Dear Chair and Commissioners,

Since 1999 I have been a resident of Bridgeway Towers condominiums, directly next to the project site.

The Staff Report for the Planning Commission hearing for review and comment on the Sacramento Commons project has been posted on City website. The public Notice of Meeting says that the Commission "shall review and comment only on the proposed entitlements, which include: Development Agreement; Rezone; PUD Establishment; Tentative Map (3 into 6); and Site Plan and Design Review."

The Staff Report omits Kennedy Wilson's ("KW") conceptual "as built" illustrations of the project in KW's draft PUD Guidelines, May 2014. These are attached for your information. There are two 6-story parking structures not clear in the illustration. My reaction: "Concrete Claustrophobia."

The Staff report fails to disclose basic information needed for informed review and comment by the Planning Commissioners, summarized below:

- Fails to disclose that there are well over 200 large trees on the project site, including many approaching "heritage tree" circumference, and park-like green spaces open to the public. All would be demolished except for three "heritage" trees and 35 curbside street trees.

- Fails to disclose that the project if approved would place 7-story buildings (70-80 ft high) only forty feet from south-facing Bridgeway condos and north-facing Pioneer Tower senior apartments, creating sunless canyons, blocking cooling breezes, compromising common area and unit privacy contrary to Central City design guidelines, and devaluing Bridgeway's condos. The previously adopted plan for this area mixing high rise and low rise buildings said that buildings should be set back one-half the combined height of adjacent buildings (which in this case would be closer to 80 feet).

- Fails to disclose that the two mid-rise apartments would be partially built on an existing recorded community pedestrian and recreational non-exclusive easement appurtenant to and for the benefit of all properties of the superblock, including Bridgeway and Pioneer Towers, whose owners have not consented to terminate the easement.

- Fails to disclose the years of demolition and construction noise and disruption that would be inflicted upon residents of adjacent Pioneer and Bridgeway Towers - most notably upon retired and mobility-impaired residents of Pioneer Towers senior apartments, who are in their apartments during daytimes and unable to avoid the daytime noise.
• Fails to disclose that the project Applicant is not a developer but is instead a real estate investment fund (speculator) that has never built, developed, or coordinated any project from the ground up and has no developer partner.

• Failure to disclose the responses of various City departments which were consulted by Planning Dept. The project would have substantial impacts on sewer and stormwater utilities in the area. Proposed landscape in the 6th St promenade may conflict with Fire Code requirement for unobstructed fire truck access alongside wooden seven-story apartments.

• Fails to disclose that the superblock - Capitol, Pioneer, and Bridgeway Towers and Capitol Villas - was designed by renowned architects over 60 years ago as a single Redevelopment project for Sacramento Redevelopment, and built accordingly (748 units). It is now a thriving model neighborhood for a livable downtown - green space, tree canopy, low and high rise, rental and condos, senior housing, all adult ages, and a vital centerpiece of downtown. It has been nominated for the National Registry of Historic Places.

• Fails to disclose how much open space would be preserved, how much would be public, how much would be private and gated, how much would be covered with hard surface, and how that compares to the existing healthy community (80 percent open space).

It appears that the early review is being turned into a dog and pony show for the Applicant and provides little objective information to the Planning Commissioners and public about issues critical to the design or even desirability of the project.

Jim Pachl
500 N St #1403
444-0910
Figure 2.5: Conceptual View from P Street to North-South Promenade

Figure 2.6: Conceptual View of Civic Plaza from the Corner of 7th and P Streets
Figure 2.7: Conceptual View towards Hotel from N Street

Figure 2.8: Conceptual View of Mid-Rise Development from 5th Street
Figure 1.3: Master Plan Concept

Source: Van Tilburg, Banvard & Soderbergh, Melendrez, AECOM, 2014
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Max. Units or Rooms</th>
<th>Use Area (square feet)</th>
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<tbody>
<tr>
<td><strong>Parcel 1 (3.22 net acres)</strong></td>
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<tr>
<td>Residential (24-story high-rises)</td>
<td>550</td>
<td>496,680</td>
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<td>Neighborhood Support [3]</td>
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<td>24,000</td>
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<tr>
<td>Live/Work Units</td>
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<td><strong>Parcel 2A (1.83 net acres)</strong></td>
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<td>Residential (7-story mid-rises)</td>
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<td>199,250</td>
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<td>Neighborhood Support [3]</td>
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<td>Live/Work Units</td>
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<td><strong>Parcel 2B (1.90 net acres)</strong></td>
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<td>Residential (7-story mid-rises)</td>
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<td>199,250</td>
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<tr>
<td>Neighborhood Support [3]</td>
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</tr>
<tr>
<td>Live/Work Units</td>
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<td>13,500</td>
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<tr>
<td><strong>Parcel 3, Hotel Scenario (2.08 net acres)</strong></td>
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<tr>
<td>Hotel Rooms</td>
<td>320</td>
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<tr>
<td>Residential (22-story high-rise)</td>
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<td>Live-Work Units</td>
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<td>Residential (22-story high-rise)</td>
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<td>Live-Work Units</td>
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<td><strong>Parcel 4A (0.76 net acres), Existing Capitol Tower</strong></td>
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<td>Residential (15-story high-rise)</td>
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<td>Neighborhood Support/Retail</td>
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<td><strong>Parcel 4B (0.34 net acres)</strong></td>
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<td>Residential (5-story mid-rise over 2 levels of live-work)</td>
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<td>Live/Work Units</td>
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<td>Total Residential</td>
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<td>Hotel Rooms</td>
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<td>Neighborhood Support/Retail</td>
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<td><strong>Project Totals Based on No Hotel Scenario on Parcel 3 (10.13 net acres)</strong></td>
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<td>Total Residential</td>
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<td>Neighborhood Support/Retail</td>
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<td>65,122</td>
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**Notes:**

