; BHeartman@srgnc.com; Jeffery Little
Subject: RE: Islands at Riverlake MMP

Hi Andrew:

Thank you for your quick response. I notice there is no swainson's hawk foraging mitigation or specific mitigation for the trees...why the change from the original mitigation?

Thank you,

Kimberly

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 08/09/05 9:43 PM >>>
Kimberly:

Attached is the MMP for the Islands at Riverlake EIR. Please call or email if you have any questions.

Regards,

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Kimberly Kaufmann-Brisby [mailto:KKBrisby@cityofsacramento.org]
Sent: Tuesday, August 09, 2005 6:53 PM
To: Andrew Bayne
Cc: BHeartman@srgnc.com
Subject: Islands at Riverlake MMP

Hi Andrew:

I had made the request I'm about to make a week or so ago but I apparently had the wrong e-mail adddress for you.....could you please provide the cover, text and tables of the MMP in portrait format by this Thursday so I can insert it into the staff report?

Thank you,

Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Wednesday, August 10, 2005 9:38 AM
To: 'Kimberly Kaufmann-Brisby'
Cc: David Kwong; Lezley Buford; Tom Pace; steller@rtmmlaw.com; BHeartman@srgnc.com; Jeffery Little
Subject: RE: Islands at Riverlake MMP

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Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Tuesday, August 09, 2005 9:44 PM
To: 'Kimberly Kaufmann-Brisby'
Cc: BHeartman@srgnc.com; 'steller@rtmmlaw.com'; Jeffery Little
Subject: RE: Islands at Riverlake MMP

03056_Islands@Riverlake_MMP_01...

Kimberly:

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Environmental Planner
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Thank you,

Kimberly

Kimberly Kaufmann-Brisby
City of Sacramento Development Services Dept.
Planning Division
Associate Planner-South Team
kkbrisby@cityofsacramento.org

Jennifer L. Williams

From: Sabrina Teller [STeller@rtmmlaw.com]
Sent: Tuesday, August 09, 2005 5:47 PM
To: Lezley Buford
Cc: Andrew Bayne; Jeffery Little
Subject: Riverlake

Hi LE,

Jeff Little noted that the State Clearinghouse letter says the comment period closed on the 4th. The City's notices say the comment period closed on the 5th. We don't believe that anyone was prejudiced by this discrepancy, but since you did accept late comments through the 9th, we would recommend that you send a note to the file or take some other step to memorialize this fact so that it is included in the record.

Thanks,
Sabrina

equal-access
> process here. It should benefit everyone, including the City's
interest in the
> public perception of an above-board proceeding on remand.
>
> Susan
> 707-938-3908
>
>
> On 7/11/05 4:49 PM, "Joseph Cerullo" <JCerullo@cityofsacramento.org>
wrote:
>
>> Susan,
>>
>> You've asked that Tina Thomas's firm not be involved in preparing the
city's
>> responses to comments received on the DEIR. As I understand the
city's
>> practice, neither the applicant nor the applicant's attorney works on
the
>> city's responses, with one exception: if a comment deals with project
details
>> or purposes, then the city sometimes will solicit the applicant's
assistance
>> in responding to that comment, as those are matters about which the
applicant
>> knows best. Please understand, however, that any member of the
public,
>> including the applicant, may ask for and receive copies of comments
the city
>> receives. Please understand, as well, that often an applicant's
attorney
>> responds independently to comments, especially when the comments are
>> submitted
>> by an attorney. I hope this addresses your concern.
>>
>> Joe Cerullo
>> Senior Deputy City Attorney
>> (916) 808-5346
>>
>>

Jennifer L. Williams

From: Jeffery Little
Sent: Tuesday, June 21, 2005 12:01 PM
To: 'Sabrina Teller'; 'jhardy@srgnc.com'; Andrew Bayne; 'Lezley Buford'
Subject: RE: Islands NOA

Today, June 21 to August 5. I'll fax the NOA to you.
JJL

From: Sabrina Teller [mailto:STeller@rtmmlaw.com]
Sent: Tuesday, June 21, 2005 11:57 AM
To: Jeffery Little; jhardy@srgnc.com; Andrew Bayne; Lezley Buford
Subject: RE: Islands NOA

So is the official start date of the 45 day review period yesterday?

