



# REPORT TO COUNCIL

## City of Sacramento

# 36

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

PUBLIC HEARING  
February 28, 2006

Honorable Mayor and  
Members of the City Council

**Subject:** Natomas Field Development Agreement (P06-014)

**Location/Council District:**

Southeast of Arena Boulevard and East Commerce Way. APN: 225-0150-014, -018, -025, -027, -028, -030, -032, and -036. Council District 1.

**Recommendation:**

Planning Commission and staff recommend the City Council: 1) Adopt the Resolution approving the previously adopted Negative Declaration and Mitigation Monitoring Plan; and 2) Adopt the Ordinance for a Development Agreement between the City of Sacramento and Beazer Homes/ Acacia Credit Fund 10-A, LLC.

**Contact:** Arwen Wacht, Associate Planner, 808-1964; Gregory Bitter, Senior Planner, 808-7816

**Presenters:** Arwen Wacht, Associate Planner

**Department:** Development Services Department

**Division:** Planning

**Organization No:** 4875

**Summary:**

On July 27, 2005, the City Council approved the project entitlements for the Natomas Field project (P04-236), including a Development Agreement between the City of Sacramento and Beazer Homes. The approved effective date on the Development Agreement has expired, and the applicant is submitting a new application for a Development Agreement that requires approval by the City Council.



**Committee/Commission Action:**

On February 9, 2006, the Planning Commission unanimously approved (eight ayes and zero noes) the previously adopted Negative Declaration, Mitigation Monitoring Plan, and Development agreement and forwarded their recommendation to City Council for approval.

**Background Information:**

The Development Agreement approved by City Council on July 27, 2005, for Natomas Field (P04-236) stated that Beazer Homes was required to provide proof of title to the property covered by the Development Agreement within 90 days of the effective date of the ordinance. The Ordinance approving the Development Agreement became effective on August 26, 2005. Ninety days from August 26, 2005 was November 25, 2005, and at that time the City had not received a title report indicating Beazer's ownership of the property; therefore, the Development Agreement expired.

The original Development Agreement approved by the City Council listed the applicant, Beazer Homes, as the eventual property owner and signatory of the Development Agreement. The title report provided by Beazer Homes, prior to the expiration of the Development Agreement, indicated that Acacia Credit Fund 10-A, LLC was the owner of the proposed project site. By the time the correct ownership was verified, there was not sufficient time for the applicant to request an extension of the Development Agreement effective date. Therefore, the Development Agreement has expired, and the applicant has submitted a new application for the Development Agreement (P06-014) that will need to be approved by the Planning Commission and City Council.

It should be noted that Acacia Credit Fund 10-A, LLC will be the owner of record and signatory of the Development Agreement. Acacia is Beazer Homes' land banker for all divisions nationwide. For many of Beazer Homes' larger projects Acacia closes escrow on property purchased by Beazer and holds the property until Beazer Homes calls out a release (either phases of development, blocks of lots, etc.). At that point in time, Beazer Homes acquires title to the property and constructs homes.

**Financial Considerations:**

This project has no fiscal considerations.

**Environmental Considerations:**

On July 27, 2005, the City Council approved a Mitigated Negative Declaration for the originally proposed project (P04-236). Potentially significant environmental issues regarding water, air quality, biological, hazards, noise, and cultural resources were discussed and mitigated in this document. The current request to establish a new Development Agreement for the same project does not result in any impacts over and above what was previously analyzed.

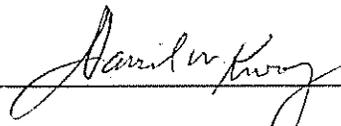
Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act Public Resources Code provides that an additional Negative Declaration (or Environmental Impact Report) need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. Thus, a previously adopted Negative Declaration is considered adequate for the subject proposal. The applicant has reviewed the previously adopted Mitigation Monitoring Plan and has signed a Mitigation Agreement in acceptance of the imposed mitigation measures.

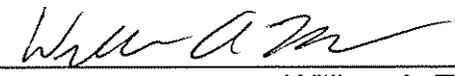
**Policy Considerations:**

The Natomas Field project has been determined to be consistent with applicable City policies, including the Inclusionary Housing Policy, the City's Smart Growth Principles, and the City's Strategic Plan.

**Emerging Small Business Development (ESBD):**

No goods or services are being purchased under this report.