[1] All areas are based on net developable acres. Average density is based on total residential units (including live-work) over the net developable area. Hotel units are not included in the residential density calculations. Floor area ratio is the sum of the use area divided by the net developable area.

[2] In Parcel 3, neighborhood support/retail includes first and second floor space.

[3] Neighborhood support uses in Parcels 1, 2A, 2B, 3 (No Hotel Scenario), and 4B may consist of amenities exclusively available for building residents (e.g. gym, spa, etc.); thus, the buildings in each of these parcels are considered residential and not mixed-use.

**Source:** Van Tilburg, Banvard & Soderbergh, Thomas Law Group, 2014
<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Project Proposal</th>
<th>Consistent w/ Existing Code (Y = Yes; N = No)</th>
<th>Applicable Code Section Reference</th>
<th>Notes</th>
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<tbody>
<tr>
<td>Tower Separation</td>
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<td>Y</td>
<td>17.208.740.D.5</td>
<td>80’ minimum</td>
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<tr>
<td>Tower Bulk Control Standards for Towers up to 240' for Hotel Scenario</td>
<td>• Max. Plan Dimension: 290 feet</td>
<td>N</td>
<td>CCUDG, Chapter 4, Section C.2.b.</td>
<td>Existing standard: • Max. Plan Dimension: 160 feet • Max. Diagonal Dimension: 200 feet</td>
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<tr>
<td></td>
<td>• Max. Diagonal Dimension: 300 feet</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Tower Bulk Control Standards for Towers up to 240' for High Rise Residential and Residential Mixed-Use Buildings</td>
<td>• Average Tower Floor Plate: 13,500 sf</td>
<td>N</td>
<td>CCUDG, Chapter 4, Section C.1.c</td>
<td>Existing standard: • Average Tower Floor Plate: 7,500 sf • Max. Plan Dimension: 90 feet • Max. Diagonal Dimension: 120 feet</td>
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<td></td>
<td>• Max. Plan Dimension: 190 feet</td>
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<td></td>
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<td></td>
<td>• Max. Diagonal Dimension: 205 feet</td>
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**Other Development Standards**

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<thead>
<tr>
<th>Development Standard</th>
<th>See Code Chapter 17.600</th>
<th>Y</th>
<th>17.208.750.A</th>
<th>No change</th>
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<td>Architectural Design Guidelines</td>
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<td></td>
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<tr>
<td>Landscaping and Paving Requirements</td>
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<tr>
<td>Recycling and Solid Waste Disposal Regulations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wall, Fence, and Gate Regulations</td>
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<td></td>
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<tr>
<td>Residential Accessory Structure</td>
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<tr>
<td>Parking Requirements</td>
<td>New standards proposed; refer to explanation of updates below</td>
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<td></td>
<td>Project specific standards proposed, as described below</td>
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<tr>
<td>Sign Standards and Regulations</td>
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Hello again Planning and Design Commission Members —

I am writing to update you regarding the issue involving the proposed “Sacramento Commons” project — currently known as Capitol Towers. Here is the link to our downloadable draft nomination for Capitol Towers to the National Register of Historic Places. http://bit.ly/CapitolTowersHxNom

Sacramento Modern (SacMod) has submitted the nomination to the California State Office of Historic Preservation. It was prepared by Flora Chou of Page & Turnbull in collaboration with SacMod, who conducted extensive research.

A brief synopsis of our findings:

Capitol Towers and Garden Apartments (Capitol Towers), constructed between 1959 and 1965 on most of a four-block area in downtown Sacramento, California, is significant under Criterion A in the area of Community Planning and Development as the first privately-sponsored urban redevelopment project in Sacramento and in California. Its initial phase of 92 garden apartment units, dedicated in 1960, represents the first implementation of federal urban redevelopment funds in the West. As the Sacramento Redevelopment Agency’s Capitol Mall Redevelopment Project was the first to use tax increment financing, the construction of Capitol Towers was at the forefront of redevelopment in California that would reshape many of the state’s urban areas in the second half of the twentieth century.