From: Jeffery Little [mailto:Jeffery.Little@SycamoreEnv.com]
Sent: Tuesday, June 21, 2005 11:59 AM
To: Sabrina Teller; jhardy@srgnc.com; Andrew Bayne; Lezley Buford
Subject: Islands NOA

Lezley,

We received the Notice of Availibility in the mail today.

Thanks,

Jeffery Little
Vice President
Sycamore Environmental Consultants, Inc.
6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703
916/ 427-2175 fax
Jeffery.Little@SycamoreEnv.com

Jennifer L. Williams

From: Sabrina Teller [STeller@rtmmlaw.com]
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916/ 427-0703
916/ 427-2175 fax
Jeffery Little@SycamoreEnv com

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916/ 427-2175 fax
Jeffery Little@SycamoreEnv.com

Jennifer L. Williams

From: Jeffery Little
Sent: Tuesday, June 21, 2005 9:33 AM
To: 'Lezley Buford'
Subject: RE: Islands at RL

Lezley,

I didn't see the PN in the Sacramento Bee today. Is it in another paper?

Thanks,
Jeff

Jeffery Little
Vice President
Sycamore Environmental Consultants, Inc.
6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703
916/ 427-2175 fax
Jeffery.Little@SycamoreEnv.com

916/ 427-0703

Jennifer L. Williams

From: Jeffery Little
Sent: Monday, May 16, 2005 11:45 AM
To: 'Tom Pace'
Subject: RE: Island at Riverlake - Zoning question

Thanks, Tom.

-----Original Message-----
From: Tom Pace [mailto:TPACE@cityofsacramento.org]
Sent: Monday, May 16, 2005 10:07 AM
To: Jeffery Little
Subject: Re: Island at Riverlake - Zoning question

We would generally ask that a site be rezoned to R-1A if alternative lot sizes/dimensions are desired, however, deviations can be done by variance (called a "subdivision modification") if there is hardship, or by PUD guidelines that call for an alternative configuration in the R-1-PUD zone.

>>> "Jeffery Little" <Jeffery.Little@SycamoreEnv.com> 05/12/05 11:51 AM
>>> >>>
Tom,

I want to confirm my understanding of R-1 lot sizes.

The Sacramento City Code section 17.20.010 defines the R-1 minimum lot dimensions as 52 feet wide by 100 feet deep for a minimum lot size of 5,200 square feet.

nd

The City Code prohibits creation of R-1 lots that do not meet the minimum dimensions of the zone (17.60.040(H)).

Which the code states as:
H. Minimum Lot Dimensions. Except in the R-1A zone, no lot shall be created or modified so that it does not meet the minimum lot area, size, or other dimension requirements set forth in the city's subdivision regulations. For a lot which was legally created but which does not meet the current minimum requirements set forth in the subdivision regulations, that lot my be occupied by a permitted use if the yard and lot coverage requirements are satisfied. (Ord. 99-015 § 3-1-D)

Are there any circumstances in which R-1 lots can be legally created (not grandfathered in) with dimensions less than 100 x 52?

Thanks,

Jeffery Little
Vice President
Sycamore Environmental Consultants, Inc.
6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703
916/ 427-2175 fax
Jeffery.Little@SycamoreEnv.com

Jennifer L. Williams

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916/ 427-0703
916/ 427-2175 fax
Jeffery.Little@SycamoreEnv.com

Jennifer L. Williams

From: Jeffery Little
Sent: Thursday, May 12, 2005 11:51 AM
To: 'Tom Pace'; Andrew Bayne
Subject: Island at Riverlake - Zoning question

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6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703
916/ 427-2175 fax
Jeffery.Little@SycamoreEnv com

Jennifer L. Williams

From: Anis Ghobril [aGhobril@cityofsacramento.org]
Sent: Wednesday, April 20, 2005 8:03 AM
To: Samar Hajeer; Andrew Bayne
Cc: Jesse Gothan; Jeffery Little
Subject: Re: Islands at Riverlake - Questions Regarding City StreetStandards

Andrew,

Yes, the City has changed the standards to what you have described in your e-mail, but this change has occurred after the project's approvals. And in any case, the project was approved with a special street section as described in the project's conditions of approval in the Planning and City Council staff reports. The internal street is designated as a private street, with less width as a standard residential street. That deviation from the standards was needed to accomodate the proposed density of the project and the product type. Private streets are required to be constructed to City standards regarding structural section and drainage, however, we do accept less width in certain cases. Hopefully i have answered your question.