Respectfully Submitted by:   
David Kwong  
Interim Planning Manager

Approved by:   
William A. Thomas  
Director of Development Services

Recommendation Approved:

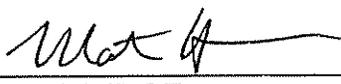
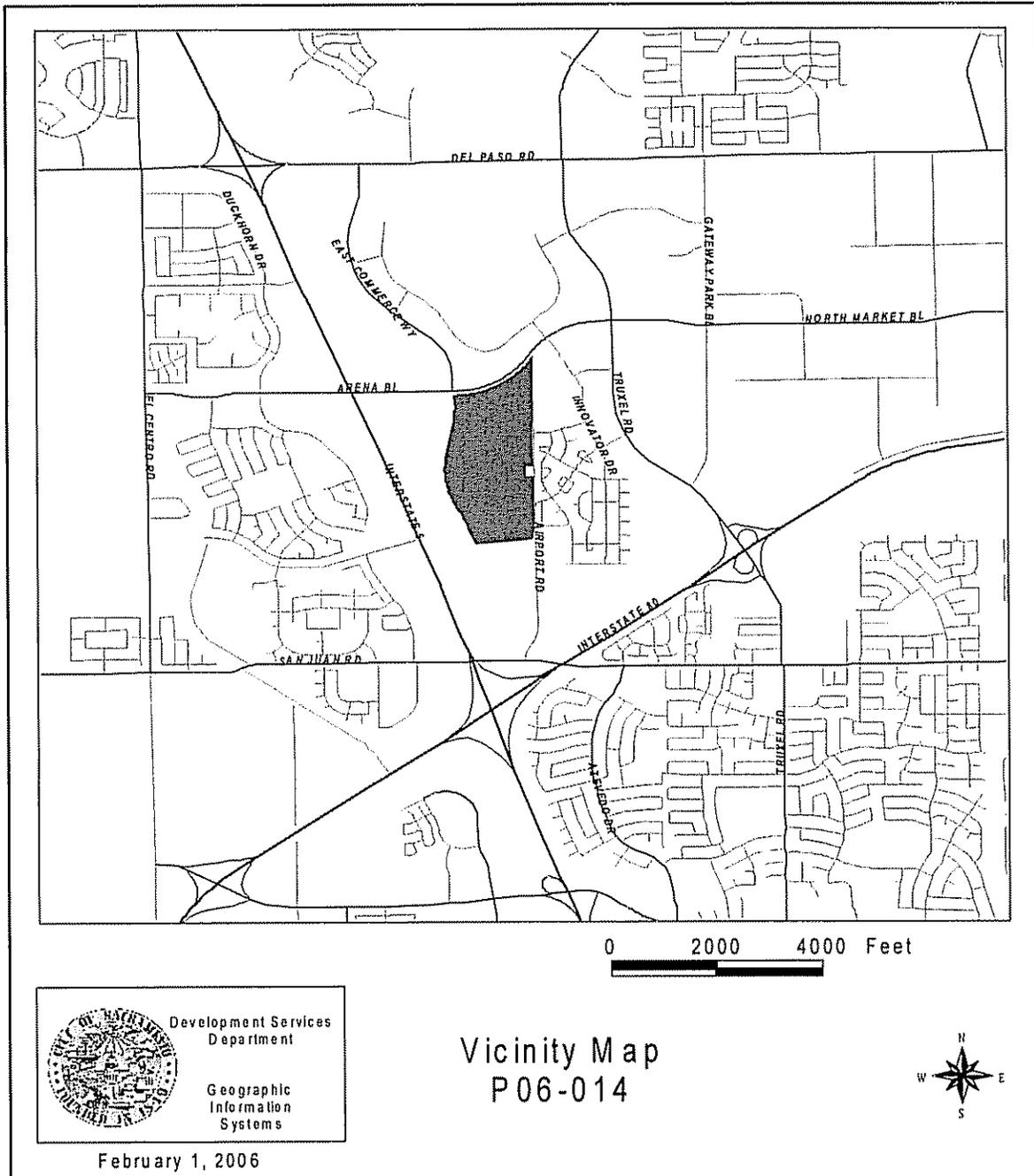
  
RAY KERRIDGE  
Interim City Manager

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Vicinity Map



Attachment 3 - Planning Commission Voting Record – February 9, 2006

CITY PLANNING COMMISSION  
**CONSENT ITEMS**

CPC AGENDA DATE: February 9, 2006

Item No.	Project No.	Title/Location	Action: Approved/ Denied/Cont'd
2		Synopsis of January 26, 2006 Planning Commission Meeting	APP'D
4	<del>P03-135</del>	<del>Trinity Episcopal Cathedral</del>	
8	P05-134	536 Wilson Avenue	APP'D
10	P05-130	520 Bowman TM	APP'D
11	P05-167	Jessie Avenue Condominiums	APP'D
12	P05-174	Devoll Variance	APP'D
13	P06-014	Natomas Field Development Agreement	APP'D