Capitol Towers is also significant under Criterion C as a well-planned and well-designed example of urban redevelopment housing. Not only does its pedestrian-oriented design combine low-rise and high-rise buildings, integrated landscape features, parking at the periphery, and amenities for its residents, the site also maintains a strong urban presence while balancing privacy and community for its residents. Capitol Towers was recognized for its thoughtful and people-oriented design and planning features from conception through completion, even as the designers refined the design while adhering to the requirements that came with federal funding. In addition, it was the first redevelopment project for many of its talented design team that included Wurster, Bernardi, and Emmons, Edward Larrabee Barnes, DeMars & Reay and Lawrence Halprin. Wurster, Bernardi, and Emmons and Lawrence Halprin in particular would go on to design several more significant urban redevelopment projects in the Bay Area and around the country.

Thank you for reading our nomination in preparation for the review and comment scheduled for the Sacramento Commons Project on the Commission's July 24th agenda. Clearly, one of the critical analyses in determining whether or not a full EIR should be conducted is whether or not there is a possibility that the site is an historic resource. As you can see, our nomination asserts it is indeed an historic resource.

Gretchen Steinberg
President
SacMod.org

On May 19, 2014, at 8:30 PM, gretchen steinberg <sacramentomodern@comcast.net> wrote:

Dear City of Sacramento Planning and Design Commission Members,
Usually I am sending out emails inviting interested people to one of our many fun events celebrating modernism in Sacramento; perhaps you have been to one of our home tours, film screenings or other events.

Today I am writing to you this evening to provide you with a copy of our organization's analysis and comments regarding the Notice of Preparation for Sacramento Commons. I understand that you have been meeting with various parties regarding this proposed project.

Please see our attached letter dated May 6th as well as our Fact Sheet regarding the Capitol Towers neighborhood. I am also including input from Sacramento Old City Association, the California Preservation Foundation and the National Trust for Historic Preservation. Perhaps you have already seen these — and, if so, sorry for the duplicates.

I appreciate your thoughtful consideration of what our organizations have to say. We believe the site qualifies as an historic resource under CEQA. The project and all feasible preservation alternatives should be evaluated through the EIR process.

Please feel free to contact me with any questions or comments. I look forward to hearing from and meeting with you.

Kind regards,

Gretchen Steinberg
President, Sacramento Modern (SacMod)
sacmod.org

Attachments:
1) 2014.05.06.P14-012.NOPResponse.SacMod.pdf
2) 2014.05.05.CTFactSheet.SacMod.pdf
3) CPF NOP Response Sacramento Commons.pdf
4) NTHP Sacramento CT NOP letter FINAL.PDF
5) SOCA Sacramento Commons NOP.pdf

<2014.05.06.P14-012.NOPResponse.SacMod.pdf><2014.05.05.CTFactSheet.SacMod.pdf><CPF NOP Response Sacramento Commons.pdf><NTHP Sacramento CT NOP letter FINAL.PDF><SOCA Sacramento Commons NOP.pdf>
July 21, 2014  
Kiyomi Burchill, Chair  
Members of the Planning and Design Commission  
300 Richards Blvd. 3rd Floor  
Sacramento, CA  

Re: P14-012: Sacramento Commons  

Dear Chair Burchill and Commission Members  

I am submitting the following comments for consideration as part of the Planning and Design Commission’s ‘Review and Comment’ meeting on the above referenced project:  

1. **The current Capitol Towers site including all buildings, landscape and layout may be an historic resource under CEQA and may be eligible for listing on the National Register of Historic Places.** As you are aware, Kennedy-Wilson, the owner of the site of the proposed Sacramento Commons project has submitted an evaluation by their consultant stating that what is currently known as the Capitol Towers site (buildings and landscape) is not an historic resource. SacMod, a non-profit with expertise in Mid-Century Modern buildings disagrees and has filed an application with the State Office of Historic Preservation to begin the process of listing the Capitol Towers site on the National Register of Historic Places. It will be several months before a final determination is made, but many members of the Sacramento preservation community believe that it is likely that Capitol Towers will be listed. ‘World Class Cities’ (something that Sacramento aspires to be) value and protect their historic resources. The Planning and Design Commissioner need to think long and hard before supporting the demolition/destruction of all or part of a site that may very likely qualify for National Register listing.