Thanks

Anis Ghobril
Development Services
808-5367
aghobril@cityofsacramento.org

>>> Samar Hajeer 04/20/05 7:33 AM >>>
Hi Andrew:

I forward your email to Anis Ghobrill, the Entitelement project Manger, and he will get back to you soon.

Samar Hajeer
Senior Civil Engineer
Development Services
Office: (916) 808-7808
Fax: (916) 264-5786
shajeer@cityofsacramento.org

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 04/19/2005 5:43:49 PM >>>
Dear Samar Hajeer:

We are assisting the City with the preparation of the Draft Environmental Impact Report for the Islands at Riverlake project. Ms. Teller with Remy, Thomas, Moose, and Manley indicated that you are coordinating the traffic impact study for this project. We have several questions that we hope you can clarify to assist our evaluation of the project's consistency with the City's plans.

In our review of City Council Resolution Number 2004-118 dated 24 February 2004 (Resolution to approve pedestrian friendly street standards), we noticed that the City appears to have changed the minimum standard residential street right-of-way width from 41 feet for ADT 0-2000 to a standard residential street right-of-way width of 53 feet for ADT 0-4000. Is this correct?

So, we note that street width is measured from face of vertical curb to face of vertical curb. If correct, then the standard street with is 30 feet measured from face of vertical curb to face of vertical curb.

Thanks for your help!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Samar Hajeer [sHajeer@cityofsacramento.org]
Sent: Wednesday, April 20, 2005 7:34 AM
To: Andrew Bayne
Cc: Anis Ghobril; Jeffery Little
Subject: Re: Islands at Riverlake - Questions Regarding City StreetStandards

Hi Andrew:

I forward your email to Anis Ghobrill, the Entitelement project Manger, and he will get back to you soon.

Samar Hajeer
Senior Civil Engineer
Development Services
Office: (916) 808-7808
Fax: (916) 264-5786
shajeer@cityofsacramento.org

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 04/19/2005 5:43:49 PM
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Also, we note that street width is measured from face of vertical curb to face of vertical curb. If correct, then the standard street with is 30 feet measured from face of vertical curb to face of vertical curb.

Thanks for your help!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Tuesday, April 19, 2005 5:44 PM
To: 'SHajeer@cityofsacramento.org'
Cc: Jeffery Little
Subject: Islands at Riverlake - Questions Regarding City Street Standards

Dear Samar Hajeer:

We are assisting the City with the preparation of the Draft Environmental Impact Report for the Islands at Riverlake project. Ms. Teller with Remy, Thomas, Moose, and Manley indicated that you are coordinating the traffic impact study for this project. We have several questions that we hope you can clarify to assist our evaluation of the project's consistency with the City's plans.

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Thanks for your help!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
;6/ 427-0703

Jennifer L. Williams

From: Randy Ward [rward@cityofsacramento.org]
Sent: Tuesday, April 19, 2005 12:40 PM
To: Jeffery Little
Subject: Data Transfer

project.zip

Jeffery,
Attached are the Structure Elevation Model LIDAR tiles for the area requested. I'm also including a shapefile of our base map grid which should help you locate the tiles. Please call or email if you have any questions or concerns.

-Randy

Randy L. Ward, GIS Specialist
City of Sacramento, Department of Utilities
(916) 808-1445 rward@cityofsacramento.org

Jennifer L. Williams

From: Jeffery Little
Sent: Tuesday, April 19, 2005 9:13 AM
To: 'Dale Mathison'
Subject: RE: Topo/bldg footprint info - Islands at Riverlake

Thanks, Dale. I can sign the standard waiver form as soon as Randy Ward emails or faxes it to me.

Jeff Little

-----Original Message-----
From: Dale Mathison [mailto:dmathison@cityofsacramento.org]
Sent: Tuesday, April 19, 2005 8:33 AM
To: Jeffery Little
Subject: Topo/bldg footprint info - Islands at Riverlake

Jeff,

We have tracked down some info that may help you. It's 2001 topo information with building footprints, etc. We can send it over in ASCII format but we need you to sign a waiver before we can send it (this is a standard form). Randy Ward from our office should be contacting you to get your signature on the waiver and will then send over the information.