VOTE OF THE PLANNING COMMISSION:

COMMISSIONER:	Motion (M)/ Second (S)	YES	NO	ABSTAIN
Valencia	S			
Notestine				
Woo	M			
Banes – Vice Chair				
Taylor-Carroll – Chair				
Boyd				
Yee				
Wasserman				
Vacant				

Resolution Approving the Previously Adopted Negative Declaration and Mitigation Monitoring Plan

**RESOLUTION NO.**

Adopted by the Sacramento City Council

Date

**A RESOLUTION APPROVING THE PREVIOUSLY ADOPTED  
NEGATIVE DECLARATION AND APPROVING THE MITIGATION  
MONITORING PLAN FOR THE NATOMAS FIELD PROJECT,  
LOCATED SOUTHEAST OF THE INTERSECTION OF EAST  
COMMERCE WAY AND ARENA BOULEVARD, IN NORTH  
NATOMAS, SACRAMENTO, CALIFORNIA  
(APN: 225-0150-014, -018, -025, -027, -028, -030, -032 AND -036)  
(P06-014)**

**BACKGROUND**

A. The City Council of the City of Sacramento finds as follows:

1. On February 9, 2006, the Planning Commission found that a previous Negative Declaration and mitigation monitoring program was prepared and ratified by the Sacramento City Council on July 26, 2005 for the Natomas Field project (P04-236).

2. The Natomas Field Development Agreement (P06-014) does not propose to modify the previously approved Natomas Field project (P04-236).

3. The City of Sacramento's Environmental Planning Services determined that the Natomas Field Development Agreement (P06-014) does not require the preparation of a subsequent environmental impact report or negative declaration.

B. The City Council has determined that the previously adopted Negative Declaration constitutes an adequate, accurate, objective, and complete review of the Natomas Field Development Agreement (P06-014) and finds that no additional environmental review is required based on the reasons set forth below:

1. No substantial changes are proposed by the Natomas Field Development Agreement (P06-014) that will require major revisions of the previously adopted Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. No substantial changes have occurred with respect to the circumstances under which the Natomas Field Development Agreement (P06-014) will be undertaken which will require major revisions to the previously adopted Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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

a. The Natomas Field Development Agreement (P06-014) will have one or more significant effects not discussed in the previously adopted Negative Declaration;

b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration (P04-236);

c. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Natomas Field Development Agreement (P06-014); or

d. Mitigation measures which are considerably different from those analyzed in the previously adopted Negative Declaration (P04-236) would substantially reduce one or more significant effects on the environment.

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

Section 1. The City Council ratifies the previously adopted Negative Declaration for the Natomas Field project (P04-236) for the Natomas Field Development Agreement project (P06-014).

Section 2. The City Council ratifies the previously adopted Mitigation Monitoring Plan for the Natomas Field project (P04-236) for the Natomas Field Development Agreement (P06-014) based upon the following findings:

1. The mitigation monitoring plan has been adopted and implemented as part of the Project;
2. The previously adopted Negative Declaration does not include any new mitigation measures and has not eliminated or modified any of the mitigation measures included in the mitigation monitoring plan;
3. The mitigation monitoring plan meets the requirements of Public Resources Code.

**Table of Contents:**

Exhibit A: Mitigation Monitoring Plan – 11 Pages

Exhibit A – Mitigation Monitoring Plan

**NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN**

**FOR**

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

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

**DATE:  
May 3, 2005**

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

DATE:  
  
\_\_\_\_\_

ATTEST:  
  
\_\_\_\_\_

**NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name / File Number:** Natomas Field Project (P04-236)  
**Owner/Developer- Name:** JB Management  
**Address:** 2101 Evergreen Street  
Sacramento, CA 95815

**Project Location / Legal Description of Property (if recorded):**  
The proposed project site is located south of Arena Boulevard, east of East Commerce Way, and west of Airport Road on APNs 225-0150-014, -018, -025, -027, -028, -030, -032, and -036 in the North Natomas Community Plan area.

**Project Description:**  
The proposed project consists of the entitlements to allow the development of the project site for commercial, medium- and high-density residential, and park use.