   The Preservation Commission was scheduled to provide ‘review and comment’ on the Sacramento Commons proposal at its July 16th meeting. At the last minute that ‘review and comment’ was continued to the Commission’s August 20th meeting. It is unfortunate that the Planning and Design Commission will not have the benefit of reviewing the Preservation Commission’s comments prior to having its own discussion.

2. **Density/Open Space:** Per the staff report, the density of the existing Capitol Towers site is 40 residential units per acre, while the minimum density per acre under the 2030 General Plan is 61 units (a requirement that applies to new, not existing developments). There is great value in having the kind of density that makes it possible for more people who work in the Central City to live here. But there is also great value in preserving the open space that currently exists at the Capitol Towers site. That open space, while privately owned, is open to the public and has always functioned as a de facto public park. It is an amenity for site residents, surrounding neighborhoods and people who work nearby. The Central City needs this kind of open space to enhance livability and the need will increase as population density grows. Between vacant and poorly utilized parcels in the CBD, the Railyards and the Docks area, there is plenty of opportunity to dramatically increase housing density in and around the Central City without destroying the existing Capitol Towers site and losing the open space it provides.
3. **Trees**: The Capitol Towers site is very heavily forested. (A 2008 tentative site map showed 232 trees: 191 on the property, the remainder street trees.) The arborist (Dudek) report deals only with the street trees and trees that meet the City’s current definition of ‘heritage trees’ (a total of 57 trees). Because of this, the report does not even begin to convey the magnitude of the tree loss that will occur if the Sacramento Commons project is approved. It also fails to deal with the possible damage to trees on the immediately adjacent Bridgeway Tower property. The number and size of the trees on the Capitol Towers site is a major reason that so many residents and downtown workers love the site. SacMod’s National Register nomination includes the trees and surrounding landscape and contains detailed documentation of the value that the site’s architects placed on trees and their desire to make sure that their project was designed in such a way that existing trees did not need to be removed. (Their view of trees was much more enlightened than the City’s current view.)

The impact of the removal of so many trees needs to be viewed in terms of both the site and the ongoing decline of the Central City’s urban forest. The Central City has lost a great many of its mature street trees, some due to age/disease and many more due to development. A significant number of the trees that were lost have never been replaced, either because there was no longer space for trees or because the City just didn’t get around to replacing them. Many of the replacement trees that have been planted are not doing well, perhaps due to increased heat and drought. Some replacement trees have died and others have been destroyed by vandals. It will be decades, if ever, before the replacement trees that survive reach the size of the trees that were removed. The continuing loss of trees has a negative impact not only on the beauty and livability of the Central City, but on air quality and on the City’s efforts to address global warming. (Trees sequester carbon. Increasing the size and density of urban forests is viewed as an effective means for cities to address global warming).

In making its recommendations, the Commission needs to look seriously at how many trees will be lost (never to be replaced) if the Sacramento Commons proposal is approved and how that loss will contribute to the overall decline of the Central City’s urban forest.

4. **Sustainability considerations**: The Capitol Towers site includes one high rise apartment building with 203 units. It also includes 206 low rise ‘garden apartments’, surrounded by trees and green space. All the garden apartments are slated for demolition, along with most of the trees and other landscape features. Capitol Towers has been and continues to be a very successful project. It is well maintained. People want to live there. Tearing down all but the high rise is a tremendous waste of materials (even if some of those materials are recycled), of embodied energy, and of the new energy needed for demolition/construction. It will increase greenhouse gases while destroying trees that sequester carbon. Density is good, but this kind of waste in the name of greater density flies in the face of sustainability and careful use of finite resources. This isn’t a case of greater density here or nowhere. As stated previously, here are plenty of vacant lots and un-maintained, badly rundown buildings in the CBD, plus all the space available at the Railyards and in the Docks area. It is understandable that the owners of the Capitol Towers site want to maximize their profits by greatly increasing density at the site, but the Planning and Design Commission needs to think beyond their profits to what is best for the City including the best use of finite resources and minimization of greenhouse gas.

5. **Affordable Housing/Variety of Housing Types**: The housing component of the Sacramento Commons project is all market rate housing. This is understandable in terms of
Kennedy-Wilson’s desire for maximum profit, but it raises serious question in terms of the kinds of housing that people who work in the Central City need in order to be able to live near their jobs. The 206 garden apartments that are proposed for demolition are affordable to households that would not be able to afford the cost of living in one of the new mid or high-rise apartments. If the Sacramento Commons project is ultimately allowed to go forward, it needs to include an ‘affordable’ component. Density is supposed to reduce car trips, but it will not do so if large numbers of people who work in the Central City cannot afford to live here and (given our woefully inadequate transit system) are forced to drive to work.