Dale

Dale Mathison
Department of Utilities
City of Sacramento
(916) 808-1911
(916) 808-1497 - fax
dmathison@cityofsacramento.org

Jennifer L. Williams

From: Dale Mathison [dmathison@cityofsacramento.org]
Sent: Tuesday, April 19, 2005 8:33 AM
To: Jeffery Little
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Department of Utilities
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(916) 808-1911
(916) 808-1497 - fax
dmathison@cityofsacramento.org

Jennifer L. Williams

From: Jeffery Little
Sent: Friday, April 15, 2005 9:22 AM
To: 'Dale Mathison'
Subject: RE: Islands at Riverlake

Thanks, Dale.

Jeff

-----Original Message-----
From: Dale Mathison [mailto:dmathison@cityofsacramento.org]
Sent: Thursday, April 14, 2005 3:00 PM
To: Jeffery Little
Subject: Islands at Riverlake

Jeff,

One of our GIS guys is checking to see if he can find some data that show topographic information as well as buliding footprints. I'm hoping to hear back from him in the next couple days, so I'll be in touch.

Dale

Dale Mathison
Department of Utilities
City of Sacramento
(916) 808-1911
(916) 808-1497 - fax
dmathison@cityofsacramento.org

>>> "Jeffery Little" <Jeffery.Little@SycamoreEnv.com> 03/23/05 8:15 AM
>>> >>>

Jeffery Little
Vice President
Sycamore Environmental Consultants, Inc.
6355 Riverside Blvd., Suite C
Sacramento, CA 95831
916/ 427-0703
916/ 427-2175 fax
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Tracking:

Recipient	Message Status
'Dale Mathison'	

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Jeffery.Little@SycamoreEnv.com

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, March 31, 2005 2:42 PM
To: 'lbuford@cityofsacramento.org'
Subject: Islands at Riverlake

Contacts: Ms. Lezley E. Buford AICP

Lezley:

We would appreciate it if you could fax us the comment letters you received on the NOP so that we could incorporate the concerns into the EIR. Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Friday, March 25, 2005 2:48 PM
To: 'Tom Pace'
Subject: RE: Islands at Riverlake - Information Request

Thanks Tom. I have actually been working with her all week. Kimberly has been a huge source of help. Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Tom Pace [mailto:TPACE@cityofsacramento.org]
Sent: Friday, March 25, 2005 2:43 PM
To: Andrew Bayne
Cc: Kimberly Kaufmann-Brisby
Subject: Re: Islands at Riverlake - Information Request

I am referring this to Kimberly Kaufmann-Brisby, who can assist you.

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 03/18/05 4:49 PM >>>
Tom:

For the Islands at Riverlake EIR, Sycamore Environmental is in the process of analyzing the effect of locating R-1A housing types adjacent o R-1 housing types. We would appreciate it if the City would provide s with copies of the staff reports and CEQA documents for the following Riverlake PUD projects:

1. Stillwater
2. East Shore
3. Dutra Bend
4. Coleman Ranch (not in Riverlake PUD, but adjacent)
5. Bridgeview

The City provided us with an AutoCAD topographical map for a segment of the city on another project. We would appreciate it if the City would provide us with topo for the Riverlake PUD in AutoCAD. Can you get us the digital maps or do we coordinate with the GIS department?

I understand that this is a big request. Some of these items are a higher priority than others. If it would be more helpful, I am available to come to your office and sort through the documents to locate the information we need. I will call you on Monday, 21 March to coordinate. Thanks for your help.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Friday, March 18, 2005 4:49 PM
To: 'Tom Pace'
Cc: Jeffery Little
Subject: Islands at Riverlake - Information Request

Contacts: Mr. Tom Pace

Tom:

For the Islands at Riverlake EIR, Sycamore Environmental is in the process of analyzing the effect of locating R-1A housing types adjacent to R-1 housing types. We would appreciate it if the City would provide us with copies of the staff reports and CEQA documents for the following Riverlake PUD projects:

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Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

period so as to incorporate comments.

We will coordinate with Tom Pace for some file data that will be used in the land use discussion and alternatives analysis.

Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Monday, February 21, 2005 12:39 PM
To: 'lbuford@cityofsacramento.org'
Cc: 'bheartman@srgnc.com'; 'steller@rtmmlaw.com'; Jeffery Little
Subject: Islands at Riverlake ADEIR - requesting a template

Contacts: Ms Lezley E. Buford AICP

Lezley:

We have made substantial progress on the Islands at Riverlake ADEIR. Before we complete the internal draft, we wanted to make sure that the electronic format is the City's current one. We would appreciate receiving an electronic copy of a current EIR that fits the Islands at Riverlake project, or an EIR with a detailed alternatives analysis.