**SECTION 2: GENERAL INFORMATION**

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

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

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>Water:</b> W-1: A Waste Discharge Requirements Permit shall be obtained. The groundwater beneath the project site shall be tested for contaminants as specified by the California Regional Water Quality Control Board. If the results of the testing indicate the groundwater beneath the site is a threat to human health, then remediation shall be completed.</p>	Developer	City Development Services Department	<p>Submittal of copy of Waste Discharge Requirements Permit.  Submittal of groundwater testing results and letter from CRWQCB agreeing to results.  Submittal of letter from CRWQCB that groundwater has been remediated (if human health hazard).</p>	<p>Measures shall be implemented in field during grading on APN 225-0150-030 and portions of APNs 225-0150-014 and 225-0150-028.</p>	

**NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN**

Mitigation Measure	VERIFICATION OF COMPLIANCE				
	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>Air Quality:</b></p> <p><b>Mitigation Measures for Operational Emissions</b></p> <p><b>AQ-1:</b> The Project Applicant/Developer shall submit an Air Quality Mitigation Plan to the SMAQMD for review and approval. The Project Applicant/Developer shall coordinate with the SMAQMD concerning the details of this Air Quality Mitigation Plan.</p> <p><b>AQ-2:</b> The Project Applicant/Developer shall implement the following list of items or a list of items as determined through coordination with the SMAQMD:</p> <ul style="list-style-type: none"> <li>• Install only natural gas fireplaces.</li> <li>• Exceed Title 24 Energy standards for cooling energy by 25% or comply with SMUD Advantage (Tier II) energy standards.</li> </ul> <p><b>AQ-3: Category 1: Reducing NOx emissions from off-road diesel powered equipment</b> The project shall provide a plan for approval by the lead agency, in consultation with SMAQMD, demonstrating that the heavy duty (&gt;50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction; and</p> <p>The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be</p>	<p>Applicant/Developer</p> <p>Applicant/Developer</p> <p>Developer</p>	<p>City of Sacramento and SMAQMD</p> <p>City Development Services Department and SMAQMD</p> <p>City Development Services Department and SMAQMD</p>	<p>Submission of TMA.</p> <p>Submission of plan showing items.</p> <p>Submission of an inventory of construction equipment that reduce NOx emissions.</p>	<p>Prior to receipt of building permit for construction.</p> <p>Prior to receipt of building permit for construction.</p> <p>Measures shall be implemented in field during grading and construction activities.</p>	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>and:</p> <p>AQ-4: <u>Category 2: Controlling visible emissions from off-road diesel powered equipment</u> The project shall ensure that exhaust emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SMAQMD shall be notified within 48 hours identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p>	Developer	City Development Services Department and SMAQMD	Monthly summary of the visual survey results.	Measures shall be implemented in field during grading and construction activities.	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
AQ-5: Prior to the approval of improvement plans or the issuance of grading permits, the Applicant will submit proof that the off-site air quality mitigation fee of \$3,082.00 has been paid to SMAQMD (or another fee as estimated by SMAQMD), and that the construction air quality mitigation plan has been approved by SMAQMD and the lead agency.	Developer	City Development Services Dept. and SMAQMD	Submittal of mitigation fee to SMAQMD.	Prior to the issuance of grading permits.	
AQ-6: Mitigation Measures AQ-1 and AQ-2 shall be followed for the construction phases of the project.	Developer	City Development Services Dept. and SMAQMD	Submission of an inventory of construction equipment that reduce NOx emissions.  Monthly summary of the visual survey results.	Measures shall be implemented in field during grading and construction activities.	
AQ-7: The Developer shall pay an air quality mitigation fee as determined by SMAQMD or a fee of \$42,307.00 for Phase I of construction, \$26,967.00 Phase II of construction, \$27,420.00 for Phase III of construction, and \$7,540.00 for Phase IV of construction.	Developer	City Development Services Dept. and SMAQMD	Submittal of mitigation fee to SMAQMD.	Prior to the issuance of grading permits.	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure		Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
				Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><u>Biological</u></p> <p>BR-1: The project applicant/developer shall: (i) comply with all requirements of the NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS; and (iii) comply with all conditions in the TTPs that were issued by the USFWS and CDFG.</p>		Developer	City of Sacramento, Development Services Dept., CA Dept. of Fish and Game, USFWS, and US Army Corps of Engineers	<p>Submittal of construction plans with mitigation measures identified.</p> <p>Implementation of mitigation measures prior, during, and after construction.</p> <p>Consultation with the appropriate agencies.</p>	Prior to the issuance of a grading permit.	
<p>BR-2: The Developer shall receive a verification from the U.S. Army Corps of Engineers as to the jurisdictional status of the drainage swale. If the drainage swale is considered Waters of the U.S., then the Developer shall obtain a Section 404 permit, Section 401 Water Quality Certification, and a 1601 Fish and Game Agreement. The Developer shall follow all components of the permits.</p>		Developer	City of Sacramento, Development Services Dept., CA Dept. of Fish and Game, USFWS, and US Army Corps of Engineers	<p>Submittal of construction plans with mitigation measures identified.</p> <p>Implementation of mitigation measures prior, during, and</p>	Prior to the issuance of a grading permit.	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
			after construction. Consultation with the appropriate agencies.		