New housing in the Central City (and specifically in CBD) needs to be built not just for a variety of income levels, but also for a variety of household types, including families with children and multi-generational households. Thus far the new apartment buildings that are being built in the Central City (think 16th Street) are primarily studios and one bedroom, with some two bedrooms. There are very few places for families or households of more than one or two people, regardless of income level. If we really want a city where people can live close to where they work, attention needs to be given to how to create housing not just for a wide variety of incomes, but for a wide variety of household types. Again, if the Sacramento Commons project is allowed to go forward, it needs to address this issue.

6. **If demolition is allowed, will anything new really get built?** Given the current state of the economy, it is fair to ask whether there will be a market for all the market rate apartments and condominiums that are proposed. If the Sacramento Commons project is approved, we run the very real risk of losing a well maintained, well loved neighborhood (and probably an historic resource) and being left with blighted vacant lots surrounded by buildings where people no longer want to live.

In conclusion, while I look forward to much greater density in the Central City, I am opposed to using density as a justification (or excuse) for demolishing a successful neighborhood, especially given all the issues cited above.

Thank-you for taking time to read my comments.

Karen Jacques
The article by Tony Bizjak about Sacramento Commons, which everyone knows as Capitol Towers, was in a positive light and fulfilling the Cities desire for more housing in the central city. Have you not noticed all the construction of townhouses and rental properties that have been completed or near completion or in the planning stage, happening in the central city? May issue of Sactown Magazine lists them all. There is still many vacant lots in the central city.

That is why it does not make sense to destroy a functional – 90% occupied - beautiful prominent architecturally planned and designed during the big redevelopment era of mid-fifties and early 60’s in the west end of Sacramento.

This complex was completely renovated in the retro, mid-century modern style in ’05 & ’06. The exterior paint colors were appropriate instead of the recent color painted a gray and beiges colors.

The new owners, Kennedy-Wilson, are investors, from southern California, not local developers. The plan is to sell off blocks after the two-story villa apartments are demolished. There is no concern for condominium owners of 500 N Street, or the residences of Pioneer Towers, for their loss of light and views. The upper floors of Bridgeway Towers now have a view of the Capitol building and its surroundings. In fact one proposal for a ‘mid-rise’ (8 stories or less) apartment will only be a few feet from the south façade of Bridgeway Towers.

Why destroy a functioning central city, beautiful, historical residential complex. It was designed by William Wurster (UC Berkeley School of Architecture is named for him) in a garden residential Mid-Century Modern design over 50 years ago. This complex would qualify for National Register of Historic Places listing.
NEW RESIDENTIAL HOUSING NEAR OR IN DOWNTOWN:

**Proposed projects:**
- Railyards & River District
  - Township 9 – Richards Blvd. Hwy 16 – 10,000 to 12,000 units entitled in this district & the above
  - Crystal Creamery property – C Street between 11th & West
  - SW area south of Broadway- has started demolition on warehouses?
  - McKinley Park Village – close to central City 334 homes
  - 14th & I Street – condos (D&S developers) Units_?____
  - Former Clarion, 700–16th Sts-160 units –Senior Housing

**Rental units underconstruction or begining construction soon:**
- **The KAY** – Block between 7th to 8th Streets – will have 137 units + 72,000 sqft retail & entertainment
- **Legado deRavel** – 16th St between N & P Streets, two 5 story apartments w/ retail on ground floor. 84 apartments
- **16 Powerhouse** – 16th & P St.- 50 unit apartment six-story building w/ restaurant on the ground floor (Magpie Café’)
- **The WAL** (Warehouse Artist Lofts) R & 11th Streets – 116 apartment Units. Will be completed early 2015.
- **The Warren** – corner of N & 16th Streets -118 rental units- will be completed early 2015
- **LaValentina** 12th & E Street housing- 3- three story bldgs. w/ 81 units – affordable apartments

- 7th & H St. – 6 story w/retail on ground floor w/150 apartment Units-studios & 1 Brd. Reports claim it is the last of low income financing available. Mercy Low income housing level – _? units
New Residential Homes being built:
- **Tapestri Square** – block of 20<sup>th</sup> to 21<sup>st</sup> T & U Streets – 58
  Townhouses – 3 story
- **Curtis Park Village** – in old Western Pacific railyards, will be retail, homes. 294 single-family homes, 132 market-rate multi-family units & 92 senior affordable housing multi-family units. Also 180,000 sqft of retail space.
- **2500 R Street Townhouses** (solar powered) on 26<sup>th</sup> St. – 34
  Townhouses- 2 & 3 Brds. 2-story
- **Townhouses**, S St & 20<sup>th</sup> St – two story 2 & 3 Brd, completed winter ’13 – 9 townhouses
- **Many single lot infill houses** over the last 3 to 5 years.