We will complete the internal daft after the 30-day public review period so as to incorporate comments.

We will coordinate with Tom Pace for some file data that will be used in the land use discussion and alternatives analysis.

Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Wednesday, January 26, 2005 10:25 AM
To: 'Lezley Buford'
Cc: STeller@rtmmlaw.com; Jeffery Little
Subject: RE: Islands at Riverlake IS

Lezley:

Thanks for the update. We look forward to revising the document after you have coordinated all of the City's comments.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Lezley Buford [mailto:LBuford@cityofsacramento.org]
Sent: Wednesday, January 26, 2005 10:19 AM
To: Andrew Bayne
Cc: STeller@rtmmlaw.com
Subject: Islands at Riverlake IS

Hi Andrew,

I have completed my review but am still gathering comments from other Departments. I assume you would rather get all the comments at the same ime plus I should probably check other comments for consistency.

LE

Lezley E. Buford, AICP
Manager, Environmental Planning Services
1231 I Street, Suite 300
Sacramento, CA 95814
tele: 916 264-5935 fax: 916 264-5328
e-mail: lbuford@cityofsacramento.org

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, January 13, 2005 4:39 PM
To: 'Tom Pace'
Cc: Kimberly Kaufmann-Brisby; Jeffery Little
Subject: RE: Islands at Riverlake

Great Tom, thanks.

By the way, a map like this was included as Attachment B in the 27 January 1993 staff report for the approved P93-089 (page 10). It looks like a GIS map of Riverlake with hand drawn notes of other developments. Essentially, we are looking for a basic update of that figure, even if its not fancy.

Look forward to talking with you tomorrow.

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

-----Original Message-----
From: Tom Pace [mailto:TPACE@cityofsacramento.org]
Sent: Thursday, January 13, 2005 4:31 PM
To: Andrew Bayne
Cc: Kimberly Kaufmann-Brisby; Jeffery Little
Subject: Re: Islands at Riverlake

This looks it may be a substantial research project, as this information is not readily available without searching dozens of files. I'll talk with Kimberly about it when she returns tomorrow.

>>> "Andrew Bayne" <Andrew.Bayne@SycamoreEnv.com> 01/13/05 12:30PM >>>
Tom:

Sycamore Environmental is preparing the Administrative Draft Initial Study for the Islands at Riverlake Notice of Preparation. We would like to include a current map of the LPPT PUD. We would like the map to show what has been built in Riverlake, how it was built, LPPT PUD designations of vacant parcels, and preferably the names of each development in Riverlake. This map would substantially improve the setting description and provide context for the land use and aesthetics evaluation. Could you provide this map or should we coordinate with the GIS department?

Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

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Environmental Planner
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916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, January 13, 2005 12:30 PM
To: 'Tom Pace'
Cc: Jeffery Little
Subject: Islands at Riverlake

Contacts: Mr. Tom Pace

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Thanks!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Thursday, December 02, 2004 11:44 AM
To: 'lbuford@cityofsacramento.org'
Subject: Islands at Riverlake

Contacts: Ms. Lezley E. Buford AICP

Lezley:

How should the Housing Element Update July 1, 2002 - June 30, 2007 (adopted 10 June 2003) be referenced in the Initial Study? Should the Housing Element be referenced as a stand alone document or should the SGPU be referenced?

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703

Jennifer L. Williams

From: Andrew Bayne
Sent: Wednesday, November 24, 2004 12:22 PM
To: 'lbuford@cityofsacramento.org'
Cc: Jeffery Little
Subject: Islands at Riverlake Initial Study

Contacts: Ms. Lezley E. Buford AICP

Ellie:

It was good meeting with you yesterday. We have commenced preparing the Initial Study for the Islands at Riverlake project. Tina wants Sycamore Environmental to complete it by next Wednesday. We would greatly appreciate it if you could email me a current example of the City's Initial Study.

Thanks in advance. Also in advance, Happy Thanksgiving!

Andrew Bayne
Environmental Planner
Sycamore Environmental Consultants, Inc.
916/ 427-0703