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>Hazards:</b></p> <p>H-1: The Project Developer shall work with the California Regional Water Quality Control Board (CRWQCB) to develop a remediation plan for the project site. The project site's soils on APNs 225-0150-030, and the contaminated portions of -014, and -028 shall be remediated to a level commensurate with residential health standards. If groundwater is encountered and is considered a threat to human health, remediation of the groundwater shall also be completed.</p> <p>Remediation must be completed to the satisfaction of the CRWQCB before issuance of any permits related to any construction activities, excluding grading, on contaminated areas (APNs 225-0150-030 and portions of -014, and -028) begin. Evidence that the remediation on contaminated areas has been completed to the satisfaction of the CRWQCB must be submitted to the City's Development Services Department, Building Division prior to the start of construction activities, excluding grading. The Project Developer may begin construction activities (excluding grading) in areas that are considered clean (APNs 225-0150-025, -027, and -036 and portions of APNs -014 and -028) with the submittal of a map and letter from the CRWQCB indicating which areas are clean enough to conduct project construction activities (excluding grading). The Project Developer shall cordoned off the contaminated areas prior to beginning grading activities on the clean areas.</p>	Developer	City Development Services Dept., CA Regional Water Quality Control Board	<p>Submittal of remediation plan and evidence that remediation has been completed.</p> <p>Submittal of map (with evidence of CRWQCB approval) showing the clean areas.</p>	Prior to issuance of a grading permit.	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<b>Noise:</b> N-1: A minimum of STC 32 rated windows shall be installed on all second and third floors of residences that face Arena Boulevard.  N-2: Air conditioning shall be provided at all residences to allow the ability to close windows.	Developer	City Development Services Department	Note shall be included in building plans.	Measures shall be implemented in field during grading and construction activities.	
	Developer	City Development Services Department	Note shall be included in building plans.	Measures shall be implemented in field during grading and construction activities.	

NATOMAS FIELD PROJECT (P04-236)  
MITIGATION MONITORING PLAN

Mitigation Measure	VERIFICATION OF COMPLIANCE			
	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing
<p><b>Cultural Resources:</b></p> <p>CR-1: If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p> <p>CR-2: If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Developer	City Development Services Department	Note shall be included on the Map and within the Standard Construction Specifications	Measures shall be implemented in field during grading and construction activities.
				Verification of Compliance (Initials/Date)

Ordinance Approving the Development Agreement

**ORDINANCE NO. 2005-XXXX**

Adopted by the Sacramento City Council

Date

**AN ORDINANCE RELATING TO THE APPROVAL OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND BEAZER HOMES/ACACIA CREDIT FUND 10-A, LLC, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ARENA BOULEVARD AND EAST COMMERCE WAY. (APN: 225-0150-014, -018, -025, -027, -028, -030, -032, and -036) (P06-014)**

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

SECTION 1

This Ordinance incorporates, and by this reference makes part hereof, that certain Development Agreement, by and between the City of Sacramento and Beazer Homes/Acacia Credit Fund 10-A, LLC, a copy of which is attached hereto.

SECTION 2

The City Council finds:

1. The agreement is consistent with the city general plan and the goals, policies, standards and objectives of any applicable specific or community plan;
2. The project should be encouraged in order to meet important economic, social, environmental or planning goals of any applicable specific or community plan;
3. The project would be unlikely to proceed in the manner proposed in the absence of a development agreement;
4. The landowner will incur substantial costs in order to provide public improvements, facilities or services from which the general public will benefit;
5. The landowner will participate in all programs established and/or required under the general plan or any applicable specific or community plan and all of its approving resolutions (including any mitigation monitoring plan), and has agreed to financial participation required

under any applicable financing plan and its implementation measures, all of which will accrue to the benefit of the public;

6. The landowner has made commitments to a high standard of quality and has agreed to all applicable land use and development regulations.

### SECTION 3

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

Exhibit A – Development Agreement

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

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

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