- **24<sup>th</sup> & S STs** 5 single family houses

West Sacramento near river:
- **Capitol Yards** – apartments in Raley Landing neighborhood, 282 units, that W.Sacramento plans approximately 4000 new residential units in this area. Will hopefully include streetcar service to downtown Sacramento.
- **The Park Moderns** – just south of Raley Field – 32-unit townhouses - completed June ’14
- **Housing & apartments** in the River district are projected at 2500 Units, now under construction

*These are my own compilation I have gleaned together-Kathleen Green
July, 2014*
Bridgeway Towers Owners’ Association  
c/o: AMC  
1401 El Camino Ave. #200  
Sacramento, CA 95815  
(916) 565-8060  

July 22, 2014

Chair and Commissioners  
City of Sacramento Planning Commission  
David Kwong, Planning Director  
Scot Mende, Senior Planner  
300 Richards Blvd, Third Floor  
Sacramento, CA 95811

via email and hard copy

Comments Bridgeway Towers Owners Association regarding proposed “Sacramento Commons” project.  
Planning Commission Meeting, July 24, 2014, 5:30 pm

Dear Chairperson, Commissioners, and Messrs. Kwong and Mende,

Bridgeway Towers, also known as 500 N Street, is a concrete 15-story, 143-unit condominium building, with an attached 2-story enclosed parking garage, located at the southeast corner of 5th and N Streets, immediately next to the proposed Sacramento Commons project site. It was built in 1980 as the final component of the 4-block “superblock” designed by renowned architects in 1960 for the City Redevelopment Agency.

Bridgeway has 134 residential condominium units and nine commercial office condominiums. Most have been remodeled and were purchased by their current owners between 2006 and the present time. Bridgeway condominium owners have substantial financial investments in their condominium units, and are committed to the future of downtown.

Our neighborhood is healthy, mature, and thriving. It contains high-rise senior apartments, condominiums, and rental apartments, low and high rise, with a canopy of over 200 large trees and green space throughout. It is an amenity for residents and an oasis for everyone who lives or works in the area. Many Bridgeway Owners and residents were attracted here because of the park-like ambience in the midst of an urban area. There are 748 residential units with the superblock (Bridgeway, Pioneer, Capitol Towers, and Capitol Villas. All of the residential structures have been substantially upgraded during the past decade. Kennedy Wilson would tear our the low-rise Villas and
almost all of the trees and green space, and install massive buildings that some residents characterize as “Concrete Claustrophobia.”

If approved by the City, the proposed Sacramento Commons project and the impacts of the project’s construction would have very substantial impacts on Bridgeway Towers and its the owners. Some effects would be very negative.

The Bridgeway Towers Board of Directors fully supports the letters submitted to the Planning Commission by Bridgeway residents Judith Lamare dated July 21, 2014; James Pachl dated July 18, 2014 (submitted via email), and we share those concerns. We support the excellent the well-researched letters submitted by Sacramento Modern, and that organization’s Nomination of Capitol Towers and Villas for State recognition as an historical site.

Some of our concerns are as follows:

- The Kennedy Wilson project would devalue a number of Bridgeway units by putting a 7-story wall of apartments only 40 feet from the south-facing Bridgeway units, measured wall to wall, creating a sunless canyon, blocking cooling breezes and air circulation, and likely destroying Bridgeways trees along the fenceline during construction. Residents privacy will be compromised - we would be looking into the windows of their bedrooms and living rooms 40 feet away and vice versa. At previous public outreach meeting hosted by Kennedy Wilson, Bridgeway residents more than once asked Kennedy Wilson to put greater distance between Bridgeway and proposed neighboring mid-rise apartment. Kennedy Wilson’s spokesman, David Eadie, flatly refused. Individuals have repeatedly raised that issue in correspondence to City Planning staff, to no avail. This is unacceptable. We respectfully ask the City to require that the nearest Kennedy Wilson multi-story structures be no less than 100 feet from the wall of Bridgeway Towers. ATTACHED is a photo showing a person standing 40 measured feet from the south wall of Bridgeway’s east wing. As shown in the photo, the east and west wings of Bridgeway are offset by ten feet.

- The mid-rises between Bridgeway and Pioneer Towers will have large rooftop HVAC units generating substantial noise, particularly during hot weather, that would impact residents of Bridgeway and Pioneer Towers, especially the upper floors. Bridgeway residents have been subjected to unacceptable noise level from the large HVAC units at Capitol Towers and 500 Capitol Mall (which extends to N Street). City should require that HVAC units be used which generate minimum operating noise,. Even so, the HVAC units will have unmitigated cumulative noise impacts on residents of Bridgeway and Pioneer Towers when added cumulatively to other existing sources of outdoor noise.
• The first two levels of the proposed neighboring 7-story apartment would be a parking garage with open sides facing Bridgeway, funneling auto noise and exhaust at all hours towards the south-facing Bridgeway units, and thereby devaluing Bridgeway units. This is unacceptable. Sound travels upward and is enhanced by the echo effect of tall concrete buildings, especially buildings facing each other at close distance. The City should require that the parking structure wall facing Bridgeway be fully enclosed with a solid wall. The same should apply to all parking structure walls facing residential buildings.

• Although we do not speak for the owners of Pioneer Towers senior apartments, the same impacts would be suffered by residents of the north-facing Pioneer Tower residents, who would be facing an identical 7-story apartment (with two floors of parking) 40 feet away.

• Kennedy Wilson’s proposed 7-story mid-rise would be partly constructed atop a nonexclusive pedestrian right of way (easement) running irregularly through the superblock, recorded September 16, 1960, granted by the original Capitol Towers developer to City Redevelopment, designated by diagonal hatch marks on the proposed Tentative Map, drafted by Nolte Engineering, 3/28/08, submitted to City for the proposed Bond project in 2008, ATTACHED. That easement includes the sunken garden and surrounding area immediately south of the Bridgeway fenceline and west of the 6th St walkway, as shown on the attached map. The recorded easement document says “Such easement shall be for the benefit and severally appurtenant to” all of the properties within the superblock, including the tract now known as Bridgeway Towers. A similar area north of Pioneer Tower is also subject to that easement. Termination would require consent of all owners of all properties in the superblock, which has not occurred. It is unlawful for a landowner to build a structure atop a pedestrian easement for the benefit of and appurtenant to another property. The City should require Kennedy Wilson to redesign its buildings to remove them from any parts of the existing pedestrian easement south of Bridgeway and north of Pioneer Towers.

• Kennedy Wilson recently circulated a flyer to its Capitol Tower residents which states that construction will take at least six years, in phases. This means six years of daytime demolition and construction noise, which would make life hell for those residents of Bridgeway, Pioneer, and Capitol Towers who are at home during weekdays. Pioneer Tower residents are retired senior citizens and disabled persons. Many have mobility impairments which confine them to their apartments or the immediate grounds during weekdays while construction would be underway. Some Bridgeway and Capitol Towers residents are in a similar situation. It is impossible to reduce noise of major construction to tolerable levels. It is also very challenging to try to market a condo or rent out a unit overlooking a massive noisy long-term heavy construction site.
• We have strong concerns that the project Applicant Kennedy Wilson is not a developer but instead is an out-of-town real estate investment firm (speculator) which has never built any project from the ground up. We have strong concerns that the most likely project scenario would be that Kennedy Wilson's would persuade the City to approve maximum development entitlements and divide the site into six separate parcels, and then Kennedy Wilson would vacate the apartments, level the site, install infrastructure, and then try to flip the newly-entitled “shovel ready” parcels to others. Review of Kennedy Wilson's website shows that, with a few exceptions it generally does not own residential property longer than six or eight years. There is a real danger that this project could culminate in large parcels remaining vacant for years while owners await hoped-for “market feasibility” and maybe a big hole in the ground. This would seriously devalue neighboring properties and be an embarrassment to the City’s leaders and Sacramento’s “image” for downtown.

• City should require that there be no demolition of any parcel until Kennedy Wilson or its assignee shows proof of binding contracts for construction and full financing. Sacramento does not need another disaster like the former Saca and Aura projects, which, respectively gave downtown a huge hole in the ground and yet another surface parking lot. Such an outcome would be very detrimental to neighboring residential properties such as Bridgeway.

• City should prohibit pile-driving and other construction activities that could cause structural harm to property of Bridgeway and any of its owners and residents, and require Kennedy Wilson to post a bond to cover the cost of repairing any damage to Bridgeway property that may be harmed by construction-related activities. The same should apply to Pioneer Towers and other nearby properties, including the historical and possibly fragile Heilbron mansion, on the east side of 7th Street.

• We are concerned the proposed Tentative Map contemplates abandonment of existing utility easements. No part of any structure should be permitted atop a utility gas pipe.

• We strongly oppose the clear-cutting of the on-site urban forest and removal of green space which has been a vital part of the neighborhood and has attracted many of our residents to Bridgeway, and urge that the City require Kennedy Wilson to redesign its project to retain the urban forest and avoid detrimental impacts to residents and owners of Bridgeway and Pioneer Towers.

• There are some trees on Bridgeway property, along its south fenceline having limbs and roots which protrude respectively over and under neighboring Capitol Villas property. We are concerned that Kennedy Wilson construction personnel may lop off limbs and cut through the limbs and root systems of those trees, likely killing them. Contrary to myth, a property owner does not have an absolute right to lop off limbs and
roots encroaching from trees on neighboring property. By law, the landowner must act reasonably in trimming roots and limbs of a neighbor’s tree, taking into account the tree’s health. (Booska v Patel, (1994), 24 Cal App 4th 1786 at 1791, 1792.) The City should require that KW reach agreement with Bridgeway about any trimming before cutting the limbs or roots of any Bridgeway tree that protrudes on or under KW property or is growing on the mutual property line.

- Kennedy Wilson should provide 24-hour security for vacated areas of Capitol Villas to prevent squatters and the presence of others who may have criminal intent. A previous owner vacated half of the Villas in anticipation of hoped-for development. This led to the presence of squatters and others who did not belong on the property. One of them attacked and raped a woman on site.

- The sanitary sewer and stormwater infrastructure for the 4-block superblock bounded by 5th, 7th, N, and P Streets was sized to accommodate the area’s current population. It was not sized to accommodate the additional population proposed for the project. The environmental review should address the need for additional sanitary sewer and stormwater infrastructure, and the City should require the developer to pay all costs of upgrading this infrastructure to meet the needs of the additional population which would result from the project.

- The environmental document should also address the cumulative impact on sanitary sewer and stormwater infrastructure of Sacramento Commons and the Arena and other proposed projects which would share on-site and off-site infrastructure with development on the superblock. Would Sacramento Commons share the 6th Street sewer line with the Arena? All new development, including Sacramento Commons, affecting any on-site or off-site shared sanitary sewer and stormwater infrastructure should be required to contribute to the cost of necessary upgrades created by these projects.

- Certain of the project “conceptual diagrams” in project documents show the eastern boundary of Bridgeway as being few feet east of the Bridgeway Tower residential building. In fact Bridgeway’s property runs easterly to a north-south line which is 30 feet east of the residential building. This is correctly shown on the proposed tentative map and a few other diagrams, but not on others. City should insist that all project diagrams be corrected to show the correct boundary line east of Bridgeway.

Thank you for considering our comments. If you have questions or wish to discuss our concerns please contact Jim Pachl, 500 N Street #1403, Sacramento, CA 95814, 916-444-0910, email jpachl@sbcglobal.net.
Very Truly Yours,

William S. Hunter, Secretary
Bridgeway Towers Owners Association

Cc: City Councilperson Steve Hansen
Cc: William J. McMorrow, CEO, Kennedy Wilson Inc.
40 feet from Bridgeway Wall
From: Bobbie Metzger  
Subject: RE: Oppose Sacramento Commons  
Date: July 23, 2014 at 10:17:30 AM PDT  
To: David Nybo  
CC: Councilmember Steve Hansen

Commissioner Nybo:

As a former Press Secretary to Governor Jerry Brown (first go-round) and to Speaker Willie Brown (1980's) I have a clear and thorough understanding of how government works. I greatly respect and appreciate elected officials who genuinely care about their constituents, but have come across far too many who chose elected office simply for the fame, power, paycheck or future employment. I have never had the pleasure of meeting you, but I hope and am assuming you sought this appointed office for all the right reasons.

In that vein, I am writing you today on behalf of hundreds of residents who live in the buildings between N and P and 5th and 7th streets to express our strong opposition to the massive high-rise development being proposed for this area.

Clearly, years ago when the city first approved the buildings that now sit here, the government made a conscious decision to require open space, pedestrian rights of way, the planting and retaining of dozens of trees all in a park-like setting not only for the area’s residents but for everyone who lives and works in the central city. It is clear to me that City officials would not have approved the elimination of two major streets—— 6th and O Streets ——if they did not intend to keep this beautiful piece of green space in perpetuity.

Keeping this in mind, common sense dictates the Planning Commission and elected officials, if they feel we need more condominium-style housing in the downtown area, use the many sites that have already been excavated and are currently available such as the John Saca hole in the ground, the David Taylor parking lot and the land around the proposed arena before destroying one of the only peaceful, park-like settings in the area —isn’t that what urban planning is all about? Why would any of our decision-makers fall prey to the fast-talking sales pitch of wealthy Los Angeles land speculators and approve the destruction of this beautiful spot when there’s a hole in the ground ready and waiting for a high rise at 4th between L and Capitol?

In addition, this proposed development will destroy the quality of life of hundreds upon hundreds of your constituents —— families and senior citizens who live in the area. If you do not think this argument is legitimate, if this project gets the green light, please come by each day, sit in what used to be a park-like setting and listen to the pile drivers for months, perhaps years, on end and then mull the idea that the city has participated in the decimation of an historic area of downtown Sacramento.

Then come and enjoy the chaos and traffic congestion 1400 new units and thousands of new residents will cause. I respectfully request that you drive down P Street when you leave the office at 5:00 pm today and see the bumper to bumper traffic that already exists! The infrastructure simply can't handle such a massive development in this location on the primary street out of town to the interchange for Highways 5, 80 and 99.

We need you now more than ever and seek your honest and sincere efforts to block this proposed development.

Thank you

Bobbie Metzger